



MINUTES

ORDINARY MEETING

OF COUNCIL

17 JANUARY 2017



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FOR
ORDINARY MEETING OF
COUNCIL
HELD ON 17 JANUARY 2017**

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SHIRE OF GINGIN

MINUTES OF THE ORDINARY MEETING OF THE SHIRE OF GINGIN HELD IN THE COUNCIL CHAMBER ON TUESDAY, 17 JANUARY 2017 AT 3.03PM

DISCLAIMER

Members of the Public are advised that decisions arising from this Council Meeting can be subject to alteration.

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.

ORDER OF BUSINESS

1. DECLARATION OF OPENING

The Shire President declared the meeting open at 3:03pm and welcomed those in attendance.

2. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors – D W Roe (Shire President), I B Collard (Deputy Shire President), V Ammon, M Aspinall, J Court, J W Elgin, C W Fewster, F J Peczka and S Smiles.

Staff – J Edwards (Chief Executive Officer), K Lowes (Executive Manager Corporate and Community Services), S Camillo (Executive Manager Regulatory Services), Allister Butcher (Executive Manager Operations), L Edwards (Manager Strategic Planning and Development), K Bacon (Manager Statutory Planning), O Edwards (Customer Service Officer) and L Burt (Governance/Minute Officer).

Gallery – There were 14 members of the public present in the gallery.

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE

Nil

3. DISCLOSURES OF INTEREST

3.1 Councillor W Fewster

Item 11.3.3 Retrospective Application for Development Approval - Development of an Additional Use (Noxious Industry – Composting Facility) on Lot 51 (431) Cullalla Road, Moondah

Councillor Fewster declared a financial interest in this item due to the fact that he has business interests via stock agents and livestock exporters.

3.2 Allister Butcher - Executive Manager Operations

Item 11.4.2 Capital Roadworks – Under Budget Expenditure for Bennies Road, Cullalla Road and Murray Road Bridge Works

The Executive Manager Operations declared a proximity interest in this item due to the fact that he owns and lives at 1598 Red Gully Road, Mindarra.

4. PUBLIC QUESTION TIME

4.1 RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTIONS

4.2.1 Mr Cec Campbell- Bennies Road Wanerie Lancelin Lions Club Recycling Operation

Is there any other organisation that can take over running the recycling at Lancelin such as Chamber of Commerce, Ambulance etc as I don't think the current situation with Lions organisation will ever work satisfactorily while the President is also a member of the Council.

Shire President's Response

Avon Waste is currently providing a recycling service. The Lancelin Lions Club is working through a resolution process in relation to its recycling operations. In the event that a resolution cannot be achieved then Council will consider other options.

5. PETITIONS, DEPUTATIONS AND PRESENTATIONS

5.1 PETITIONS

Nil

5.2 DEPUTATIONS

Nil

5.3 PRESENTATIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. CONFIRMATION OF MINUTES

RECOMMENDATION

It is recommended that the Minutes of the Ordinary Meeting of Council held on 20 December 2016 be confirmed.

RESOLUTION

Moved Councillor Peczka, seconded Councillor Aspinall that the Minutes of the Ordinary Meeting of Council held on 20 December 2016 be confirmed.

CARRIED UNANIMOUSLY

8. ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil

9. UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil

10. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

11. REPORTS

11.1. OFFICE OF THE CEO

11.1.1 REVIEW OF PAID PARKING PROPOSAL - GUILDERTON FORESHORE PARKING AREA

LOCATION:	RESERVES 25006 AND 25009 EDWARDS STREET, GUILDERTON AND EDWARDS STREET ROAD RESERVE	
FILE:	RDS/44	
AUTHOR:	LEE-ANNE BURT – GOVERNANCE OFFICER	
REPORTING OFFICER:	JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER	
REPORT DATE:	17 JANUARY 2017	
REFER:	20 SEPTEMBER 2016	ITEM 11.3.2
	20 DECEMBER 2016	ITEM 11.3.1

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider a resolution arising from the Annual General Meeting of Electors held on 22 December 2016 in relation to the proposal to introduce paid parking at the Guilderton Foreshore Parking Area.

BACKGROUND

At its meeting on 20 September 2016, Council resolved to advertise its intention to make a Determination to declare the Guilderton foreshore parking area located on portion of Reserves 25006 and 25009 Edwards Street and the Edwards Street road reserve, Guilderton as a Parking Station for the purposes of Part 3 of the Shire of Gingin Parking and Parking Facilities Local Law 2004.

In accordance with Council's resolution, the proposed Determination was advertised for a period of 21 days, with no public submissions being received. At its meeting on 20 December 2016, Council subsequently resolved to make a Determination to declare the Guilderton foreshore parking area located on portion of Reserves 25006 and 25009 Edwards Street and the Edwards Street road reserve, Guilderton as Parking Station for the purposes of Part 3 of the Shire of Gingin Parking and Parking Facilities Local Law 2004.

COMMENT

The proposal for paid parking at the Guilderton Foreshore Parking Area was raised for discussion at the Annual General Meeting of Electors held at Guilderton on 22 December 2016, with the meeting subsequently resolving as follows:

Moved Elaine McCartin, seconded Peter Enright that Council reconsider its position on paid parking in Guilderton at its January meeting.

CARRIED
40-2

Section 5.33 of the *Local Government Act 1995* states as follows:

5.33 Decisions made at electors' meetings

- (1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable –*
- (a) *at the first ordinary council meeting after that meeting; or*
- (b) *at a special meeting called for that purpose.*

In this instance, Administration will require some additional time in order to fully assess the potential impacts of the Electors' Meeting resolution and it is therefore recommended that Council seek the preparation of a report on the matter for consideration at a future Council meeting.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

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

Section 5.33 – Decisions made at electors' meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

The potential impact of the change in Council position sought by the Electors' Meeting resolution is not fully known at this time.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015-2025

Focus Area	<i>5. Leadership and Governance</i>
Objective	<i>5.2. Accountable and responsible governance</i>
Outcome	N/A
Strategy	N/A

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council:

1. Request the preparation by Administration of a report addressing the potential implications of the resolution arising from the Annual General Meeting of Electors held on 22 December 2016 by no later than 16 May 2017; and
2. Agree to defer implementation of paid parking provisions at the Guilderton Foreshore Parking Area pending consideration of the report referenced in Part 1 (above).

ALTERNATIVE MOTION

Moved Councillor Aspinall, seconded Councillor Collard that Council note the resolution arising from the Annual General Meeting of Electors held on 22 December 2016 and proceed with the implementation of paid parking as originally agreed.

Councillor Fewster foreshadowed that he intended to move the officer recommendation.

LOST
3-6

For: Councillors Collard, Aspinall
Against: Councillors Elgin, Smiles, Peczka, Court, Roe, Fewster, Ammon

RESOLUTION

Moved Councillor Fewster, seconded Councillor Elgin that Council:

1. **Request the preparation by Administration of a report addressing the potential implications of the resolution arising from the Annual General Meeting of Electors held on 22 December 2016 by no later than 16 May 2017; and**
2. **Agree to defer implementation of paid parking provisions at the Guilderton Foreshore Parking Area pending consideration of the report referenced in Part 1 (above).**

CARRIED
8-1

For: Councillors Elgin, Smiles, Peczka, Court, Roe, Collard, Fewster, Ammon
Against: Councillor Aspinall

11.1.2 DEVELOPMENT OF POLICY ON FRACKING WITHIN THE SHIRE OF GINGIN

LOCATION:	SHIRE OF GINGIN
FILE:	ENV/32
AUTHOR:	LEE-ANNE BURT – GOVERNANCE OFFICER
REPORTING OFFICER:	JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE:	17 JANUARY 2017
REFER:	NIL

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider a resolution arising from the Annual General Meeting of Electors held on 22 December 2016 in relation to the development of a policy on fracking for the Shire of Gingin.

BACKGROUND

Fracking is the process of drilling down into the earth before a high-pressure water mixture is directed at the rock to release the gas inside. Water, sand and chemicals are injected into the rock at high pressure which allows the gas to flow out to the head of the well.

Whilst the process is a controversial one which has been the cause of significant public debate in other areas of Western Australia, to date the Shire of Gingin does not have a policy position with respect to the matter and is not aware of any proposals for fracking within this local government district.

COMMENT

At the Annual General Meeting of Electors held at Guilderton on 22 December 2016, the following resolution was carried:

Moved Julia Mateljan, seconded Jill Brown that Council develop a policy to exclude fracking from the Shire of Gingin.

CARRIED
44-5

Section 5.33 of the *Local Government Act 1995* states as follows:

5.33 *Decisions made at electors' meetings*

- (1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable –*
 - (a) *at the first ordinary council meeting after that meeting; or*
 - (b) *at a special meeting called for that purpose.*

Fracking is not a matter that has previously been considered by the Shire of Gingin. Therefore, it will be necessary for Administration to undertake some research in order to provide Council with the information necessary for it to make a considered decision.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

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

Section 5.33 – Decisions made at electors' meetings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

At the present time, it is not known whether the adoption of a policy on fracking will have any financial implications for the Shire of Gingin.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015-2025

Focus Area	<i>2. Natural Environment</i>
Objective	<i>2: To support a healthy natural environment</i>
Outcome	N/A
Strategy	N/A
Focus Area	<i>5. Leadership and Governance</i>
Objective	<i>5.2. Accountable and responsible governance</i>
Outcome	N/A
Strategy	N/A

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council:

1. Note the resolution arising from the Annual General Meeting of Electors held on 22 December 2016; and
2. Request Administration to prepare a report on the matter of fracking in the Shire of Gingin for further consideration by no later than 16 May 2017.

RESOLUTION

Moved Councillor Smiles, seconded Councillor Ammon that Council:

- 1. Note the resolution arising from the Annual General Meeting of Electors held on 22 December 2016; and**
- 2. Request Administration to prepare a report on the matter of fracking in the Shire of Gingin for further consideration by no later than 16 May 2017.**

**CARRIED
8-1**

For: Councillors Elgin, Smiles, Peczka, Court, Roe, Collard, Fewster, Ammon
Against: Councillor Aspinall

11.1.3 DISPOSITION OF PROPERTY - PORTION OF LOT 5450 AND LOT 701 WANNAMAL ROAD WEST, BOONANARRING

LOCATION: PT LOT 5450 AND LOT 5450 WANNAMAL ROAD
WEST, BOONANARRING
APPLICANT: DEPARTMENT OF PARKS AND WILDLIFE
FILE: ENV/21
AUTHOR: LISA EDWARDS – MANAGER STRATEGIC PLANNING
AND DEVELOPMENT
REPORTING OFFICER: JEREMY EDWARDS - CHIEF EXECUTIVE OFFICER
REPORT DATE: 17 JANUARY 2017
REFER: 2 MAY 2006 ITEM 11.3.3
15 DECEMBER 2009 ITEM 11.4.1
21 JANUARY 2014 ITEM 13.3
18 FEBRUARY 2014 ITEM 11.1.13
20 MAY 2014 ITEM 11.1.6
21 APRIL 2015 ITEM 11.1.5

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the:

1. Disposition of portion of Lot 5450 and Lot 701 Wannamal Road West, Wannamal.
2. The subdivision of Lot 5450 and Lot 701; and
2. The closure of public road providing access from the eastern boundary of Lot 5450 to Lot 701.

BACKGROUND

The subject land is zoned General Rural and is approximately 1002ha. Council purchased the subject land in 2006 for the primary purpose of gravel extraction and landfill. Since this time Shire Staff have prepared a scheme amendment to change the front of the land parcel from General Rural Zone to Special Use Site for landfill. On 3 January 2016, the Shire received correspondence from the Environmental Protection Authority (EPA) to advise that the Shire of Gingin proposed Scheme Amendment No. 8 was not to be assessed. This support was provided subject to certain future management plans and a reduced landfill footprint which would be provided on the cleared land remaining in the Shire's possession.

The remainder of the site hosts native vegetation and Alex Errington from the Department of Parks and Wildlife (DPAW) has consistently approached the Shire with interest to purchase this land for conservation purposes. In 2016 a portion of the land was identified in the Perth to Peel Growth Plan for conservation. The Shire is in receipt of correspondence dated 9 December 2016 from Alex Errington, requesting that Council consider selling a portion of Lot 5450 and Lot 701 to the State Government for the purpose of Conservation.

A site plan is attached as **Appendix 1**. A copy of the correspondence is attached as **Appendix 2**.

COMMENT

Community Consultation

Section 3.58 of the *Local Government Act 1995* requires public notice to be given of the proposal however, any sale to State Government is exempt from such requirement.

Section 58(3) of the *Land Administration Act 1999* requires the local government to give public notice in respect of the proposed road closure of the public road reserve located on Lot 5450 and servicing Lot 701 from Mindarra Springs Road. This road closure will only affect the portion of public road being from the eastern boundary of Lot 5450 to Lot 701.

Planning Assessment

The total land area is 1002ha and the sale to DPAW would result in approximately 721ha transferred from the Shire's ownership.

The land, the subject of the sale, is heavily vegetated with good to excellent vegetation therefore it is unlikely the land would be able to be developed and this has been inferred by the EPA. A Level 2 Flora and Fauna Assessment completed last spring indicated that the land hosts species listed under the *Environmental Biodiversity and Conservation Act (1999)*.

The land retained by the Shire encompasses the front portion of the land of which fifty per cent is presently subject to proposed Scheme Amendment No. 8 for a landfill and associated facilities.

Council is required to consider the disposition, subdivision and a road closure in respect of the land.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 3.58 of the *Local Government Act 1995* prescribes the procedures which must be followed in disposing of property.

Ordinarily the Shire would have to dispose of land in accordance with s3.58 of the *Local Government Act 1995* however, the Shire is exempt from the requirement in accordance with part (d) of the *Local Government Functions and General Regulations 1996, Reg 30 (2)(c)*.

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

The land was purchased for approximately \$995,000 in 2006. A loan facility of \$600,000 was established and at this time there is \$485,000 outstanding. The Shire would receive \$500,000 for the conservation land, if Council decided to sell, which could be used to pay out the loan and the remaining funds transferred to the Shire's Tip Rationalisation Reserve Fund.

The remaining 280ha could be used for landfill, if approved, rural activities and gravel extraction. Approximately \$70,000 of gravel has been removed with more supply available for the long term.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015-2025

Focus Area	<i>Built Environment</i>
Objective	<i>3 To effectively manage growth and provide for the community</i>
Outcome	<i>3.2 Plan for future development</i>
Strategy	<i>3.2.1 Plan for growth by developing land use planning strategies to meet current and future community needs, and protect the natural environment.</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY**RECOMMENDATION**

It is recommended that Council:

1. Agree that it is prepared to accept the offer of \$500,000 (plus GST if applicable) from the Department of Parks and Wildlife for a portion of Lot 5450 and Lot 701 Wannamal Road West, Wannamal as depicted generally on Appendix 2 of this Report.
2. Agree to support a subdivision application to create two new lots.
3. Agree to advertise the proposed closure of public road reserve located on Lot 5450 and servicing Lot 701 under section 58(3) of the *Land Administration Act 1999*. The closure shall affect the portion of public road being from the eastern boundary of Lot 5450 to Lot 701.
4. Require the Department of Parks and Wildlife to prepare the necessary documents to affect survey, land sale, subdivision and road closure at their cost.
5. Delegate authority to the Chief Executive Officer to approve the necessary documentation to effect the land transaction, including affixing of the Common Seal if required.

6. Require proceeds from the sale of the property to be transferred to Council's Landfill Site Loan No 111 and the balance be transferred to the Tip Rationalisation Reserve Fund.

RESOLUTION

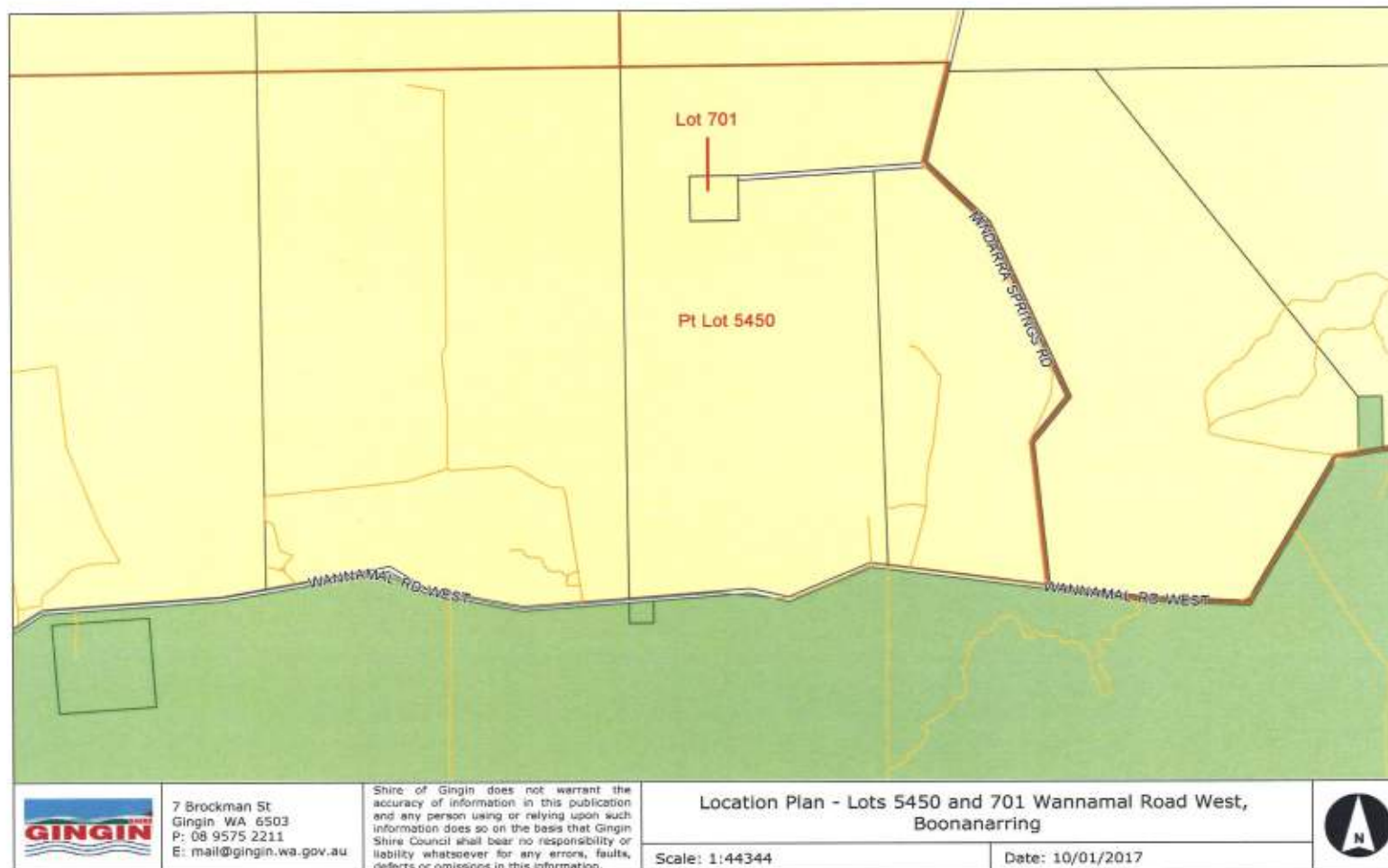
Moved Councillor Aspinall, seconded Councillor Court that Council:

1. **Agree that it is prepared to accept the offer of \$500,000 (plus GST if applicable) from the Department of Parks and Wildlife for a portion of Lot 5450 and Lot 701 Wannamal Road West, Wannamal as depicted generally on Appendix 2 of this Report.**
2. **Agree to support a subdivision application to create two new lots.**
3. **Agree to advertise the proposed closure of public road reserve located on Lot 5450 and servicing Lot 701 under section 58(3) of the *Land Administration Act 1999*. The closure shall affect the portion of public road being from the eastern boundary of Lot 5450 to Lot 701.**
4. **Require the Department of Parks and Wildlife to prepare the necessary documents to affect survey, land sale, subdivision and road closure at their cost.**
5. **Delegate authority to the Chief Executive Officer to approve the necessary documentation to effect the land transaction, including affixing of the Common Seal if required.**
6. **Require proceeds from the sale of the property to be transferred to Council's Landfill Site Loan No 111 and the balance be transferred to the Tip Rationalisation Reserve Fund.**

CARRIED BY ABSOLUTE MAJORITY

9-0

APPENDIX 1





APPENDIX 2



Government of Western Australia
Department of Parks and Wildlife
Parks and Visitor Services

Your ref:
Our ref:
Enquiries: Alex Errington
Phone: 9219 8775
Email: Alex.Errington@dpaw.wa.gov.au

Mr Jeremy Edwards
Chief Executive Officer
Shire of Gingin
7 Brockman Street
GINGIN WA 6503



Doc No: ICP185929
File: ENV/21/A2139
Date: 16 DEC 2016
Officer: KO

Dear Mr Edwards

LOTS 5450 AND 701 WANNAMAL ROAD WEST

I refer to my letter dated 27 August 2012 to your predecessor and his reply dated 18 October 2012 (copies attached) and my ongoing discussions since then with your Lisa Edwards about this matter.

I confirm that the Department is interested to acquire the uncleared northern section of Lot 5450, along with Lot 701, for the purpose of conservation.

As you know, the department has acquired a number of portions of bush in this area between Boonanarring Nature Reserve and the Moore River during the past eight years, and these are coloured in green on the attached plan. Lots 5450 and 701 would be very valuable additions to that network.

The attached aerial photo shows the area of about 721 hectares that we would like to acquire. Our offer presumes that the (unconstructed) road reserve which notionally "services" Lot 701 would be closed and ultimately included in the proposed surrounding nature reserve.

As to the price, the Department could agree to the discussed figure of \$500,000.

We would arrange for the necessary subdivision action to have the area placed on a separate title. The Shire would receive a new title for the southern section which is planned to become the landfill site.

I look forward to receiving your further advice.

Yours sincerely

Alex Errington
For Jim Sharp
DIRECTOR GENERAL
9 December 2016

Land Unit
Locked Bag 104, Bentley Delivery Centre, Western Australia 6983
Phone: (08) 9219 8775 Fax (08) 9334 0221 Email: Alex.Errington@dpaw.wa.gov.au
www.dpaw.wa.gov.au



Government of **Western Australia**
Department of **Environment and Conservation**

Your ref:
Our ref:
Enquiries: Alex Errington
Phone: 9219 8775
Fax: 9334 0556
Email: alex.errington@dec.wa.gov.au

Mr David Burt
Chief Executive Officer
Shire of Gingin
7 Brockman Street
GINGIN WA 6503

Dear David

SHIRE PROPERTY AT LOT 5450 WANNAMAL ROAD WEST

I refer to our recent telephone discussion and my March briefing of Council about the Department of Environment and Conservation (DEC)'s program of purchasing Carnaby's cockatoo habitat north of Gingin.

We have now acquired seven substantial parcels of remnant bushland, have reached agreement with owners to acquire a further four, and are at various stages of negotiations involving a further seven.

I am wondering whether it would now be appropriate to explore with you the possibility of DEC acquiring the northern uncleared portion of Lot 5450 (and Lot 701) which the Shire owns in Wannamal Road West. With Boonanarring Nature Reserve on the southern side of the road and our negotiating the purchase of surrounding properties, it would be useful to know whether this area of bush would be available for purchase. Funds for a purchase are currently available.

I understand that the Shire purchased the property some years ago with the intention of developing a waste disposal facility. I can see no reason why this would necessarily be affected if DEC was to purchase the uncleared portion of the property.

I look forward to receiving your advice concerning this enquiry.

Regards


Alex Errington
for Keiran McNamara
DIRECTOR GENERAL

27 August 2012

HEAD OFFICE: The Atrium, 168 St Georges Terrace, Perth, Western Australia 6000
Phone: (08) 6467 5000 Fax: (08) 6467 5562 TTY: 1880 555 630
OPERATIONS: 17 Dick Perry Avenue, Technology Park, Kensington, Western Australia 6151
Phone: (08) 9334 0333 Fax: (08) 9334 0489 TTY: 9334 0546

POSTAL ADDRESS: Locked Bag 104, Bentley Delivery Centre, Western Australia 6983
www.dec.wa.gov.au

91596026



EA 700450
7 Brockman Street, Gingin, Western Australia 6503
Telephone (08) 9575 2211 Facsimile (08) 9575 2121
Email: mail@gingin.wa.gov.au
Web: www.gingin.wa.gov.au

DEPARTMENT OF ENVIRONMENT
& CONSERVATION
24 OCT 2012
Corporate Information Section
KENSINGTON

18 October 2012

Alex Errington
Department of Environment and Conservation
Locked Bag 104
BENTLEY DELIVERY CENTRE WA 6983

Dear Alex

LOTS 5450 AND 701 WANNAMAL ROAD WEST

Thank you for your correspondence of 27 August 2012, in particular the probability of the Department of Environment and Conservation acquiring the uncleared portion of the above lots.

As previously discussed by telephone, formal consideration of any such proposal is probably premature at this point in time given that Council is currently investigating future options for the establishment of a Waste Disposal Facility on the cleared portion of the subject lots. Land area requirements in this regard have not yet been determined and site feasibility and/or suitability studies have not yet been undertaken.

Notwithstanding, and without pre-empting any future decision of Council, I foresee no impediment to such a proposal whether by purchase, land swap or conservation offset.

I have requested that this matter be diarized for twelve months at which time a further review will be conducted.

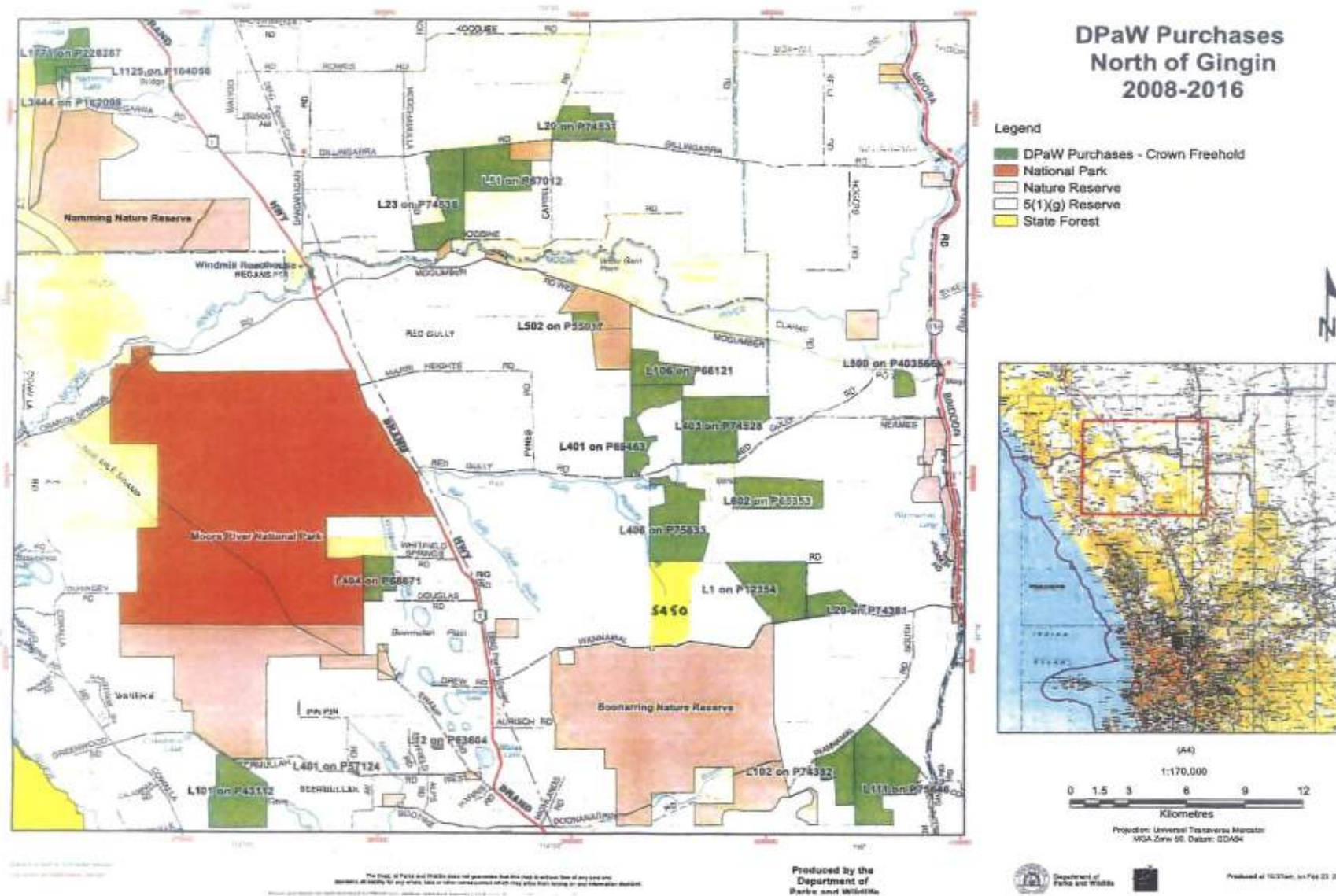
Yours sincerely

A handwritten signature in blue ink, appearing to read "David T Burt".

DAVID T BURT
CHIEF EXECUTIVE OFFICER

DB:ko
File: ENV/21

Re: Department of Environment and Conservation re Lots 5450 and 701 Wannamal Road West





11.1.4 APPLICATION OF COMMON SEAL TO TRANSFER OF DEED OF AGREEMENT - LOT 98 WANNAMAL ROAD SOUTH, CULLALLA

LOCATION: LOT 98 WANNAMAL ROAD SOUTH CULLALLA
APPLICANT: VEOLIA PTY LTD AND MESSRS FERNIE
FILE: LND/574
AUTHOR: LISA EDWARDS – MANAGER STRATEGIC PLANNING
AND DEVELOPMENT
REPORTING OFFICER: JEREMY EDWARDS - CHIEF EXECUTIVE OFFICER
REPORT DATE: 10 JANUARY 2017
REFER: 2 MAY 2006 ITEM 11.3.3
19 DECEMBER 2006 ITEM 15.1
20 MARCH 2007 ITEM 11.3.1
5 JUNE 2007 ITEM 11.4.2
18 NOVEMBER 2008 ITEM 11.3.1

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider approving the application of the Common Seal to the transfer of Deed of Agreement between the Shire of Gingin, Veolia Environmental Service Pty Ltd, JL Fernie (dec'd) and MG Fernie to Fernview Landfill Pty Ltd to ensure that landfill obligations for development approval are undertaken.

BACKGROUND

Council considered initiating a proposed Scheme Amendment for the subject land at its meeting on 18 November 2008 at which time it required certain provisions to be reflected in a legal instrument pertinent to landfill development.

This included:

- Surety of the quality of the landfill liner;
- Use of a specified haulage route using the Brand Highway and not Cheriton Valley or Mooliabeenee Road;
- Cost sharing arrangement for the upgrading of roads;
- Free disposal of certain waste levels in the Shire; and
- A negotiated per tonne royalty for payment into a Community Facilities Fund.

Subsequently, the scheme amendment was approved and last year the Joint Development Assessment Panel approved the Development Application for the landfill.

At this time the land is under Contract of Sale by Fernview Pty Ltd who are required to enter into a Replacement Agreement to transfer the Deed provisions upon the sale. The land is also governed by a Caveat which is to be removed and replaced upon settlement.

A site plan is attached as **Appendix 1**, a copy of the Replacement Agreement is attached as **Appendix 2** and a copy of the Joint Development Assessment Panel Approval is attached as **Appendix 3**.

COMMENT

The Replacement Agreement and Caveat must be executed by the Shire and therefore requires the application of the Common Seal.

Section 9.49A of the *Local Government Act 1995*, specifies that documents can be duly executed by a local government if:

1. The Common Seal of the local government is affixed, as authorised by Council, in the presence of the President and the Chief Executive Officer or a senior employee authorised by the Chief Executive Officer; or
2. The local government has, by resolution, authorised the Chief Executive Officer or another employee or agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions as specified in the authorisation.

At the present time, no power has been granted by Council for the Chief Executive Officer to authorise the affixing of the Common Seal to documents.

Community Consultation

Not applicable.

Planning Assessment

Not applicable.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 9 – Miscellaneous provisions

Division 3 – Documents

Section 9.49A – Execution of documents

Planning and Development Act 1995

Land Administration Act 1999

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

There is no cost impost on the Shire as a result of this transfer.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015-2025

Focus Area	<i>Built Environment</i>
Objective	<i>3 To effectively manage growth and provide for the community</i>
Outcome	<i>3.2 Plan for future development</i>
Strategy	<i>3.2.1 Plan for growth by developing land use planning strategies to meet current and future community needs, and protect the natural environment.</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

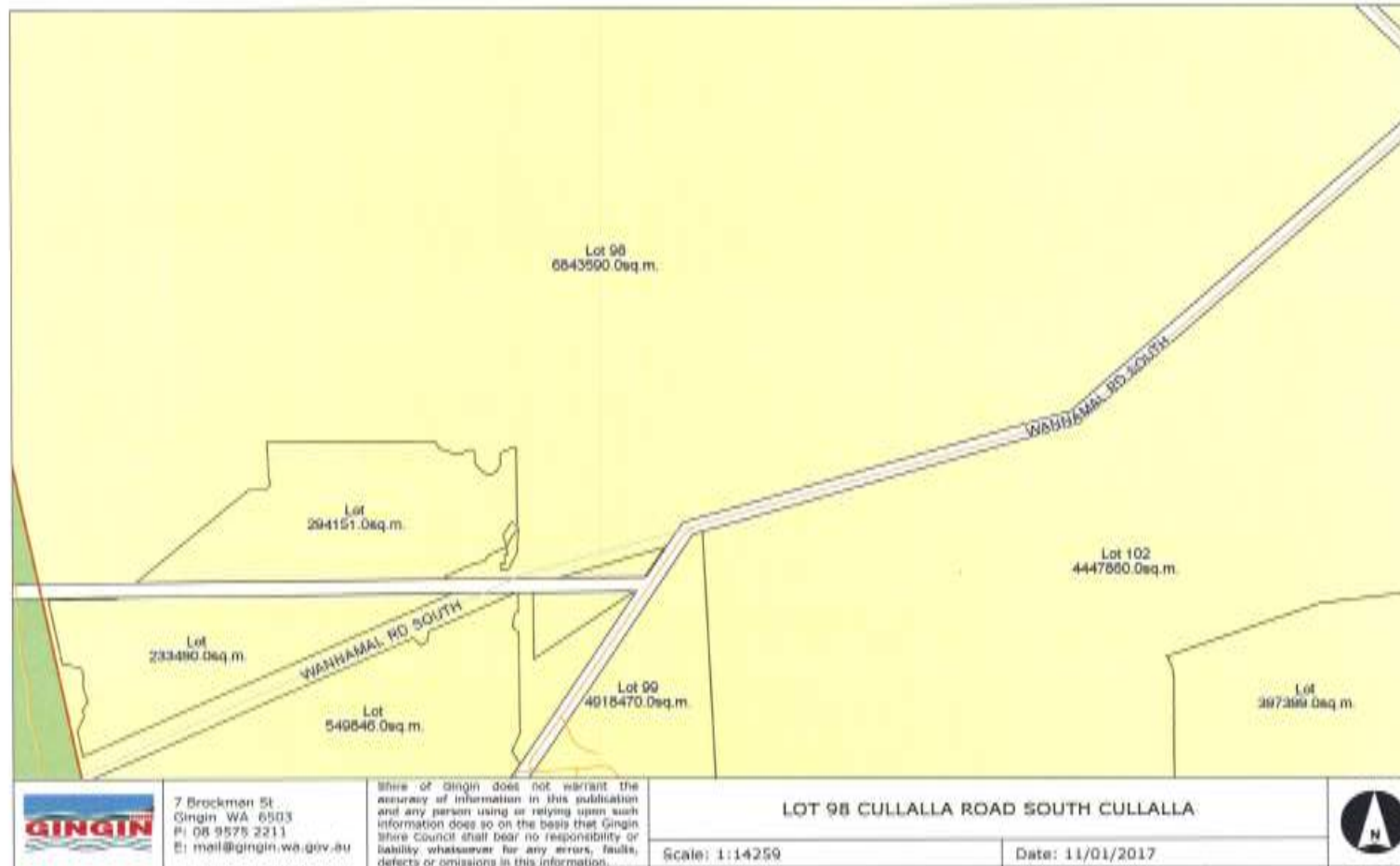
It is recommended that Council authorise the Shire President and Chief Executive Officer to execute the Caveat documentation and Replacement Agreement between Fernview Pty Ltd and the Shire of Gingin for Lot 98 Wannamal Road South, Cullalla, prepared by McLeods Barristers and Solicitors, including the application of the Common Seal.

RESOLUTION

Moved Councillor Aspinall, seconded Councillor Elgin that Council authorise the Shire President and Chief Executive Officer to execute the Caveat documentation and Replacement Agreement between Fernview Pty Ltd and the Shire of Gingin for Lot 98 Wannamal Road South, Cullalla, prepared by McLeods Barristers and Solicitors, including the application of the Common Seal.

CARRIED UNANIMOUSLY

APPENDIX 1



APPENDIX 2

Replacement Agreement: Lot 98 Wannamal Road, Cullalla

Fernview Landfill Pty Ltd

Shire of Gingin



McLEODS

Barristers & Solicitors

Stirling Law Chambers | 220-222 Stirling Highway | CLAREMONT WA 6010

Tel: (08) 9383 3133 | Fax: (08) 9383 4935

Email: mcleods@mcleods.com.au

Ref: FG:GIN:24892

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Details

Parties

Fernview Landfill Pty Ltd (ACN 613 549 689)
of Unit 9, 48 Kelvin Road, Maddington, Western Australia
(Transferee)

Shire of Gingin
of 7 Brockman Street, Gingin, Western Australia
(Shire)

Background

- A The Transferee is entitled to be registered as the proprietor of an estate in fee simple in land being Lot 98 on Deposited Plan 75926 and being the whole of the land comprised in Certificate of Title Volume 2847 Folio 974 (**Land**).
- B Caveat M711508 (**Caveat**) encumbers the Land in favour of the Shire and is supported by the terms of a deed dated 16 October 2009 between John Leslie Fernie, Margaret Gloria Fernie, Veolia Environmental Services (Australia) Pty Ltd and the Shire (**Original Deed**) a copy of which is annexed hereto as **Annexure 1** and forms part of this Deed.
- C Margaret Gloria Fernie, Susan Lisa Forbes, Darren John Fernie as Executors of the Will of John Leslie Fernie who died on 12 October 2013 (**Transferors**) have requested that the Shire provide a withdrawal of the Caveat to allow for the transfer of the Land to the Transferee and the Shire has agreed subject to the Transferee entering into this deed to secure compliance by the Transferee with the obligations set out in the Original Deed.

Agreed Terms

1. The Transferee's Covenants

The Transferee HEREBY COVENANTS AND AGREES with the Shire that it agrees to perform and be bound by the obligations of the Transferors under the Original Deed, as if the Transferee had been a party to the Original Deed.

2. Charge and Caveat

The Transferee HEREBY CHARGES its interest in the Land in favour of the Shire with the performance of its obligations pursuant to this Deed and the Original Deed and with the payment of all or any monies payable or which may become payable by the Transferee to the Shire and for the purpose of securing such obligations authorises the Shire to lodge an absolute caveat at the Western Australian Land Information Authority trading as Landgate against the Certificate of Title to the Land in order to protect the rights and interests of the Shire under this Deed.

3. Restrictions on Disposal

The Transferee shall not sell, transfer, mortgage, charge, assign or otherwise dispose of or encumber the Land or any part thereof without the prior written consent of the Shire, which consent the Shire will not withhold if the person to whom any such right or interest in the Land of

any part thereof is to be granted, enters into a Deed (or in the case of a mortgagee, a specific undertaking) with the Shire, whereby such person covenants to observe and perform the covenants on the part of the Transferee herein contained to ensure that any successor observes such obligations, such Deed or undertaking to be prepared by the Shire's solicitors at the expense of the Transferee.

4. Withdrawal of Caveat

Subject to there being no existing or unremedied breach of any condition of this Deed and subject to:

- (a) the Transferee complying with **clause 3** of this Deed the Shire will at the request of the Transferee and at the Transferee's cost provide to the Transferee a withdrawal of any caveat lodged by the Shire pursuant to this Deed sufficient to enable the registration of any mortgage or charge of the Land provided that the Shire is entitled to relodge its absolute caveat following the registration of such mortgage or charge;
- (b) the Transferee having complied with the obligations set out under the Original Deed to the Shire's satisfaction the Shire shall provide on receipt of a written request and at the cost of the Transferee a withdrawal of any caveat lodged by the Shire pursuant to this Deed.

5. Costs

The Transferee shall pay the reasonable costs of the Shire's solicitors for:

- (a) the preparation, execution and stamping of this Deed and all stamp duties payable hereon; and
- (b) the preparation and lodging of any caveat lodged pursuant to the terms of this Deed and any withdrawal or replacement thereof.

6. Interpretation

In this Deed:

Reference to the parties includes their personal representatives, successors and lawful assigns.

Where a reference to a party includes more than one person the rights and obligations of those persons shall be joint and several.

Headings have been inserted for guidance only and shall be deemed not to form part of the context.

The Schedule and Annexures (if any) form part of the Deed.

Signing page

EXECUTED

EXECUTED by FERNVIEW LANDFILL)
PTY LTD (ACN 613 549 689) pursuant to)
Section 127 of the Corporations Act:)

Full Name of Director

Signature of Director

Full Name of Director

Signature of Director

THE COMMON SEAL of the SHIRE OF GINGIN)
was hereunto affixed by authority of a resolution of)
the Council in the presence of:)

SHIRE PRESIDENT

(Print Full Name)

CHIEF EXECUTIVE OFFICER

(Print Full Name)

Annexure 1 – Original Deed

LND/574

Agreement for Regional Waste Management Facility, Lot 7778 Wannamal Road South, Cullalla

Shire of Gingin
Veolia Environmental Services (Australia) Pty Ltd
John Leslie Fernie
Margaret Gloria Fernie



McLeods
Barristers & Solicitors
Stirling Law Chambers | 220-222 Stirling Highway | CLAREMONT WA 6010
Tel: (08) 9383 3133 | Fax: (08) 9383 4935
Email: mcleods@mcleods.com.au
Ref: DFW:GING-24892

Details

Parties

Shire of Gingin of 7 Brockman Street, Gingin, Western Australia
(Shire)

Veolia Environmental Services (Australia) Pty Ltd (ACN 051 316 584)
of Level 4 Bay Centre, 65 Pirrama Road, Pyrmont, New South Wales 2009
(Applicant)

John Leslie Fernie and Margaret Gloria Fernie both of 47 Majestic Parade, Dianella
(Owners)

Background

- A In February 2007, the Applicant lodged, with the consent of the Owners, an application for planning approval (**Application**) with the Shire for construction of a regional waste management facility (**Facility**) on Lot 7778 Wannamal Road South, Cullalla being land more particularly described as Lot 7778 on Deposited Plan 209805 and being the whole of the land comprised in Certificate of Title Volume 1670 Folio 20 (**Land**).
- B The Land is situated in the district of the Shire. The Owners are the registered proprietors of an estate in fee simple in the Land.
- C In March 2007 the Applicant referred the Application to the Environmental Protection Authority (EPA) and the Application was assessed by the EPA pursuant to Part 4 of the Environmental Protection Act 1986 (**EP Act**).
- D In May 2008 the EPA published its report and recommendations in relation to the Application (**Report**), copy of which is annexed hereto as **Annexure A**.
- E Following consultation with the Shire as a decision-making authority pursuant to section 45 (1)(b) of the EP Act, the Minister agreed to modify the conditions to which the Application should be made subject so as to include conditions requiring implementation of a landfill decommissioning and post-closure management plan and payment of a financial assurance. The Minister subsequently issued a revised Statement detailing the conditions and procedures to which implementation of the Application should be made subject. A copy of the revised Statement is annexed hereto as **Annexure B**.
- F In order for the Application to be approved under the Shire's Town Planning Scheme No. 8 (**Scheme**), the Scheme is required to be amended so as to change the zoning applicable to the Land from Rural to Special Use.

- G Alternatively, in the event that the Shire's Town Planning Scheme No. 9 has been gazetted, the Applicant will be required to seek Council approval to change the zoning applicable to the land from "General Rural – Uncoded" to "Special Use".
- H. On 19 December 2006 Council of the Shire resolved as follows regarding the financing proposal submitted by the Applicant in relation to the proposed upgrading of Wannamal Road West and Wannamal Road South:
- "1. Having regard for the financing proposal submitted by Veolia Environmental Services in relation to the possible upgrading of Wannamal Road West and Wannamal Road South:
- Confirm its general support for the financing principles as presented, on the understanding that such support is not to be construed, in any way, shape or form, as support for the proposed Bioreactor development on Swan Location 7778;
 - Confirm that any Application for Planning Consent submitted in respect of the proposed development of a Bioreactor on Swan Location 7778 will be considered, in the first instance, on planning, health and environmental grounds;
 - Require, in the event that the granting of planning consent is considered appropriate, the execution of a Deed of Agreement to ensure that any negotiated road upgrading (Principal and Interest) contributions are legally secured in advance of a Notice of Approval for Planning Consent being issued;"
- I. On 18 November 2006 the Council of the Shire resolved (**Resolution**) as follows in relation to the request of the applicant to initiate an amendment of the Scheme so as to enable the Application to proceed:
- "3. Advise the Applicant that, subject to satisfactory resolution of the financial assurance provision with the Environmental Protection Authority and Department of Environment and Conservation, Council may resolve at a future meeting to initiate a Scheme Amendment, and if it does, it will be subject, but not necessarily limited to:
- The Applicant entering into a Legal Agreement with the Shire of Gingin which is transferrable to Successors in Title and governed by an Absolute Caveat, to provide:
 - Surety that the landfill liner proposed to be used at the site will be of the standard committed to by the Applicant in the submitted re-zoning documentation;
 - Surety that the road upgrading commitments governed by Council Resolution 06.0324 from its Meeting of 19 December 2006 (subject to cost review) will be met, including a requirement for all trucks utilised in carting waste to the subject lot, utilise a route comprising the Brand Highway, Wannamal Road West and Wannamal Road South in perpetuity;
 - Unequivocal assurance that there will be no access through the Cheriton Valley or via Moolabeenee Road;
 - Free disposal of waste generated in the Shire of Gingin to an amount to be negotiated with the Applicant and indexed to take into account population increases in the Shire; and
 - A per tonne royalty (to be negotiated) for payment into a Community Facilities Fund for community betterment purposes.

- ii. The site never being upgraded beyond a Class II Landfill.
 - iii. The Landfill being sited so that the 500 metre buffer area is contained wholly on Lot 7778 Wannamal Road South, Wannamal.
 - iv. The 500 metre buffer area being shown on the Scheme Amendment plans and subsequently incorporated into the Scheme Maps.
 - v. The site being re-zoned "Special Use" under the Town Planning Scheme.
 - vi. The initiation of the Scheme Amendment not binding Council to provide Final Approval to the proposal."
- J The Parties enter into this Deed to satisfy the requirements of the Shire as stated in Item 3 of the Resolution.

Agreed terms

1. Construction of Facility

- (1) Subject to sub-clause (2), the Applicant agrees to construct the landfill liner utilised in the Facility in accordance with:
- (a) sections 9.6 and 9.7 of the Regional Waste Management Facility Report dated September, 2008 (**Report**) (a copy of which is annexed hereto as **Annexure C**) as amended from time to time with the consent of the Shire; or
 - (b) in such other manner as may be approved by both the Shire and the Department of Environment and Conservation at the request of the Applicant.
- (2) In addition and further to the Applicant's covenants pursuant to sub-clause (1), the Applicant agrees and covenants to comply with the design requirements and recommendations specified in the Fernview Regional Waste Management Facility Design and Hydrology Assessment Report dated December 2008, including but not limited to those items specified as "Future Actions" in that report (a copy of which is annexed hereto as **Annexure D**).

2. Road Upgrading

- (1) Subject to sub-clause (3), the Applicant shall contribute to the upgrading of:
- (a) the unsealed portion of Wannamal Road West;
 - (b) the junction of Wannamal Road West and Wannamal Road South; and
 - (c) Wannamal Road South,
- all to the normal standard of a Type 4, 7 metre wide sealed rural road (**Road Upgrade**), by payment of the Base Contribution specified in clause 3(4) or clause 4(4) as the case may be.
- (2) Subject to sub-clause (5), any applicable statutory borrowing obligations and on the proviso that it does not fetter Council's future loan raising ability for general municipal works, the Shire shall use its best endeavours to obtain a twenty (20) year fixed interest loan for the total cost of the Road Upgrade (**Loan**), and upon funding of the Loan to the Shire the Applicant shall commence payment of the Community Development Contribution described in clause 3, a portion of which shall be applied by the Shire toward repayment of the Loan, for the lifetime of the Facility.
- (3) In the event the Shire is unable to obtain the Loan as provided in sub-clause (2) the Applicant shall obtain the Loan, and upon funding of the Loan to the Applicant, the Applicant shall pay the Community Development Contribution in accordance with clause 4, for the lifetime of the Facility.
- (4) The roads or portion of roads which are the subject of the Road Upgrade may be varied by further agreement in writing of the parties.
- (5) The total cost of the Road Upgrade shall not exceed the previous cost estimate of \$2,707,213, to be indexed annually from 1 December 2006 in accordance with the Local Government Cost Construction Index until such time as the road is constructed.

3. **Community Development Contribution – Loan Obtained by Shire**

- (1) This clause 3 shall apply and clause 4 shall not apply if the Shire obtains the Loan in accordance with clause 2(2).
- (2) The Applicant shall pay a Community Development Contribution calculated in accordance with this clause (**Contribution**) into a community development fund established by the Shire in accordance with sub-clause (7) (**Fund**) for:
 - (a) the life of the Facility; or
 - (b) twenty (20) years,whichever period is the longer in duration.
- (3) The Contribution shall comprise:
 - (a) the Base Contribution calculated in accordance with sub-clause (4); and
 - (b) the Additional Contribution calculated in accordance with sub-clause (5).
- (4) The Base Contribution shall be paid in the first year of the Loan and each year thereafter continuing for the life of the Facility and shall comprise:
 - (a) an annual payment equal in amount to 53% of the principal sum payable in the first year of the Loan ; and
 - (b) an annual payment equal in amount to the total interest payable in the first year of the Loan,
- (5) The Additional Contribution shall comprise an amount of \$0.50 per tonne of waste accepted at the Facility in excess of 100,000 tonnes in any calendar year during the life of the Facility. The parties acknowledge that any waste disposed of free of cost by the Shire pursuant to clause 6 shall not be considered for the purposes of calculating the Additional Contribution.
- (6) The Contribution shall be calculated annually and paid by the Applicant to the Shire within 30 days of the expiration of each calendar year during the life of the Facility.
- (7) Contribution payments made pursuant to this clause shall be deposited into the Fund, which shall be managed in accordance with the following principles:
 - (a) the Fund shall only be utilised for the purpose of:
 - (i) the Road Upgrade including repayment of any interest on the Loan and no more than 53% of the total principal sum of the Loan; and
 - (ii) the development and improvement of community facilities within the district of the Shire;
 - (b) interest accrued from monies deposited in the Fund shall be retained in the Fund for expenditure in accordance with this sub-clause 7;
 - (c) the parties will appoint a management committee of 3 persons, comprising a representative of each of the Shire, the Applicant and the community within the district of the Shire (**Management Committee**);

(d) the Management Committee shall from time to time make recommendations to the Council of the Shire as to the manner in which monies from the Fund may be expended; and

(e) the Shire shall have due regard to the recommendations of the Management Committee and the purpose of the Fund as stated in sub-clause (3)(a) in determining the expenditure of monies from the Fund.

4. Community Development Contribution – Loan Obtained by Applicant

(1) This clause 4 shall apply and clause 3 shall not apply if the Shire is unable to obtain the Loan in accordance with clause 2(2) and the Applicant obtains the Loan in accordance with clause 2(3).

(2) The Applicant shall pay a Community Development Contribution calculated in accordance with this clause (Contribution) into a community development fund established by the Shire in accordance with sub-clause (7) (Fund) for:

(a) the life of the Facility; or

(b) twenty (20) years,

whichever period is the longer in duration.

(3) The Contribution shall comprise:

(a) the Base Contribution calculated in accordance with sub-clause (4); and

(b) the Additional Contribution calculated in accordance with sub-clause (5).

(4) The Base Contribution shall be paid in the second year of the Loan and each year thereafter continuing for the life of the Facility and shall comprise:

(a) an annual payment equal in amount to the difference between 53% of the principal sum payable in the first year of the Loan and 53% of the principal sum payable in the current year of the Loan; and

(b) an annual payment equal in amount to the difference between the total interest payable in the first year of the Loan and the total interest payable in the current year of the Loan.

(5) The Additional Contribution shall comprise an amount of \$0.50 per tonne of waste accepted at the Facility in excess of 100,000 tonnes in any calendar year during the life of the Facility. The parties acknowledge that any waste disposed of free of cost by the Shire pursuant to clause 6 shall not be considered for the purposes of calculating the Additional Contribution.

(6) The Contribution shall be calculated annually and paid by the Applicant to the Shire within 30 days of the expiration of each calendar year during the life of the Facility.

(7) Contribution payments made pursuant to this clause shall be deposited into the Fund, which shall be managed in accordance with the following principles:

(a) the Fund shall only be utilised for the purpose of:

the development and improvement of community facilities within the district of the Shire;

- (b) interest accrued from monies deposited in the Fund shall be retained in the Fund for expenditure in accordance with this sub-clause 7;
 - (c) the parties will appoint a management committee of 3 persons, comprising a representative of each of the Shire, the Applicant and the community within the district of the Shire (**Management Committee**);
 - (d) the Management Committee shall from time to time make recommendations to the Council of the Shire as to the manner in which monies from the Fund may be expended; and
 - (e) the Shire shall have due regard to the recommendations of the Management Committee and the purpose of the Fund as stated in sub-clause (3)(a) in determining the expenditure of monies from the Fund.
- (8) The Shire shall pay to the Applicant in each year that the Loan remains current, the Shire's proportion of the principal sum of the Loan being 47% of the principal sum payable in the first and successive years of the Loan. The Shire shall pay the Applicant the required proportion of the principal owing within 7 days of the instalment on the Loan being due.
- (9) For the sake of clarity, the parties acknowledge that the Applicant shall be liable for payment of:
- (a) 53% of the principal sum of the Loan in the first and successive years of the Loan; and
 - (b) all interest payable for the life of the Loan.

5. **Transport Routes**

- (1) The Applicant shall use its best endeavours to require any waste trucks travelling to or from the Facility to:
- (a) only travel via the Brand Highway, Wannamal Road West and Wannamal Road South (**Approved Transport Routes**); and
 - (b) without detracting from the generality of paragraph (a), not use Cheriton Road, Moolabeenee Road or Cullalla Road in travelling to or from the Facility.

The Applicant shall not admit to the Facility any waste truck which it believes, or is reliably informed by the Shire, has travelled to or from the Facility otherwise than in accordance with paragraph (a) or (b) above.

- (2) Notwithstanding sub-clause (1), waste trucks travelling to and from the Facility may utilise, with the consent of the Shire which shall not be unreasonably withheld, Wannamal Road South and the proposed Boonanarring Road route to the Brand Highway, should that route become available in the future.

6. Disposal of Waste by Shire

- (1) The Shire shall be entitled to dispose of waste free of cost in accordance with sub-clause (2) or sub-clause (3), as the case may be at the Facility provided that:
 - (a) the waste shall only consist of Class II Municipal Kerbside Collections and Domestic Green Waste Special Kerbside Collections and shall not include any commercial, construction or demolition waste whether collected by the Shire or other persons;
 - (b) the waste is disposed of at the Facility directly by the Shire or its contractors and not by residents or ratepayers of the Shire; and
 - (c) the Applicant reserves the right at all times to refuse to accept any waste from the Shire which in the reasonable opinion of the site manager of the Facility does not comply with this sub-clause (1) or Class II (Putrescible Landfill) waste.
- (2) Where the **Loan** required for the **Road Upgrade** is obtained by the Shire, the Shire shall be entitled to dispose of waste free of cost (excluding any government charges or fees) in accordance with the following sub-clauses (2)(a) and (2)(b):
 - (a) in the first year of the Facility's operation the volume of waste disposed does not exceed 3,000 tonnes; and
 - (b) in each subsequent year of the Facility's operation the volume of waste permitted to be disposed shall be increased annually at a rate of 2% per annum of the total annual volume of waste disposed in excess of 100,000 tonnes. The parties acknowledge that any waste disposed of free of cost by the Shire pursuant to this clause shall not be considered for the purposes of calculating the annual increase under this sub-clause.
- (3) Where the **Loan** required for the **Road Upgrade** is obtained by the Applicant, the Shire shall be entitled to dispose of waste free of cost (excluding any government charges or fees) in accordance with the following sub-clauses 3(a), 3(b), (3)(c) and 3(d):
 - (a) In the first five years of the Facility's operation the volume of waste disposed does not exceed 1,500 tonnes per annum;
 - (b) In years six to ten inclusive of the Facility's operation the volume of waste disposed does not exceed 2,500 tonnes per annum;
 - (c) In year eleven of the Facility's operation the volume of waste disposed does not exceed 3,000 tonnes per annum; and
 - (d) In each subsequent year after year eleven of the Facility's operation the volume of waste permitted to be disposed shall be increased annually from 3,000 tonnes per annum at a rate of 2% per annum of the total annual volume of waste disposed in excess of 100,000 tonnes, compounded annually. The parties acknowledge that any waste disposed of free of cost by the Shire pursuant to this clause shall not be considered for the purposes of calculating the annual increase under this sub-clause.
- (4) Where waste disposed by the Shire at the Facility exceeds the volumes stipulated in sub-clauses (2) or (3) as the case may be, the Shire shall be liable to pay the normal gate price applicable to disposal of waste in the Facility in respect of such excess waste (**Excess Waste Charges**);

(5) The Excess Waste Charges will be aggregated quarterly and billed annually to the Shire following the end of each calendar year.

(6) The Applicant shall provide to the Shire on request copies of any records used to calculate the Excess Waste Charges.

7. Restriction of Use

(1) The Applicant or the Owners shall not upgrade or seek approval to upgrade the Facility beyond a Class II (Putrescible Landfill) waste facility, whether to a Class III (Putrescible Landfill), Class IV (Secure Landfill) or Class V (Intractable Landfill) waste facility, as defined in the document entitled "Landfill Waste Classification and Waste Definitions 1996 (As amended)" published by the Western Australian Department of Conservation, as amended from time to time.

(2) The Shire acknowledges that it is the intention of the Applicant to seek the approval of the Shire, the Environmental Protection Authority and the Department of Conservation for a bioreactor licence in the future to enable the Applicant to recover and re-process placed waste and that it is not the intention of sub-clause (1) to in any way limit or fetter the Applicant's intention to seek and obtain the bioreactor licence.

8. Amendment of Facility design to include buffer

The Applicant agrees to amend the final design of the Facility so as to include a minimum 500 metre buffer between the outside edge of the landfill area and the boundary of the Land, and will implement that buffer in relation to the Facility for so long as this Deed continues in effect.

9. Scheme Amendment

Subject to clause 10, the parties acknowledge that the Applicant will prepare and submit to the Shire an application for amendment of the Scheme (**Scheme Amendment**) so as to zone the Land "Special Use", and the more particular purposes and conditions specified in relation to such "Special Use" zoning shall:

- (a) be as generally outlined in the Report; and
- (a) specify that the remaining portion of the Land not utilised for the Facility may continue to be used for general rural purposes as though it was zoned Rural under the Scheme; and
- (b) require a 500 metre buffer in accordance with clause 7 of this Agreement, which buffer shall be depicted on the Scheme amendment map.

10. Deed not to fetter consideration of submissions or final adoption

The parties agree that the entry of the Shire into this Deed shall not fetter the Shire's consideration of any submissions received in connection with the advertising of the Scheme Amendment nor its determination as to whether to proceed with the adoption of the Scheme Amendment.

11. Termination of Deed

The parties agree that in the event:

- (a) the responsible Minister refuses to consent to the advertisement of the Scheme Amendment;

- (b) the Shire after consideration of submissions received in relation to the Scheme Amendment, resolves not to proceed with the Scheme Amendment; or
- (c) the responsible Minister refuses to approve the Scheme Amendment,

this Deed (with the exception of clause 17 which shall continue to apply) shall be at an end and of no further force or effect and the Owners shall be entitled to receive on written request from the Shire at their cost a withdrawal of any caveat lodged pursuant to this Deed.

12. No Disposal

- (1) The Owners shall not consent to the Applicant:

- (a) assigning its leasehold interest in that portion of the Land upon which the Facility is to be situated (Facility Site); or
- (b) sub-letting or otherwise parting with possession of the Facility Site,

without the prior written consent of the Shire, which consent the Shire will not withhold if the Applicant is not in default of any of its obligations under this Deed and the person to whom any such right or interest in the Facility Site is to be granted enters into a Deed (or in the case of a mortgagee, a specific undertaking) with the Shire, whereby such person covenants to observe and perform the covenants on the part of the Applicant contained in this Deed so as to ensure that any successor observes such obligations, such Deed or undertaking to be prepared by the Shire's solicitors at the expense of the Applicant.

- (2) The Owners covenant and agree that they will not sell, transfer, assign, mortgage, lease, charge or otherwise dispose of or encumber the Land or any part or interest therein to any person without the prior written consent of the Shire, which consent the Shire will not withhold if the Owners are not in default of any of their obligations under this Deed and the person to whom any such right or interest in the Land is to be granted enters into a Deed (or in the case of a mortgagee, a specific undertaking) with the Shire, whereby such person covenants to observe and perform the covenants on the part of the Owners contained in this Deed so as to ensure that any successor observes such obligations, such Deed or undertaking to be prepared by the Shire's solicitors at the expense of the Owners.

13. Charge and Caveat

The Owners hereby charge the Land in favour of the Shire with the performance of its obligations as set out in clause 12 of this Deed and for the purpose of securing the same authorise the Shire to lodge an absolute caveat at Landgate against the Certificate of Title to the Land in order to protect the rights and interests of Shire under this Deed.

14. Withdrawal of Caveat

Subject to there being no subsisting or unremedied breach of any provision of this Deed and subject to the Applicant and the Owners complying with clause 12 hereof the Shire agrees that on receipt of a written request from the Applicant or the Owners it shall provide to the Applicant or the Owners as the case may be at the Applicant's cost in registrable form a duly executed withdrawal of any Caveat lodged by the Shire pursuant to this Deed to enable registration of any transfer lease assignment or mortgage document, provided that the Shire is entitled to relodge its caveat after the registration of such transfer lease assignment or mortgage.

15. Bank Guarantee

- (1) Prior to the Shire making formal application to obtain the Loan the Applicant must give to the Shire an unconditional and irrevocable undertaking ("Guarantee") from a bank or financial institution authorised to carry on banking in Australia under the Banking Act 1959 in the terms provided in subclauses (2) to (6) of this clause 15.
- (2) The Guarantee will authorise the Shire to draw on the money guaranteed if any portion of the Contribution payable pursuant to clause 3 remains unpaid for 7 days after becoming due whether or not a demand or Notice has been given to the Applicant.
- (3) The Guarantee must be in favour of the Shire and in a form that is reasonably satisfactory to the Shire.
- (4) The Guarantee must be enforceable at all times during the life of the Facility.
- (5) The Guarantee shall be maintained during the life of Facility in an amount equal to or greater than the current outstanding principal sum of the Loan plus the total interest payable on the outstanding principal sum over the remaining term of the Loan.
- (6) Any costs associated with meeting this obligation will be paid by the Applicant.
- (7) This clause 15 shall not apply in the event the Applicant obtains the Loan and the Shire does not.

16. Dispute Resolution

- (1) If a dispute of any kind arises between the parties in respect of the arrangements contemplated by this agreement, and one party requires it to be resolved, that party must promptly give the other party written notice identifying, and giving details of, the dispute.
- (2) Within 14 days of a party receiving the notice referred to in sub-clause (1), the parties nominated representatives must meet and attempt to resolve the dispute.
- (3) If, within 14 days of the meeting referred to under sub-clause (2), the dispute is not resolved the parties may agree to arbitrate or adopt an alternative dispute resolution process to resolve the dispute, or may separately pursue their rights at law.

17. Costs

The costs, including the Shire's solicitors' costs, of and incidental to the preparation, execution and stamping of this Deed, all duty payable hereon and the cost of preparing and lodging any Caveat (and any withdrawal or replacement thereof) shall be borne by the Applicant. The parties acknowledge that the Applicant shall remain liable to the pay costs in accordance with this clause notwithstanding termination of the Deed pursuant to clause 11.

18. Interpretation and Construction

- (1) Unless expressed to the contrary:
 - (a) words importing:
 - (i) the singular include the plural and vice versa;

- (ii) any gender includes the other genders;
- (b) If a word or phrase is defined cognate words and phrases have corresponding definitions; and
- (c) a reference to:
 - (i) a person includes a firm, unincorporated association, corporation and a government or statutory body or authority;
 - (ii) a person includes its legal personal representatives, successors and assigns;
 - (iii) a statute ordinance code or other law includes regulations and other statutory instruments under it and consolidations amendments re-enactments or replacements of any of them;
 - (iv) a right includes a benefit, remedy, discretion, authority or power.
- (2) Headings are included for reference only and do not affect the Interpretation of the Deed.
- (3) Schedules and Annexures form part of the Deed.

SIMON D FRASER
CHIEF EXECUTIVE OFFICER
SHIRE OF GINGIN

Executed by the parties as a Deed on the 16TH day of OCTOBER 2009

Executed by Veolia Environmental Services)
(Australia) Pty Ltd (ACN 051 316 584))
pursuant to Section 127 of the Corporations)
Act:

DOUGLAS THOMAS DEAN
Name of Director
REGINALD WILLIAM WALLIS
Name of Director/Secretary

The Common Seal of the Shire of)
Gingin was hereunto affixed by)
authority of a resolution of the Council)
in the presence of:
SHIRE PRESIDENT
CHIEF EXECUTIVE OFFICER

SIGNED by the said John Leslie Fernie)
in the presence of:

Witness sign: MERYL R. NOLAN JP (S169)

Print name: MERYL R. NOLAN

Address: 11 BARLEE STREET
GINGIN WA 6503

Occupation: JUSTICE OF THE PEACE

SIGNED by the said Margaret Gloria)
Fernie in the presence of:

Witness sign: MERYL R. NOLAN JP (S169)

Print name: MERYL R. NOLAN

Address: 11 BARLEE STREET
GINGIN WA 6503

Occupation: JUSTICE OF THE PEACE

24892-09.09.16-DFN-Deed.doc

© McLeods

Agreement For Regional Waste Management Facility, Lot 7778 Wannamal Road South, Cullerin | page 14

FORM W1

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED

WITHDRAWAL OF CAVEAT

DESCRIPTION OF LAND (Note 1)

DESCRIPTION OF LAND (Note 1)	EXTENT	VOLUME	FOLIO
Lot 98 on Deposited Plan 75926	Whole	2847	974

CAVEATOR (Note 2)

SHIRE OF GINGIN

CAVEAT NUMBER (Note 3)

M711508

STATE WHETHER WHOLE OR PART
OF LAND IN CAVEAT

Whole

The CAVEATOR HEREBY WITHDRAWS the said Caveat from the Land above described

Dated this	day of	Year
------------	--------	------

SIGNATURE OF CAVEATOR (Note 4)

THE COMMON SEAL of the SHIRE OF)
GINGIN was hereunto affixed by authority of)
a resolution of the Council in the presence)
of:)

SHIRE PRESIDENT (Print Full Name)


CHIEF EXECUTIVE OFFICER (Print Full Name)

INSTRUCTIONS

1. If insufficient space in any section, additional Sheet Form B1, should be used with appropriate headings. The boxed sections should only contain the words "see page....."
2. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
3. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

NOTES

1. **DESCRIPTION OF LAND**
Lot and Diagram/Plan/Strata/Survey-Strata Plan number or Location name and number to be stated.
Extent - Whole, part or balance of the land comprised in the Certificate of Title to be stated.
The Volume and Folio or Crown Lease number to be stated.
2. **CAVEATOR**
State full name of the Caveator(s).
3. **CAVEAT NUMBER**
State registration number of the Caveat being withdrawn.
4. **CAVEATOR'S EXECUTION**
A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The full name, address and occupation of the witness must be stated.



Landgate

EXAMINED

OFFICE USE ONLY

WITHDRAWAL OF CAVEAT

LODGED BY

ADDRESS

PHONE No.

FAX No.

REFERENCE No.

ISSUING BOX No.

PREPARED BY McLeods

ADDRESS PO Box 165
 CLAREMONT WA 6910

PHONE No. 9383 3133 FAX No. 9383 4935

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

TITLES, LEASES, DECLARATIONS ETC LODGED HERewith

1. _____	Received Items
2. _____	Nos.
3. _____	
4. _____	
5. _____	Receiving Clerk
6. _____	

Lodged pursuant to the provisions of the *TRANSFER OF LAND ACT 1893* as amended on the day and time shown above and particulars entered in the Register.

APPENDIX 3



Government of Western Australia
Development Assessment Panels

LG Ref: P1314
DoP Ref: DAP/15/ 00918
Enquiries: Development Assessment Panels
Telephone: (08) 6551 9919

Mr Tom Rudas
Aurgien Group Ltd
Unit 9, 48 Kelvin Road
Maddington WA 6109

Dear Mr Rudas

**Mid-West/Wheatbelt JDAP – Shire of Gingin – DAP Application P1314
Lot 98 Wannamal Road South, Cullalla
Proposed Class II Landfill Comprising 10 Cells and Associated Infrastructure**

Thank you for your application and plans submitted to the Shire of Gingin on 23 October 2015 for the above development at the abovementioned site.

This application was considered by the Mid-West/Wheatbelt Joint Development Assessment Panel at its meeting held on 20 January 2016, where in accordance with the provisions of the Shire of Gingin Town Planning Scheme No.9, it was resolved to approve the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, a DAP Form 2 application may be made to amend or cancel this planning approval in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Please also be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be made within 28 days of the determination in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the conditions of approval please contact Ms Beck Foulkes-Taylor at the Shire of Gingin on (08) 9575 2211.

Yours sincerely

Zoe Hendry

DAP Secretariat

27/01/2016

Encl. DAP Determination Notice
Approved plans

Cc: Ms Beck Foulkes-Taylor
Shire of Gingin



Postal address: Locked Bag 2506 Perth WA 6001 Street address: 140 William Street Perth WA 6000
Tel: (08) 6551 9919 Fax: (08) 6551 9961 TTY: 6551 9007 Infoline: 1800 626 477
daps@planning.wa.gov.au www.planning.wa.gov.au
ABN 35 482 341 493



Government of Western Australia
Development Assessment Panels

Planning and Development Act 2005

Shire of Gingin Town Planning Scheme No.9

Mid-West/Wheatbelt Joint Development Assessment Panel

**Determination on Development Assessment Panel
Application for Planning Approval**

Location: Lot 98 Wannamal Road South, Cullalla

Description of proposed Development: Proposed Class II Landfill Comprising 10 Cells and Associated Infrastructure

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 20 January 2016, subject to the following:

Approve DAP Application reference DAP/15/00918 and accompanying plans from Fern – DA – 001 to Fern – DA – 018 prepared by Bowman and Associates Pty Ltd, dated on 8 September 2015 for the construction of a Class II Landfill (comprising 10 cells and associated infrastructure) upon Lot 98 Wannamal Road South, Cullalla in accordance with Clause 70 of Planning and Development (Local Planning Schemes) Regulations 2015, subject to the following conditions:

GENERAL

1. The land use and development shall be undertaken in accordance with the approved plans, instructions in Red Ink and specifications, including the Local Water Management Plan (as amended), Landfill Management Plan (dated 16 September 2015), Fire Management Plan (as amended) and Decommissioning and Post Closure Management Plan (dated 16 September 2015) prepared by Bowman and Associates Pty Ltd and Dust Management Plan prepared by Larry Smith Planning, unless otherwise conditioned in this Approval. This Approval should therefore be read in conjunction with the abovementioned plans.
2. The hours of operation shall be between 7am and 5pm on weekdays and between 7am and 4pm on weekend days and public holidays.
3. No waste other than allowed for Class II Landfill (as defined in Table 1 of the *Landfill Waste Classification and Waste Definitions 1996* published by the Department of Environment and Conservation) is permitted to be accepted by the facility.
4. Prior to the commencement of onsite works, a Stability and Settlement Assessment prepared by a suitably qualified professional shall be carried out and submitted to the Shire for approval.
5. The dust management shall be in accordance with the dust management procedures outlined on Page 32 and 33 of the Development Application for Fernview Landfill prepared by Larry Smith Planning in September 2015.



Government of **Western Australia**
Development Assessment Panels

6. The transportation, handling and storage of fuel shall comply with AS 1940-2004.
7. Arrangements are to be made to the satisfaction of the local government for the upgrading and/or construction of Wannamal Road West, Wannamal Road South and the unconstructed road shown on plan FERN-DA-002, plus the Wannamal Road West and Brand Highway intersection to achieve Restricted Access Vehicle Network classification by Main Roads WA.
8. Decommissioning and post closure management shall be in accordance with the Decommissioning and Post Closure Management Plan (dated 16 September 2015) prepared by Bowman and Associates Pty Ltd to the satisfaction of DER and the Shire of Gingin.
9. Prior to the commencement of onsite works all outstanding issues and actions outlined in the Design Assessment Report prepared by the IW Projects must be addressed to the satisfaction of the Shire of Gingin, which include the following requirements:
 - The Department of Water to review the Local Water Management Plan; and
 - Landfill design to be amended to address the following points:
 - Consider how the Geosynthetic Clay Liner will achieve adequate levels of hydration;
 - Assess the likelihood of the Geosynthetic Clay Liner clogging the Geonet Liner;
 - Develop a mechanism to prevent aggregate entering the leachate sumps;
 - Review the thickness of the concrete slab in the leachate sumps;
 - Consider protection of the sump liner around the perimeter of the concrete slab;
 - Move concrete slab and leachate extraction riser well away from the leak detection sumps; and
 - Ensure adequate sealing of all penetrations through the leak detection liner system.
10. A Waste Inventory in accordance with Page 11 of the Development Application for Fernview Landfill prepared by Larry Smith Planning shall be submitted to the Shire for inspection before 31 December on an annual basis.
11. Prior to the commencement of onsite works, the Fire Management Plan shall be revised to comply with the requirements of the State Planning Policy 3.7 to the satisfaction of the Shire of Gingin's Chief Bushfire Control Officer.



Government of Western Australia
Development Assessment Panels

ADVICE NOTES

1. 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 the *Health Act 1911* which are to be approved by the Shire of Gingin.

2. The Department of Aboriginal Affairs advises the following:

DAA has released Aboriginal Heritage Due Diligence Guidelines (the Guidelines) to assist developers with planning and considering Aboriginal heritage during proposed works. It is recommended that the developer be made aware of the Guidelines. A copy of the Guidelines can be found on the DAA website at: <http://www.daa.wa.gov.au/globalassets/pdf-files/ddg>

3. Western Power advises the following:

1. *General Information*

As your proposed work is near energised electrical installations and power lines, the person in control of the work site must ensure that no person, plant or material enters the "Danger Zone" of an overhead power line or other electrical network assets.

The "Danger Zone" is set out in Western Australian Occupational Safety and Health Regulation 1996 – Specifically Reg 3.64 ([link](#))

Any information provided to you by Western Power should not be used in isolation and we recommend that you refer to the Occupational Safety and Health Act 1984 and Occupational Safety and Health Regulations 1996. These documents outline WorkSafe WA requirements for working near electricity.

For queries relating to these requirements, visit WorkSafe or contact WorkSafe on 1300 307 877.

To help you plan your works around Western Power's infrastructure, please follow the links below:

Working Near Electricity

Dial Before you Dig

If you require information about Western Power's infrastructure including plans, please complete a request for Digital Data attached to this acknowledgement.

If you require Western Power to complete work on your behalf, please complete the appropriate application form using the link below:

Customer applications

Should your project involve any changes to existing ground levels around poles and structures, or you will be working underneath power lines or around underground cable, please contact Western Power on 13 10 87.



Government of Western Australia
Development Assessment Panels

We are obliged to point out that any change to Western Power's network it is the responsibility of the individual developer.

4. Please note that the DER has provided the following comments:

I note that the Fernview Landfill was assessed by the Environmental Protection Authority (EPA) under section 38 of the Environmental Protection Act 1986 (EP Act). The proposal is the subject of a Statement that a Proposal May Be Implemented (Ministerial Statement 796) and a Statement to Amend Conditions Applying to a Proposal (Ministerial Statement 975) issued to Veolia Environmental Services (VES).

VES was also granted a works approval (W5031/2011/1) under Part V Division 3 of the EP Act for prescribed premises Category 64: Class II or III putrescible landfill site, as defined in the Environmental Protection Regulations 1987. The works approval permits construction of the landfill, subject to conditions.

In regard to Part V of the EP Act, the proposal within the DA documentation varies from that previously considered by DER. The documentation includes information that was not considered by DER as part of the original assessment. If the proposal subject to this application progresses, this may require amendment of the works approval. Note that the assessment of any amendment may result in different conditions for the works approval. In accordance with DER's Guidance Statement: Land Use Planning, DER will not make a determination on applications until the relevant planning decisions have been made.

The documentation provided indicates that Aurigen is the applicant and has entered into an agreement to purchase the subject site from VES contingent upon grant of Development Approval for the landfill. As indicated in the documentation, under section 61 of the EP Act if a works approval is in force in respect of a premises when a change in occupier occurs, the new occupier must comply with the conditions to which the existing authorisation is subject and within 30 days after the relevant day, apply to transfer the existing authorisation or apply for a works approval.

In regard to native vegetation, clearing carried out in accordance with Ministerial Statements 796 and 975 will be exempt from the requirement of a clearing permit under Part V of the EP Act. Schedule 6, Clause 2 (Assessment by the EPA) of the EP Act provides an exemption for clearing which has been assessed under section 40 as part of a proposal referred under section 38 of Part IV of the EP Act.

5. Please note that it is the applicants/operators' responsibility to ensure all conditions on environmental approvals issued by the EPA and DER are to be complied with.
6. All documentation submitted to the Department of Environment Regulation (DER) and Environmental Protection Authority for compliance shall be copied to the Shire of Gingin for its information.



Government of **Western Australia**
Development Assessment Panels

Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

11.2. CORPORATE AND COMMUNITY SERVICES

11.2.1 MONTHLY FINANCIAL STATEMENT FOR THE PERIOD ENDING 31 DECEMBER 2016

FILE: FIN/25
AUTHOR: KAYE LOWES - EXECUTIVE MANAGER CORPORATE & COMMUNITY SERVICES
REPORT DATE: 17 JANUARY 2017
REFER: NIL

OFFICERS' INTEREST DECLARATIONS

Nil

COMMENT

The Monthly Financial Statement for the period ending 31 December 2016 is attached and includes the following:

1. Statement of Financial Position for the period to 31 December 2016.
2. Monthly cheque listings.

STATUTORY ENVIRONMENT

Local Government Act 1995
Part 6 – Financial management
Division 3 – Reporting on activities and finance
Section 6.4 – Financial report

Local Government (Financial Management) Regulations 1996
Part 4 – Financial reports – s.6.4
Regulation 34 – Financial activity statement required each month (Act s.6.4)

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015-2025

Focus Area	<i>Leadership and Governance</i>
Objective	<i>5. To demonstrate effective leadership and governance</i>
Outcome	<i>5.2 Accountable and responsible governance</i>
Strategy	<i>Nil</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council receive:

1. The Monthly Financial Statement for the period ending 31 December 2016 as presented in Appendix 1; and
2. The List of Paid Accounts for the period ending 31 December 2016 as presented in Appendix 2.

RESOLUTION

Moved Councillor Smiles, seconded Councillor Elgin that Council receive:

1. **The Monthly Financial Statement for the period ending 31 December 2016 as presented in Appendix 1; and**
2. **The List of Paid Accounts for the period ending 31 December 2016 as presented in Appendix 2.**

CARRIED UNANIMOUSLY

APPENDIX 1



SHIRE OF GINGIN
INTERIM MONTHLY STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

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Summary of Financial Position up to 31 December 2016

Operating Statement

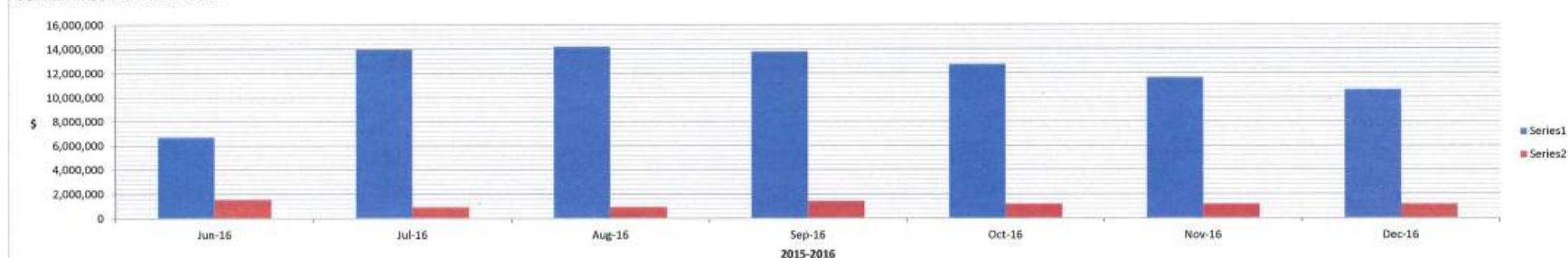
	Year to 31 December 2016			Annual Budget	Annual Budget %
	Actual	YTD Budget	Variance		
Revenue	11,879,423	11,375,022	3%	14,140,783	83%
Expenses	(5,079,010)	(4,197,453)	21%	(14,930,631)	34%
Profit/Loss	0	25,284	-100%	60,682	0%
Non-Operating Grants	949,134	949,134	0%	2,434,924	39%
Net Result	7,549,547	8,161,988		1,705,758	

Timing of expenditure - Note: Officers are currently reviewing ytd budget timing projections as part of the annual budget review

Assets & Liabilities

	Nov-16	Dec-16
Current		
Assets	11,631,112	10,614,846
Liabilities	1,152,418	1,171,655
Non-Current		
Assets	154,257,108	154,851,991
Liabilities	2,571,205	2,571,205
Net Assets	162,164,596	161,723,976

CURRENT ASSETS & LIABILITIES



Capital Payments

	Year to 31 Dec 2016			Annual Budget
	YTD Actual	YTD Budget	Variance	
Land & Buildings	430,820	486,667	-11%	1,168,000
Infrastructure Roads	1,092,811	1,564,785	-30%	3,755,483
Infrastructure Parks	141,138	357,048	-60%	856,915
Infrastructure Other	940,222	539,380	74%	1,294,513
Infrastructure Footpaths	1,000	18,515	-95%	44,436
Plant & Equipment	390,617	715,934	-45%	1,718,241
Furniture and Equipment	23,819	38,632	-38%	92,716
Loans Current	73,846	78,243	-6%	187,783
Transfer to Reserve	16,046	67,190	-76%	161,257
Provisions	15,017	-	0%	-
Net Result	3,125,235	3,866,393	-19%	9,279,344

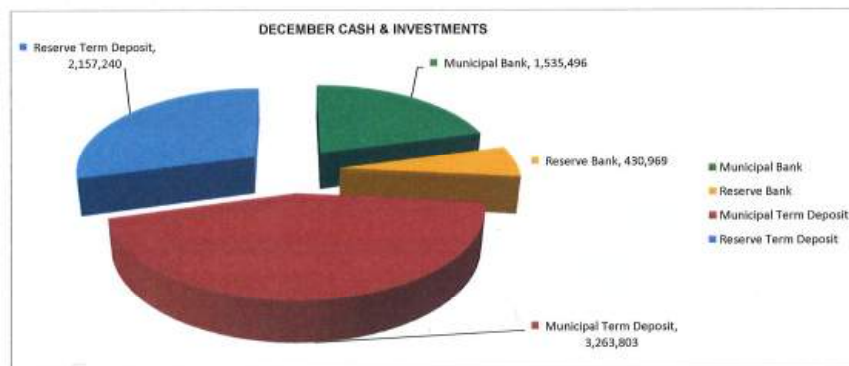
Refer to Capital Works Program.

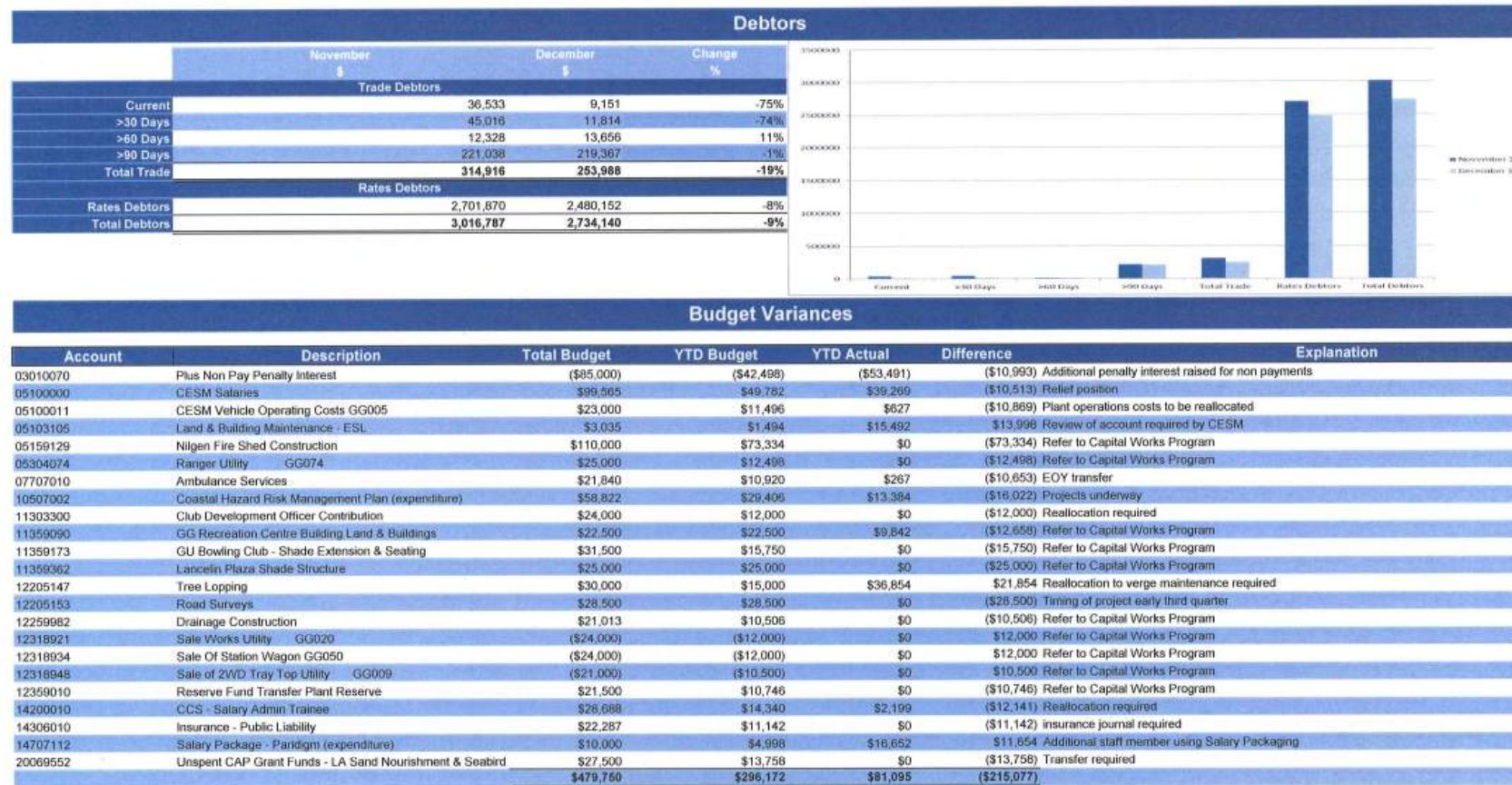
Note provisions are budgeted throughout operating accounts.

Cash & Investments

	Volume Held	
	Nov-16	Dec-16
Municipal Bank	2,088,070	1,535,496
Reserve Bank	430,922	430,969
Municipal Term Deposit	3,750,745	3,263,803
Reserve Term Deposit	2,157,240	2,157,240
Total	8,426,978	7,387,508

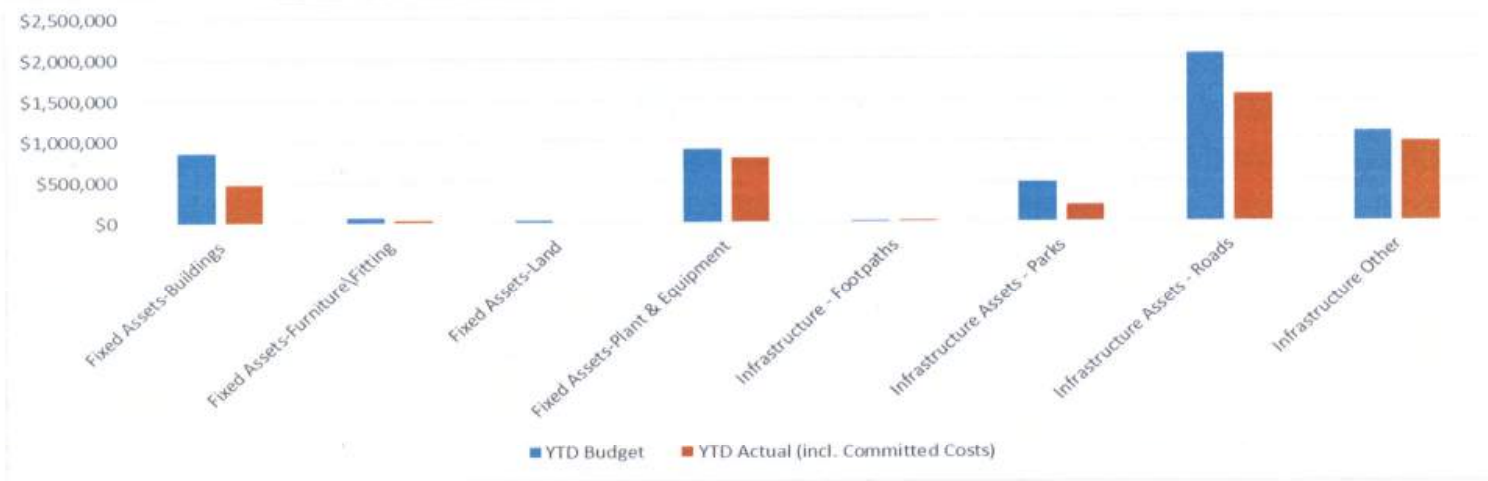
As a result of the RBA meeting held 8th December 2016, the Board decided to leave the cash rate unchanged at 1.5 per cent





Fixed Assets Expenditure December 2016

Asset Type	YTD Budget	YTD Actual (incl. Committed Costs)
Fixed Assets-Buildings	\$853,057	\$471,992
Fixed Assets-Furniture/Fitting	\$64,806	\$32,728
Fixed Assets-Land	\$30,000	\$346
Fixed Assets-Plant & Equipment	\$896,598	\$781,401
Infrastructure - Footpaths	\$22,218	\$19,170
Infrastructure Assets - Parks	\$476,366	\$206,240
Infrastructure Assets - Roads	\$2,045,901	\$1,551,951
Infrastructure Other	\$1,099,809	\$973,548
	\$5,488,755	\$4,037,376

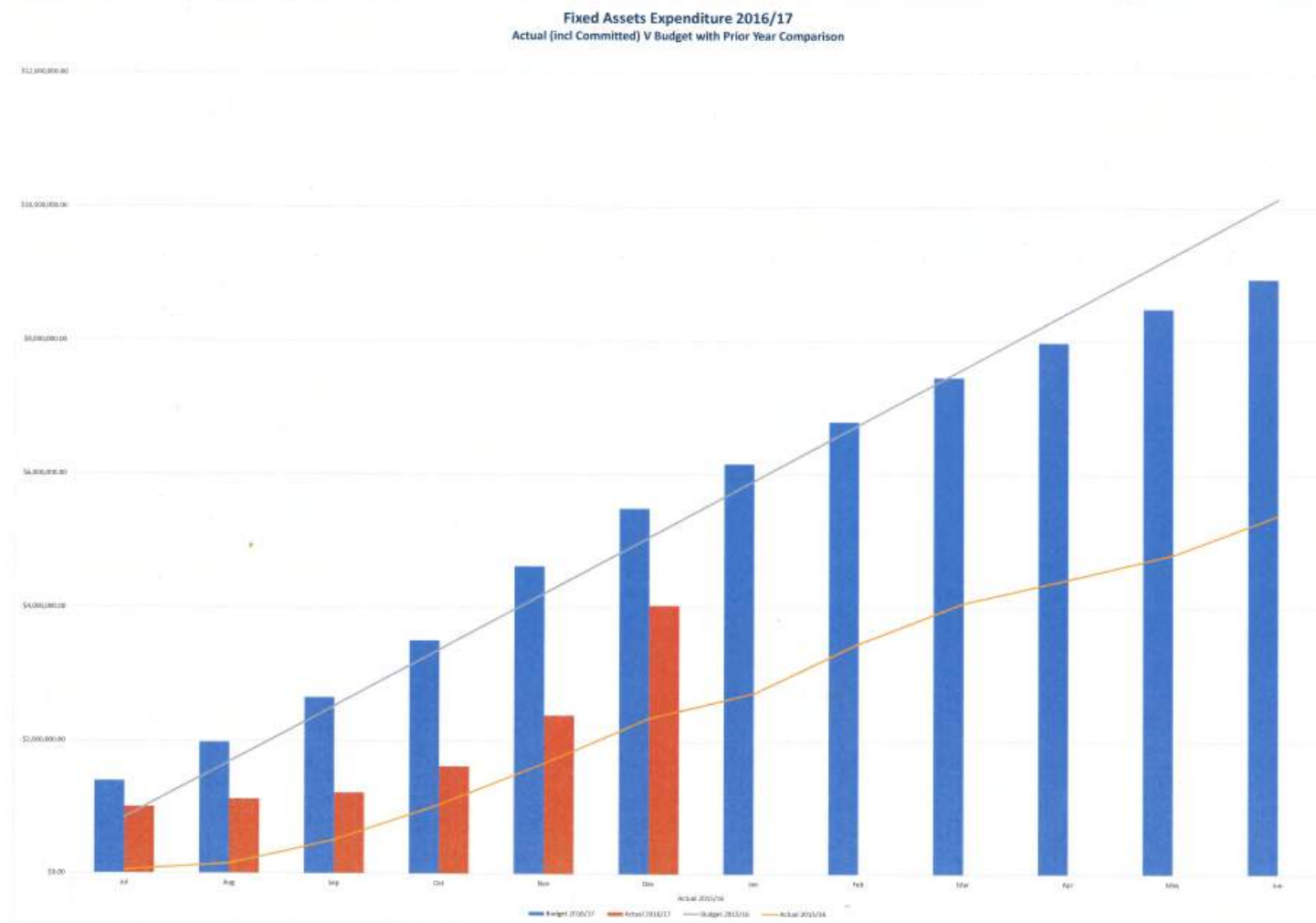


Fixed Assets Expenditure December 2016

Account #	Account Description	Budget	Budget YTD	Actual YTD (incl Committed Costs)	% Total Budget
05159126	Ocean Farm Fire Shed	\$190,000	\$190,000	\$178,771	94.09%
05159129	Nilgen Fire Shed Construction	\$110,000	\$73,334	\$0	0.00%
05259100	Dog Pound - Gingin Rural Industrial Estate	\$0	\$0	\$710	
06259020	Aged Homes Lancelin	\$0	\$0	\$547	
06259050	Gingin Aged Units (Air-conditioning, kitchen refurbishments, floor coverings)	\$8,000	\$8,000	\$0	0.00%
06259200	Shed - LA Community Bus	\$12,000	\$12,000	\$10,986	91.55%
07159106	Gingin Medical Centre (New)	\$10,000	\$10,000	\$0	0.00%
09159002	37A Lefroy Street - Building Capital A/C	\$3,500	\$3,500	\$1,416	40.47%
09159003	57A Lefroy Street - Building Capital A/C	\$17,500	\$17,499	\$22,814	130.37%
10259213	Ablution Block Harold Park Lancelin	\$6,500	\$6,500	\$3,636	55.94%
11159005	Granville Civic Centre Buildings	\$10,500	\$10,500	\$0	0.00%
11159050	Lancelin Hall Buildings	\$45,000	\$45,000	\$33,903	75.34%
11159068	Sovereign House/Toilets	\$2,500	\$2,500	\$0	0.00%
11359090	GG Recreation Centre Building Land & Buildings	\$22,500	\$22,500	\$9,842	43.74%
11359092	Neergabby Showgrounds Gazebo	\$15,500	\$15,500	\$3,306	21.33%
11359103	Redfield Park Community Ctr	\$20,000	\$16,665	\$22,000	110.00%
11359159	GG Racecourse Buildings	\$4,500	\$4,500	\$0	0.00%
11359173	GU Bowling Club - Shade Extension & Seating	\$31,500	\$15,750	\$0	0.00%
11359177	LA - Gun Club Transportable Toilet and Water to Site	\$25,000	\$14,284	\$0	0.00%
11359264	LA Sports Ground Toilets & Change Rooms (Football Club)	\$250,000	\$156,250	\$0	0.00%
11359266	Granville Park Toilets (Sewerage pump)	\$2,500	\$0	\$0	0.00%
11359362	Lancelin Plaza Shade Structure	\$25,000	\$25,000	\$0	0.00%
12259010	Lancelin/Ledge Point Depot	\$0	\$0	\$7,375	
12259018	Road Survey Equipment	\$20,000	\$20,000	\$0	0.00%
12259998	Sovereign Hill - Bus Shelter	\$25,000	\$24,999	\$0	0.00%
13259065	Caravan Park Chalets	\$80,000	\$39,996	\$57,549	71.94%
13259067	Caravan Park Storage Shed	\$45,000	\$22,500	\$40,000	88.89%
13259300	Information Bays	\$38,000	\$18,996	\$26,663	70.17%
14259114	Office (GG Admin) - Buildings	\$53,000	\$53,000	\$43,934	82.90%
14359150	Depot - Sea Container	\$10,000	\$10,000	\$8,539	85.39%
14759140	CWA Building - Structural Repairs	\$25,000	\$14,284	\$0	0.00%
04159110	Council Chambers Furniture	\$5,000	\$2,496	\$0	0.00%
04159115	Council Furniture & Equipment	\$0	\$0	\$1,019	
05359100	Ranger Computer & Equipment	\$2,500	\$2,500	\$2,531	101.23%
07459010	Furniture And Equipment	\$3,500	\$3,500	\$0	0.00%
11159006	Furniture - Halls	\$4,000	\$4,000	\$0	0.00%

Account #	Account Description	Budget	Budget YTD	Actual YTD (incl Committed Costs)	% Total Budget
11359263	GG Recreation Ctr Furniture and Equipment	\$2,016	\$1,008	\$0	0.00%
13259060	GU Caravan Park Furniture/fittings	\$5,000	\$2,496	\$5,084	101.67%
13359010	Furniture And Equipment	\$1,000	\$1,000	\$975	97.54%
14259110	Computer System Furniture And Equipment	\$35,000	\$17,478	\$10,197	29.13%
14259115	Office Furniture/Equip. Furniture And Equipment	\$15,000	\$15,000	\$2,839	18.92%
14359110	Depot - Furniture And Equipment	\$2,200	\$2,200	\$1,723	78.31%
14759122	Master Key System	\$17,500	\$13,128	\$8,361	47.78%
10159000	Landfill Site Implementation	\$60,000	\$30,000	\$0	0.00%
11159010	Guilderton Hall Carpark	\$0	\$0	\$346	
05159145	Gingin South Light Tanker GG72	\$175,000	\$70,000	\$0	0.00%
05159200	Fire Warning Signs	\$20,000	\$20,000	\$0	0.00%
05359010	Ranger Utility Purchase GG005	\$45,000	\$22,500	\$0	0.00%
07459001	Vehicle Purchase - 6GG (5GG budget) EHO	\$33,000	\$16,500	\$34,792	105.43%
10659050	Vehicle Purchase - 4GG	\$33,000	\$16,500	\$0	0.00%
12359117	Vehicle Purchase - Isuzu D-Max SX GG017	\$46,000	\$22,998	\$19,896	43.25%
12359750	Minor Plant/Equipment	\$15,000	\$7,500	\$13,118	87.45%
12359902	Utility GG009	\$48,000	\$24,000	\$0	0.00%
12359903	Ford Falcon Ttop GG043	\$41,000	\$20,496	\$43,241	105.47%
12359905	Utility 5GG - EMO	\$48,000	\$24,000	\$43,898	91.45%
12359921	Works Utility GG020	\$41,000	\$20,496	\$0	0.00%
12359923	Mitsubishi Dual Cab GG033	\$46,000	\$22,998	\$41,714	90.68%
12359926	Ford Courier C/Cab GG013	\$41,000	\$20,496	\$0	0.00%
12359927	Isuzu D-Max Space Cab/Chas 9GG	\$45,000	\$22,500	\$0	0.00%
12359934	Station Wagon GG050	\$45,000	\$22,500	\$0	0.00%
12359940	Prime Mover GG028	\$210,000	\$105,000	\$0	0.00%
12359943	New Tractor GG012	\$90,000	\$90,000	\$85,500	95.00%
12359946	Grader GG001	\$345,000	\$172,500	\$197,500	57.25%
12359947	Prime Mover GG045	\$210,000	\$105,000	\$207,250	98.69%
12359962	Trailer GG????	\$8,000	\$3,996	\$5,395	67.43%
12359963	Trailer GG????	\$15,000	\$7,500	\$12,675	84.50%
13259130	Vehicle Purchase GG044	\$43,241	\$21,618	\$43,241	100.00%
14259125	Vehicle Purchase - 0GG Plant And Equipment	\$75,000	\$37,500	\$33,182	44.24%
12259990	Footpath projects unallocated	\$44,436	\$22,218	\$19,170	43.14%
11259065	Lancelin Foreshore Development - Cunliffe St	\$150,000	\$75,000	\$0	0.00%
11259074	Guilderton Boat Ramp	\$0	\$0	\$388	
11259077	Guilderton Beach Access Boardwalk	\$89,000	\$44,496	\$0	0.00%
11259079	Boat Launch Facility - Planning Study	\$57,692	\$34,614	\$46,153	80.00%
11259080	GU Pontoon Jetty Boat ramp	\$205,192	\$205,191	\$35,427	17.27%
11359045	GG Iluka Aquatic Centre Shade Sail	\$27,500	\$13,746	\$27,870	101.35%

Account #	Account Description	Budget	Budget YTD	Actual YTD (incl Committed Costs)	% Total Budget
11359124	LA Wangaree Park Skate Equip	\$10,000	\$4,998	\$9,486	94.86%
11359132	Playground Equipment	\$22,490	\$11,238	\$28,154	125.19%
11359133	LP Playground Equipment	\$50,000	\$24,996	\$0	0.00%
11359170	GG Recreation Ground	\$10,150	\$0	\$0	0.00%
11359171	Regional Hardcourt Facility - Bank Stabilisation & Landscaping	\$165,000	\$0	\$0	0.00%
11359257	Solar Heating Gingin Aquatic Centre	\$59,291	\$59,291	\$57,909	97.67%
11359364	LA Hinchcliffe Road Recreational area plan	\$5,000	\$0	\$0	0.00%
12259178	Rural - Moolabeenee Road - Turning Pocket	\$88,878	\$44,424	\$8,077	9.09%
12259199	Rural - Breera Road	\$0	\$0	\$4,491	
12259221	R To R - Bennies Road	\$524,878	\$262,428	\$401,388	76.47%
12259222	Lancelin - Lancelin Plaza	\$10,000	\$4,998	\$0	0.00%
12259229	Ocean Farm - Ocean Farm Drive	\$0	\$0	\$81,525	
12259248	Guilderton Foreshore Carpark	\$285,443	\$285,443	\$199,090	69.75%
12259306	GG - Brockman Street/Cheriton Road Intersection	\$0	\$0	\$9,275	
12259339	Rural - Cullalla Rd	\$472,125	\$236,052	\$229,437	48.60%
12259348	SB - Seabird Road	\$650,000	\$324,996	\$0	0.00%
12259353	Old North Road Drive/Walk Trail	\$46,020	\$23,010	\$500	1.09%
12259501	Black Spot - Dewar Road	\$245,656	\$98,264	\$4,091	1.67%
12259959	RRG - Gingin Brook Road - Final Seal	\$100,160	\$100,160	\$0	0.00%
12259961	RRG - Gingin Brook Road	\$827,399	\$413,688	\$610,077	73.73%
12259982	Drainage Construction	\$21,013	\$10,506	\$0	0.00%
12259983	RRG - Moolabeenee Road	\$0	\$0	\$4,000	
12259993	Murray Bridge works	\$137,777	\$68,886	\$0	0.00%
12259996	Rural - Fynes Road Resheet SLK 0.00-5.32	\$272,204	\$136,092	\$0	0.00%
12259997	LA - Hawcroft Place - Install Cul-de-Sac/drainage/kerb	\$73,930	\$36,954	\$0	0.00%
10159030	Gingin Landfill Fencing	\$5,000	\$3,336	\$0	0.00%
10559010	Seabird Erosion Solution	\$885,063	\$885,063	\$874,940	98.86%
10759128	Gingin Cemetery Fence and Driveway	\$19,450	\$19,449	\$0	0.00%
11359183	LP - Bowling Club - Synthetic Green	\$30,000	\$0	\$0	0.00%
12259360	Retention Basin - Roe Street/Gingin Brook	\$150,000	\$85,716	\$0	0.00%
12259362	Streetscape Project - Lancelin	\$70,000	\$26,250	\$0	0.00%
12259994	Parking Meters - Guilderton	\$25,000	\$24,999	\$0	0.00%
13259312	Caravan Waste Dump Points	\$0	\$0	\$1,955	
13259313	Caravan Park Drainage	\$50,000	\$24,996	\$0	0.00%
13259314	Caravan Park Retaining Wall	60000	30000	96653	161.09%



SHIRE OF GINGIN					
INTERIM MONTHLY STATEMENT OF FINANCIAL ACTIVITY					
FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016					
	NOTE	Dec 2016/2017 Y-T-D Actual \$	2016/2017 Y-T-D Budget \$	2016/2017 Budget \$	Variances Budget to Actual Y-T-D %
Net current assets at start of year - surplus/(deficit)		2,265,998	1,556,418	0	0.00%
Revenue from operating activities (excluding rates and non-operating grants, subsidies & contributions)					
Governance		534	4,167	10,000	(36.33%)
General Purpose Funding		1,013,993	950,000	1,178,916	5.43%
General Purpose Funding - Rates		7,610,701	7,569,439	7,569,439	0.55%
Law, Order, Public Safety		118,340	171,971	412,731	(12.99%)
Education and Welfare		75,712	50,833	122,000	20.39%
Health		140,412	109,583	263,000	11.72%
Housing		13,000	10,833	26,000	8.33%
Community Amenities		1,401,940	1,350,000	1,779,028	2.92%
Recreation and Culture		143,007	67,560	162,145	46.53%
Transport		136,237	124,603	299,048	3.89%
Economic Services		845,234	813,609	1,952,661	1.62%
Other Property and Services		180,314	152,423	365,815	7.62%
		11,679,423	11,375,022	14,140,783	2.15%
Expenditure from operating activities					
Governance		(118,661)	(169,545)	(406,907)	(12.50%)
General Purpose Funding		(100,404)	(447,813)	(1,074,751)	(32.32%)
Law, Order, Public Safety		(308,422)	(425,434)	(1,021,042)	(11.46%)
Education and Welfare		(40,840)	(78,670)	(188,809)	(20.04%)
Health		(273,156)	(250,000)	(672,316)	3.44%
Housing		(10,493)	(8,516)	(20,439)	9.67%
Community Amenities		(636,235)	(902,819)	(2,166,766)	(12.30%)
Recreation & Culture		(552,562)	(500,000)	(2,745,624)	1.91%
Transport		(917,134)	(800,000)	(4,187,442)	2.80%
Economic Services		(533,544)	(400,000)	(1,802,569)	7.41%
Other Property and Services		(1,587,559)	(214,655)	(643,966)	213.20%
		(5,079,010)	(4,197,453)	(14,930,631)	5.90%
Operating activities excluded from budget					
(Profit)/Loss on Asset Disposals	2	0	25,284	60,682	(41.67%)
Depreciation on Assets	10	0	1,453,386	3,488,127	(41.67%)
Non-Cash Expenditure and Revenue		1,175	0	0	100.00%
Leave Entitlements		(15,017)	0	0	(100.00%)
Amount attributable to operating activities		6,586,572	10,212,658	2,758,961	(131.43%)
Investing Activities					
Non operating grants, subsidies & contributions		949,134	949,134	2,434,924	(0.00%)
Purchase Land Held for Resale	1	0	0	0	0.00%
Purchase Land and Buildings	1	(430,920)	(486,667)	(1,168,000)	(4.77%)
Purchase Infrastructure Assets - Roads	1	(1,092,811)	(1,564,785)	(3,755,483)	(12.57%)
Purchase Infrastructure Assets - Parks	1	(141,138)	(357,048)	(856,915)	(25.20%)
Purchase Infrastructure Assets - Other	1	(940,222)	(539,380)	(1,294,513)	30.96%
Purchase Infrastructure Assets - Footpaths	1	(1,000)	(18,515)	(44,436)	100.00%
Purchase Tools		0	0	0	100.00%
Purchase Plant and Equipment	1	(390,617)	(180,000)	(1,718,241)	12.26%
Purchase Furniture and Equipment		(23,819)	(38,632)	(92,716)	(15.98%)
Proceeds from Disposal of Assets	2	0	281,383	675,318	(41.67%)
		(2,071,393)	(1,954,510)	(5,820,062)	2.01%
Financing Activities					
Repayment of Debentures	3	(73,646)	(78,243)	(187,783)	(2.45%)
Proceeds from New Debentures	3	213,897	89,124	213,897	58.33%
New Self Supporting Loans		0	0	0	0.00%
New Advances		0	0	0	0.00%
Proceeds from Advances		5,230	4,165	9,996	(100.00%)
Self-Supporting Loan Principal Income		10,947	11,632	27,916	(2.45%)
Transfers to Reserves (Restricted Assets)	4	(16,046)	(67,190)	(161,257)	(31.72%)
Transfers from Reserves (Restricted Assets)	4	0	245,833	590,000	(41.67%)
Transfers from Restricted Cash		0	421,631	1,011,914	(41.67%)
		140,382	626,951	1,504,683	(32.34%)
Net Current Assets Year to Date		6,921,560	8,885,099	(1,556,418)	

This statement is to be read in conjunction with the accompanying notes.
Note: Difference in B/Fwd balance relates to End of year adjustments.

SHIRE OF GINGIN
INTERIM MONTHLY STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

	Dec 2016/2017 Y-T-D Actual \$	2016/2017 Budget \$
1. ACQUISITION OF ASSETS & OTHER NON CAPITAL EXPENDITURE		
The following assets and other non capital expenditure have been acquired/paid for during period under review:		
<u>By Program</u>		
Governance	1,019	5,000
General Purpose Funding	16,046	121,487
Law, Order, Public Safety	182,012	542,500
Health	11,257	69,387
Education and Welfare	1,579	20,000
Housing	21,359	21,000
Community Amenities	885,749	1,032,974
Recreation and Culture	230,417	1,450,231
Transport	1,448,562	5,405,419
Economic Services	232,382	340,693
Other Property and Services	94,853	270,653
	<u>3,125,235</u>	<u>9,279,344</u>
<u>By Class</u>		
Land and Buildings	430,920	1,168,000
Infrastructure Assets - Roads	1,092,811	3,755,483
Infrastructure Assets - Parks and Ovals	141,138	856,915
Infrastructure Assets - Other	940,222	1,294,513
Infrastructure - Footpaths	1,000	44,436
Plant and Equipment	390,617	1,718,241
Furniture and Fittings	23,819	92,716
Tools	0	0
Loans Current	73,646	187,783
Provisions	15,017	0
Transfers to Reserve	16,046	161,257
	<u>3,125,235</u>	<u>9,279,344</u>

A detailed breakdown of acquisitions on an individual asset basis can be found in the supplementary information attached to this statement as follows:

SHIRE OF GINGIN
INTERIM MONTHLY STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

2. DISPOSALS OF ASSETS

The following assets have been disposed of during the period under review:

	Net Book Value	Sale Proceeds	Profit/(Loss)
	December 2016/2017 Y-T-D Actual \$	December 2016/2017 Y-T-D Actual \$	December 2016/2017 Y-T-D Actual \$
By Program			
Law Order & Public Safety			
Health			
Community Amenities			
Transport			
Economic Services			
Other Property & Services			
	0	0	0
By Class			
Plant & Equipment			
Land & Buildings			
	0	0	0
	0	0	0
Summary			
Profit on Asset Disposals			2016/2017 Y-T-D Actual \$
Loss on Asset Disposals			-
			0
			0

SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

3. INFORMATION ON BORROWINGS**(a) Debenture Repayments**

Particulars	Principal 1-Jul-16	New Loans Actual	New Loans Budget	Principal Repayments		Principal Outstanding		Interest Repayments	
				Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$
Education & Welfare									
L110 Aged Accom Lancelin	0			0	0	0	0	0	0
Health									
L100 GG Medical Centre	232,451			11,257	22,887	221,194	209,564	7,566	14,766
Community Amenities									
L111 Tip Rationalisation Site	499,451			7,173	14,578	492,278	484,873	16,207	32,182
Loan 127 - SB Erosion Extension	0		213,897		9,383	0	204,514		2,898
Recreation & Culture									
L114 Gu C/Club	490,488			13,259	28,952	477,229	461,536	17,510	34,548
L115 Gu C/Club	25,991			6,159	12,538	19,832	13,453	932	1,643
L119 LP Country Club & Granville									
Civic Centre	16,316			3,866	7,871	12,450	8,445	587	1,034
L120 Regional Netball Facility	340,088			0	17,115	340,088	322,973	0	22,437
Other									
L124A Regional Hardcourt Facility	330,480			8,836	17,854	321,644	312,626	6,824	13,466
L126 Swimming Pool	150,000			6,455	13,010	143,545	136,990	2,325	4,550
Economic Services									
L103 Gingin Sale Yards	17,982			2,779	5,642	15,203	12,340	532	982
Other Property & Services									
L91 Guilderton Shop	0			0	0	0	0	0	0
L93 LA Angling/Aquatic	20,127			0	9,736	20,127	10,391	0	1,156
L106 Lot 1023 Lancelin	0			0	0	0	0	0	0
L118 Office Extensions	32,505			7,701	15,679	24,804	16,826	1,169	2,060
L123 Purchase Lot 44 Weld Street GG	225,365			6,162	12,538	219,203	212,827	7,843	15,471
	2,381,244	0	213,897	73,646	187,783	2,307,598	2,407,358	61,495	147,193

SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

3. INFORMATION ON BORROWINGS (continued)

	Principal Actual \$	Interest Actual \$
(a) Debenture Repayments		
Repayment of Principal for Council Funded Loans will be	67,487	Interest on Council Funded Loans 60,563
Repayment of Principal for Self Supporting Loans will be	6,159	Interest on Self Supporting Loans 932
	<u>\$73,646</u>	<u>\$61,495</u>
(b) New Debentures		
Nil		

SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

4. RESERVES	Dec Y-T-D Actual \$	2016/2017 Budget \$
Cash Backed Reserves		
(a) Long Service Leave, Sick Leave, Staff Contingency		
Opening Balance	356,637	355,494
Amount Set Aside / Transfer to Reserve	2,226	6,141
Amount Used / Transfer from Reserve	-	-
	<u>358,864</u>	<u>361,635</u>
(b) Office Equipment Replacement		
Opening Balance	17,210	17,166
Amount Set Aside / Transfer to Reserve	107	426
Amount Used / Transfer from Reserve	-	-
	<u>17,317</u>	<u>17,592</u>
(c) Plant & Equipment Replacement		
Opening Balance	150,707	150,323
Amount Set Aside / Transfer to Reserve	941	24,149
Amount Used / Transfer from Reserve	-	-
	<u>151,648</u>	<u>174,472</u>
(d) Land & Buildings General		
Opening Balance	801,200	798,786
Amount Set Aside / Transfer to Reserve	5,001	14,077
Amount Used / Transfer from Reserve	-	(380,000)
	<u>806,201</u>	<u>432,863</u>
(e) Guilderton Caravan Park Recreation		
Opening Balance	120,316	120,009
Amount Set Aside / Transfer to Reserve	751	2,115
Amount Used / Transfer from Reserve	-	-
	<u>121,067</u>	<u>122,124</u>
(f) Shire Recreational Development		
Opening Balance	151,204	215,653
Amount Set Aside / Transfer to Reserve	994	3,800
Amount Used / Transfer from Reserve	-	(100,000)
	<u>152,198</u>	<u>119,453</u>
(g) Redfield Park Public Open Space		
Opening Balance	29,283	41,191
Amount Set Aside / Transfer to Reserve	192	726
Amount Used / Transfer from Reserve	-	-
	<u>29,475</u>	<u>41,917</u>

SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

	Dec Y-T-D Actual \$	2016/2017 Budget \$
RESERVES (continued)		
(h) Ocean Farm Recreation		
Opening Balance	35,986	35,894
Amount Set Aside / Transfer to Reserve	225	633
Amount Used / Transfer from Reserve	-	-
	<u>36,210</u>	<u>36,527</u>
(i) Tip Rationalisation		
Opening Balance	686,147	684,398
Amount Set Aside / Transfer to Reserve	4,283	12,062
Amount Used / Transfer from Reserve	-	(110,000)
	<u>690,430</u>	<u>586,460</u>
(j) Lancelin Community Sporting Club		
Opening Balance	32,708	17,578
Amount Set Aside / Transfer to Reserve	192	12,810
Amount Used / Transfer from Reserve	-	-
	<u>32,901</u>	<u>30,388</u>
(k) Community Infrastructure Reserve		
Opening Balance	86,046	85,827
Amount Set Aside / Transfer to Reserve	537	1,513
Amount Used / Transfer from Reserve	-	-
	<u>86,583</u>	<u>87,340</u>
(l) Staff Housing Reserve		
Opening Balance	31,238	31,158
Amount Set Aside / Transfer to Reserve	195	549
Amount Used / Transfer from Reserve	-	-
	<u>31,433</u>	<u>31,707</u>
(m) Future Infrastructure Reserve		
Opening Balance	73,481	-
Amount Set Aside / Transfer to Reserve	402	5,460
Amount Used / Transfer from Reserve	-	-
	<u>73,883</u>	<u>5,460</u>
(n) Guilderton Country Club Reserve		
Opening Balance	-	-
Amount Set Aside / Transfer to Reserve	-	76,797
Amount Used / Transfer from Reserve	-	-
	<u>-</u>	<u>76,797</u>
Total Cash Backed Reserves	<u>2,588,209</u>	<u>2,124,735</u>

All of the above reserve accounts are supported by money held in financial institutions.

SHIRE OF GINGIN

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

	Dec Y-T-D Actual \$	2016/2017 Budget \$
4. RESERVES (Continued)		
Summary of Transfers		
To Cash Backed Reserves		
Transfers to Reserves		
Transfers to Reserves		
Long Service Leave, Sick Leave, Staff Contingency	2,226	6,141
Office Equipment Replacement	107	426
Plant & Equipment Replacement	941	24,149
Land & Buildings General	5,001	14,077
Guilderton Caravan Park Recreation	751	2,115
Shire Recreational Development	994	3,800
Redfield Park Public Open Space	192	726
Ocean Farm Recreation	225	633
Tip Rationalisation	4,283	12,062
Lancelin Community Sporting Club	192	12,810
Community Infrastructure	537	1,513
Staff Housing Reserve	195	549
Guilderton Country Club Reserve	402	5,460
Future Infrastructure Reserve	-	76,797
	<u>16,046</u>	<u>161,258</u>
Transfers from Reserves		
Long Service Leave, Sick Leave, Staff Contingency	-	-
Office Equipment Replacement	-	-
Plant & Equipment Replacement	-	-
Land & Buildings General	-	(380,000)
Guilderton Caravan Park Recreation	-	-
Shire Recreational Development	-	(100,000)
Redfield Park Public Open Space	-	-
Ocean Farm Recreation	-	-
Tip Rationalisation	-	(110,000)
Lancelin Community Sporting Club	-	-
Community Infrastructure	-	-
Staff Housing Reserve	-	-
Guilderton Country Club Reserve	-	-
Future Infrastructure Reserve	-	-
	<u>-</u>	<u>(590,000)</u>
Total Transfer to/(from) Reserves	<u>16,046</u>	<u>(428,742)</u>

In accordance with council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows: for which the reserves are set aside are as follows:

Long Service Leave, Sick Leave, Staff Contingency

Used to fund annual, long service leave, rostered days off (executive staff only), sick leave redundancy/retirement and staff contingency

SHIRE OF GINGIN

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

Office Equipment Replacement Reserve

Used for the acquisition and/or replacement of major items of office equipment (including computer system)

Plant and Equipment Reserve

Used for the purchase of major plant and equipment

Land and Building General Reserve

Used for the replacement and/or acquisition of land and buildings

Guilderton Caravan Park Recreation

Used for the development of Guilderton Caravan Park facilities

Shire Recreational Development Reserve Shire Recreational Development Reserve

Used for the development of Shire Recreational facilities

Redfield Park Public Open Space Reserve

Used for the development of Public Open Space within the Redfield Park subdivision

Ocean Farm Recreation

Used for the development of recreation and community facilities within the Ocean Farm subdivision

Tip Rationalisation

Used for rationalisation of rubbish tip facilities within the Shire

Plant & Equipment/Infrastructure Replacement

Used for replacement of Fire Equipment and Infrastructure for fire fighting purposes within the Shire

Lancelin Community Sporting Club Reserve

Used in developing building and other associated infrastructure at the Lancelin Community Sporting Club and are to be spent upon request from the Club, and approval from Council

Community Infrastructure Reserve

Used to assist in the financing of community facilities

Staff Housing Contingency

Staff housing infrastructure additions and/or replacement

Future Infrastructure Reserve

Used for the provision of renewal, upgrade and asset purchases

SHIRE OF GINGIN

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

	Actual Dec 2016/2017 Y-T-D Actual \$	Actual Brought Forward 1-Jul \$
5. NET CURRENT ASSETS		
Composition of Estimated Net Current Asset Position		
CURRENT ASSETS:		
Cash - Unrestricted	4,246,766	851,145
Cash - Restricted Reserves	4 2,588,209	2,572,164
Cash - Restricted General	876,728	1,527,894
Rates - Current	2,367,189	700,817
Sundry Debtors	462,214	1,164,689
Inventories	51,380	34,480
	<u>10,592,486</u>	<u>6,851,189</u>
LESS: CURRENT LIABILITIES		
Payables	(394,532)	(1,279,262)
Employee Provisions	(688,185)	(703,202)
Accrued Interest on Loans	0	(30,562)
	<u>(1,082,717)</u>	<u>(2,013,027)</u>
	9,509,769	4,838,162
Less: Cash - restricted reserves	4 (2,588,209)	(2,572,164)
NET CURRENT ASSET POSITION	<u>6,921,560</u>	<u>2,265,998</u>

SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

6. RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2016/2017 Rate Revenue \$	2016/2017 Interim Rates \$	2016/2017 Back Rates \$	2016/2017 Total Revenue \$	2016/2017 Budget \$
General Rate								
GRV - Townsites	0.082063	1,743	28,508,235	2,339,471			2,339,471	2,339,471
GRV - Other	0.082063	923	14,815,362	1,215,793			1,215,793	1,215,793
UV - Rural	0.004427	422	286,427,000	1,268,014			1,268,014	1,268,014
UV - Other	0.004427	1	2,800,000	12,396			12,396	12,396
UV - Intensive	0.008303	118	64,543,000	535,901			535,901	535,901
Interim Rates			0	0	28,030		28,030	20,000
Back Rates			0	0		16,760	16,760	1,000
Sub-Totals		3,207	397,093,597	5,371,574	28,030	16,760	5,416,364	5,392,574
Minimum Rates	Minimum \$							
GRV - Townsites	980	879	6,752,442	861,420			861,420	861,420
GRV - Other	980	751	4,133,426	735,980			735,980	735,980
UV - Rural	1238	372	74,924,300	460,536			460,536	460,536
UV - Other	1238	22	608,000	27,236			27,236	27,236
UV - Intensive	2,201	93	15,553,853	204,693			204,693	204,693
Sub-Totals		2,117	101,972,021	2,289,865	0	0	2,289,865	2,289,865
Concessions					(95,527)		(95,527)	(92,000)
Rate Write Off							0	0
Ex-Gratia Rates							0	(600)
Totals		5,324	499,065,618	7,661,439	(67,496)	16,760	7,610,701	7,589,839

All land except exempt land in the Shire of Gingin is rated according to its Gross Rental Value (GRV) in townsites or Unimproved Value (UV) in the remainder of the Shire.

The general rates detailed above for the 2016/2017 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also bearing considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of the Local Government services/facilities.

SHIRE OF GINGIN

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

7. TRUST FUNDS

Funds held at balance date over which the Municipality has no control and which are not included in this statement are as follows:

Detail	Balance 01-Jul-16 \$	Amounts Received \$	Amounts Paid (\$)	Dec Y-T-D Actual \$
Bonds, Tenders etc	5,750			5,750
Car Parking Cash in Lieu	11,481			11,481
Community Groups	3,592			3,592
Councillors Nominations	-			-
D Wedge Trust	4,859	13		4,871
Excavation Bonds	20,000			20,000
Footpath Bonds	5,240			5,240
Landscaping Bonds	41,635			41,635
Old Junction Hotel Restoration	1,318			1,318
Other Bonds/Trusts	13,527	886	287	14,125
Public Open Space	30,000			30,000
Rehabilitation Bonds	64,842			64,842
Second Hand Buildings	34,500	5,000	5,000	34,500
Staff Trust	11,633	14,047	22,580	3,100
Subdivision Bonds	169,067			169,067
Tree Planting Bonds	-			-
Trust Interest	173,452	342	62	173,731
	590,894	20,287	27,930	583,251

SHIRE OF GINGIN

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

8. OPERATING STATEMENT

	Dec 2016/2017 Y-T-D Actual \$	2016/2017 Budget \$	2015/2016 Actual \$
OPERATING REVENUES			
Governance	534	10,000	4,545
General Purpose Funding	8,624,694	8,748,355	8,542,000
Law, Order, Public Safety	118,340	887,731	364,327
Health	140,412	263,000	268,767
Education and Welfare	75,712	122,000	138,102
Housing	13,000	26,000	28,937
Community Amenities	1,401,940	1,779,028	3,105,764
Recreation and Culture	143,007	452,173	1,081,685
Transport	1,085,370	1,903,396	2,156,938
Economic Services	845,234	1,952,661	1,702,577
Other Property and Services	180,314	365,815	902,230
TOTAL OPERATING REVENUE	12,628,557	16,510,159	18,295,872
OPERATING EXPENSES			
Governance	(118,661)	(1,077,144)	(1,067,290)
General Purpose Funding	(100,404)	(408,097)	(396,279)
Law, Order, Public Safety	(308,422)	(1,030,068)	(1,537,557)
Health	(273,156)	(675,974)	(822,627)
Education and Welfare	(40,840)	(188,803)	(166,739)
Housing	(10,493)	(20,439)	(33,300)
Community Amenities	(636,235)	(2,174,087)	(2,151,093)
Recreation & Culture	(552,562)	(2,752,161)	(2,902,683)
Transport	(917,134)	(4,087,190)	(2,480,467)
Economic Services	(533,544)	(1,807,154)	(1,404,726)
Other Property and Services	(1,587,559)	(643,966)	(367,476)
TOTAL OPERATING EXPENSE	(5,079,010)	(14,865,083)	(13,330,237)
CHANGE IN NET ASSETS RESULTING FROM OPERATIONS	7,549,547	1,645,076	4,965,635

SHIRE OF GINGIN

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

9. STATEMENT OF FINANCIAL POSITION

	Dec 2016/17 Y-T-D Actual \$	2015/2016 Actual \$
CURRENT ASSETS		
Cash Assets	5,123,494	2,379,039
Reserves - Cash Backed	2,588,209	2,572,164
Receivables - Cash	2,829,403	1,865,506
Receivables - Non Cash	22,359	38,536
Inventories	51,380	34,480
TOTAL CURRENT ASSETS	0 10,614,846	6,889,725
NON-CURRENT ASSETS		
Receivables	168,322	168,322
Inventories	-13	0
Property, Plant and Equipment	55,643,305	54,797,949
Infrastructure	99,040,376	96,865,206
TOTAL NON-CURRENT ASSETS	154,851,991	151,831,477
TOTAL ASSETS	165,466,836	158,721,202
CURRENT LIABILITIES		
Payables	380,678	1,279,262
Accrued Interest on Debentures	0	30,562
Interest-bearing Liabilities	102,792	176,438
Provisions	688,185	703,202
TOTAL CURRENT LIABILITIES	1,171,655	2,189,465
NON-CURRENT LIABILITIES		
Interest-bearing Liabilities	2,418,702	2,204,805
Provisions	152,503	152,503
TOTAL NON-CURRENT LIABILITIES	2,571,205	2,357,308
TOTAL LIABILITIES	3,742,860	4,546,773
NET ASSETS	161,723,976	154,174,429
EQUITY		
Reserves - Asset Revaluation	106,207,280	1,106,207,280
Reserves - Cash Backed	2,588,209	2,572,164
Retained Surplus	52,928,486	45,394,985
TOTAL EQUITY	161,723,976	1,154,174,429

APPENDIX 2

LIST OF ACCOUNTS PAID BY COUNCIL SUBMITTED TO THE
COUNCIL MEETING HELD ON JANUARY 10th 2017

TYPE	DATE PAID NAME	DETAILS	AMOUNT
Chq/EFT			
EFT20176	01/12/2016 PAYWISE	VEHICLE LEASE	1409.01
EFT20177	01/12/2016 RSPCA WA (INC.)	PAYROLL DEDUCTIONS	10.00
EFT20178	01/12/2016 LGRCEU (WA DIVISION)	PAYROLL DEDUCTIONS	61.50
EFT20179	01/12/2016 HIF	PAYROLL DEDUCTIONS	141.85
EFT20180	01/12/2016 SOCIAL CLUB	PAYROLL DEDUCTIONS	999.00
EFT20181	01/12/2016 TONY PISCONERI	WASTE MANAGEMENT	15180.00
EFT20182	01/12/2016 BENARA NURSERIES	PLANTS LA SOUTH CARAVAN PARK	150.15
EFT20183	01/12/2016 ADVANCED TRAFFIC MANAGEMENT	TRAFFIC CONTROL	3729.83
EFT20184	01/12/2016 ROAD SIGNS AUSTRALIA	FLURO STICKERS	1476.09
EFT20185	01/12/2016 TROY'S PLUMBING PTY LTD	PIPE REPAIRS	80.00
EFT20186	01/12/2016 NATIONWIDE SIGNS	STICKERS FOR GUILDERTON JETTY	220.00
EFT20187	01/12/2016 RAYLENE GROVES	DOG BEDS	50.00
EFT20188	01/12/2016 ENTERTAIN OZ PTY LTD	DEPOSIT - THE RETROMEN 3X 50MIN SETS	975.00
EFT20189	01/12/2016 JASON SIGNMAKERS	SIGNS	1499.85
EFT20190	02/12/2016 ROSEBROOK EMBROIDERY	EMBROIDERY	51.00
EFT20191	07/12/2016 WANT PLUMBING SERVICES	TOILET BOWL AND CISTERN	907.50
EFT20192	07/12/2016 MCLEODS	LEGAL ADVICE-NEIL DOUGLAS	130.26
EFT20193	07/12/2016 HARLEY DYKSTRA	UPDATED SCHEME AMENDMENT NO. 8 DOCS	2915.00
EFT20194	07/12/2016 HEALYS STORE PTY LLTD	RETICULATION FOR LOWER COASTAL PARKS	440.00
EFT20195	07/12/2016 SIGMA CHEMICALS	LIQ CHLORINE 20 LT	990.00
EFT20196	07/12/2016 SUNNY SIGNS	DECALS	735.90
EFT20197	07/12/2016 GARRY ALAN MASON	SLASHING	1800.00
EFT20198	07/12/2016 MOORE RIVER REGION INC.	MRR MEMBERSHIP 2016/17	250.00
EFT20199	07/12/2016 GINGIN TREELOPPING	TREE LOPPING	9163.00
EFT20200	07/12/2016 ROAD SIGNS AUSTRALIA	DUNE RESTORATION SIGNS	462.00
EFT20201	07/12/2016 OCLC (UK) LTD	AML1B 1 USER LICENCE	1574.54
EFT20202	07/12/2016 ELECTRON VACUUM SYSTEMS	INSTALL EVACUATION ALARM	2200.00
EFT20203	07/12/2016 KIM ROBYN DAVIDSON	REFUND OF BOND FOR PROJECTOR	100.00
EFT20204	07/12/2016 COVS PARTS PTY LTD	AERIAL RUBBER X 2	55.10
EFT20205	07/12/2016 MOORE RIVER SKIP BINS	RECYCLING	1100.00
EFT20206	07/12/2016 STEWART AND HEATON	PPE	250.80
EFT20207	07/12/2016 CELLARBRATIONS GINGIN	REFRESHMENTS	350.97
EFT20208	07/12/2016 HERSEY JR & A	PPE	1593.81
EFT20209	07/12/2016 MOBILE MASTERS	SERVICE AND TEST RADIOS, REPLACE MIC GG00	616.00
EFT20210	07/12/2016 ENZED PERTH	AIR BRAKE LEAK ON GG024 TRAILER	2797.72
EFT20211	07/12/2016 TUTT BRYANT	PLATE FOR GG016	119.77
EFT20212	07/12/2016 DVG WANNEROO MITSUBISHI	SCHEDULED 10K SERVICE GG020	554.30
EFT20213	07/12/2016 ALANCO AUSTRALIA	FITOUT FOR GG049 D-MAX	225.72
EFT20214	07/12/2016 COVS PARTS PTY LTD	FITOUT ON NEW VEHICLE GG049	1258.55
EFT20215	07/12/2016 ASHDOWN- INGRAM	FITOUT FOR GG049 D-MAX	296.99
EFT20216	07/12/2016 JOANNE TONNA GRAPHIC DESIGN	ADVERTISEMENT	60.00
EFT20217	07/12/2016 CELLARBRATIONS GINGIN	REFRESHMENTS	20.00
EFT20218	07/12/2016 MOBILE MASTERS	RADIO KIT FOR FITOUT FOR GG028	1584.00
EFT20219	07/12/2016 ENZED PERTH	PARTS FOR GG6014	337.42
EFT20220	07/12/2016 WALGA	TRAINING FOR OPERATION STAFF	984.50
EFT20221	07/12/2016 ADVANCED TRAFFIC	TRAFFIC CONTROL	1778.70
EFT20222	07/12/2016 OFFICEMAX AUSTRALIA LTD	STATIONARY	143.66
EFT20223	07/12/2016 THREE CHILLIES TRAIL DESIGN	CONCEPT DESIGN LA SKATE AND BMX PARK	5235.00
EFT20224	07/12/2016 DIRECTIONS WORKFORCE	MENTORING K WILLIAMS	425.14
EFT20225	07/12/2016 GOLDFIELDS DEANS AUTOGLASS	WINDSCREEN TO D-MAX - GG020	605.00
EFT20226	07/12/2016 GRANTS EMPIRE	RES APPLICATION - TRATHLON EVENTS	726.00
EFT20227	07/12/2016 H2O CAR DETAILING SERVICES	DETAILING FOR GG045	480.00
EFT20228	07/12/2016 ROBBRO ROAD CONSTRUCTION PTY LTD	TRUCK HIRE	32450.00
EFT20229	07/12/2016 GINGIN FUEL AND TYRES	DIESEL	6384.00
EFT20230	07/12/2016 MIDLAND TOYOTA	CYLINDER AND KEY SET FOR FIRE TRUCK GG06	139.22
EFT20231	07/12/2016 COS	STATIONARY	272.38
EFT20232	07/12/2016 GR THOMSON TRUCK HIRE	TRUCK HIRE	12540.00
EFT20233	07/12/2016 DUDLEY CHEMICALS PTY LTD	TOILETRIES	704.04
EFT20234	07/12/2016 FV & M SMIT TRUST ACCOUNT	ADMIN STAFF COSTS GG MEDICAL CENTRE	3603.61
EFT20235	07/12/2016 ADVANCED TRAFFIC	TRAFFIC CONTROL	9491.65
EFT20236	07/12/2016 GINGIN TREELOPPING	TREE LOPPING SERVICE	4400.00
EFT20237	07/12/2016 COVS PARTS PTY LTD	BELT FANS GG09	37.49
EFT20238	07/12/2016 HERITAGE ADVICE AUSTRALIA	FINALISATION OF CHMP	3789.72
EFT20239	07/12/2016 SHIRE OF MINGENEW	LGMA CONFERENCE - CEO & EMRS	98.80
EFT20240	07/12/2016 M P ROGERS & ASSOCIATES	PROFESSIONAL SERVICES FOR OCEAN BOAT LA	1269.20
EFT20241	07/12/2016 GINGIN FUEL AND TYRES	DIESEL GG069 FIRE TRUCK	48.56
EFT20242	07/12/2016 EDWIN WALLACE BOYD	RETURN OF SMALL ANIMAL TRAP DEPOSIT	50.00
EFT20243	07/12/2016 DARRYL BRENDON FERGUSON	TRUCK HIRE	7900.75
EFT20244	07/12/2016 TOLL IPEC PTY LTD	FREIGHT	92.58
EFT20245	07/12/2016 TUTT BRYANT EQUIPMENT	GG016 PLATE	66.39

EFT20246	07/12/2016	TRUCK CENTRE WA PTY LTD	VOLVO FM13 PRIME MOVER GG045	227950.00
EFT20247	07/12/2016	ATOM SUPPLY	SHOWER DELUGE WITH EYE AND FACE WASH FI	3152.26
EFT20248	07/12/2016	BEVERLY PORT-LOUIS	SITTING FEE	500.00
EFT20249	07/12/2016	MARGARET DRAYTON	SITTING FEE	500.00
EFT20250	07/12/2016	CHARLIE SHAW	SITTING FEE	500.00
EFT20251	07/12/2016	BEN TAYLOR	SITTING FEE	500.00
EFT20252	07/12/2016	PAPER HANDLING EQUIP	SHREDDER SWITCHING LEVER	54.34
EFT20253	07/12/2016	AUSTRALIA POST	POSTAGE	1474.80
EFT20254	07/12/2016	GU COMMUNITY ASSOC	CONTRIB PL INSURANCE 23/12/16 - 23/12/17	489.00
EFT20255	07/12/2016	JASON SIGNMAKERS	SIGNS	77.00
EFT20256	07/12/2016	GINGIN IGA EXPRESS	NOVEMBER ACCOUNT	532.88
EFT20257	08/12/2016	MARIE THERESA CRANE	CRAFT SUPPLIES FOR LANCELIN LIBRARY	46.48
EFT20258	08/12/2016	COUNTRY COPIERS NORTHAM	SERVICE AND METER READING	2336.08
EFT20259	08/12/2016	AUSTRALIAN BUSINESS DIRECTORY	ADVERTISING	214.50
EFT20260	08/12/2016	TUTT BRYANT EQUIPMENT	WATER ELEMENT	31.16
EFT20261	08/12/2016	AVON WASTE	WASTE COLLECTION	10248.36
EFT20262	08/12/2016	GARRY ALAN MASON	SLASHING	22800.00
EFT20263	08/12/2016	LEDGE'S KANGA & SKIP BIN HIRE	SKIP BIN HIRE	1320.00
EFT20264	08/12/2016	RECALL	RECORD RETENTION	193.53
EFT20265	08/12/2016	ANDREW PATTERSON	BOOK	29.90
EFT20266	08/12/2016	GUILDERTON COUNTRY CLUB	STRATEGIC COMMUNITY PLAN REVIEW GU HALL	261.80
EFT20267	08/12/2016	LANCELIN ELECTRICAL CONTRACTORS	FIX LIGHTS	132.00
EFT20268	08/12/2016	LA COMM AND SPORTING CLUB INC	ANNUAL CONTRIBUTION TO COMM BUS	2000.00
EFT20269	08/12/2016	DOWNSTREAM PETROLEUM SOLUTIONS	DIAGNOSED RECURRING FAULT	1631.66
EFT20270	08/12/2016	STEWART AND HEATON	PPE	487.52
EFT20271	08/12/2016	ASHLEYS ELECTRICAL SERVICES	REPAIRS AT LA SOUTH END CARAVAN PARK	309.65
EFT20272	08/12/2016	SORENSEN SHORT AND ASSOC	MONITORING SEABIRD SEAWALL	1980.00
EFT20273	08/12/2016	ROAD SIGNS AUSTRALIA	SIGNS	572.00
EFT20274	08/12/2016	DFES	ESL PAYMENT NOVEMBER 2016	19446.23
EFT20275	08/12/2016	GRO-TURF PTY LTD	ANNUAL TURF MAINTENANCE	33669.34
EFT20276	09/12/2016	STEWART AND HEATON	PPE	653.92
EFT20277	09/12/2016	MESSAGES ON HOLD AUSTRALIA	LA CARAVAN PARK - NEW WEBSITE	250.00
EFT20278	09/12/2016	MARKETFORCE PRODUCTIONS	ADVERTISING	699.85
EFT20279	09/12/2016	SUNNY SIGNS	SIGNS	335.50
EFT20280	09/12/2016	GRANTS EMPIRE	LEDGE POINT PLAYGROUND	528.00
EFT20281	09/12/2016	GINGIN PREMIUM MEATS	CATERING	120.00
EFT20282	09/12/2016	OFFICEWORKS	STATIONARY	58.06
EFT20283	09/12/2016	CURNOW GROUP HIRE PTY LTD	CONSTRUCTION OF BOAT RAMP JETTY	76122.67
EFT20284	09/12/2016	SHAD ARBUCKLE	FENCING LA CARAVAN PARK	8233.40
EFT20285	09/12/2016	HELEN MARIE SAMPSON	WASTE MANAGEMENT	3532.97
EFT20286	12/12/2016	ANSPACH	TRUCK HIRE	37199.25
EFT20287	12/12/2016	GLENISE ANN RUSH	ABLUTION CLEANING - NOV 16	260.00
EFT20288	12/12/2016	AUSRECORD PTY LTD	PACKET OF 100 TUBE CLIP BASES	347.60
EFT20289	12/12/2016	HERSEY JR & A	MARKING PAINT	1142.46
EFT20290	12/12/2016	WORK CLOBBBER	SAFETY BOOTS - EHO	148.00
EFT20291	12/12/2016	ADLER BUSINESS GIFTS PTY LTD	180X NAVY VISOR CAPS WITH SHIRE LOGO	947.93
EFT20292	12/12/2016	ALL TOILETS (WA)	PORTABLE TOILET WITH FOOT PUMP	2255.00
EFT20293	12/12/2016	AVON WASTE	WASTE COLLECTION	10255.62
EFT20294	12/12/2016	ADVANCED TRAFFIC	TRAFFIC CONTROL	1899.98
EFT20295	12/12/2016	COASTLINE CLEANING SERVICES	ABLUTION CLEANING	4196.00
EFT20296	12/12/2016	RECALL	RECORD RETENTION	193.53
EFT20297	12/12/2016	N M AVEY AND E M PAUL	MANAGEMENT SERVICES LA CARAVAN PARK	11666.00
EFT20299	12/12/2016	LANCELIN SANDS	PUMPING DUMP POINT AT GU CARAVAN PARK.	1200.00
EFT20300	12/12/2016	LA TRADE AND RURAL SUPPLIES	NEVEMBER ACCOUNT	1969.16
EFT20301	12/12/2016	STATE LAW PUBLISHER	ADVERTISING	2434.80
EFT20302	13/12/2016	WANT PLUMBING SERVICES	RECONNECT NEW PLUMBING GU CARAVAN PARI	1628.00
EFT20303	13/12/2016	ASTRO ALLOYS (AUST) PTY LTD	WEARPAD AND 50 RODS	893.80
EFT20304	13/12/2016	COO-EE COURIERS	FREIGHT	1240.56
EFT20305	13/12/2016	DVG WANNEROO MITSUBISHI	FRONT AND REAR CANVAS SEAT COVERS	751.30
EFT20306	13/12/2016	MOORE RIVER ELECTRICAL	LIGHTING ABLUTION FACILITIES AT GU CARAVAN I	484.00
EFT20307	13/12/2016	DUDLEY CHEMICALS PTY LTD	CLEANING PRODUCTS	1334.23
EFT20308	13/12/2016	ADVANCED TRAFFIC	TRAFFIC CONTROL	1980.83
EFT20309	13/12/2016	DIRECTIONS WORKFORCE	APPRENTICE N MACALLEF	1766.97
EFT20310	13/12/2016	COVS PARTS PTY LTD	BATTERY FOR GG06 (GINGIN WEST)	198.76
EFT20311	13/12/2016	CEBAS PTY LTD (IKEA)	CUTLERY ETC GU CARAVAN PARK	1976.30
EFT20313	13/12/2016	GINGIN FUEL AND TYRES	TYRES FOR GG6017	1464.00
EFT20314	13/12/2016	CLAW ENVIRONMENTAL	DRUMMUSTER PROGRAM.	699.11
EFT20315	13/12/2016	LANDGATE	EXTRACTION & PROVISION IMAGERY	268.40
EFT20316	13/12/2016	DARRYL BRENDON FERGUSON	TRUCK HIRE	8772.50
EFT20317	13/12/2016	GERALD JAMES DRUMMOND	REPLACE ALL DECK TIMBERS TO MIDDLE BRIDGI	6611.05
EFT20318	13/12/2016	GINGIN TREELOPPING	TREE LOPPING	16300.00
EFT20319	13/12/2016	ALANCO AUSTRALIA	NEW MICROPHONE GG072	37.90
EFT20320	13/12/2016	MOORE RIVER SKIP BINS	RECYCLING	660.00
EFT20321	13/12/2016	KEVIN VINE	PUBLIC CONVENIENCE CLEANING	3535.33
EFT20322	13/12/2016	GINGIN FUEL AND TYRES	TYRE FIT & BALANCE GG098	49.50

EFT20323	14/12/2016	LA ANGLING AND AQUATIC CLUB INC.	LA ANGLING AND AQUATIC CLUB	700.00
EFT20324	14/12/2016	TUDOR HOUSE	FLAGPOLES	605.00
EFT20325	14/12/2016	MCLEODS	ADVICE - LPS 9, PO CONT AND LPP 2.1	1736.50
EFT20326	14/12/2016	WA ENVIRONMENTAL PEST CONTROL	SPRAY MEDICAL CENTRE	242.00
EFT20327	14/12/2016	ADLER BUSINESS GIFTS PTY LTD	180X TOTE BAG WITH SHIRE LOGO	1233.93
EFT20328	14/12/2016	GR THOMSON TRUCK HIRE	TRUCK HIRE	660.00
EFT20329	14/12/2016	MOORE RIVER ELECTRICAL	REPAIR TO FAULTY RCD	220.00
EFT20330	14/12/2016	EXTERIA STREET/PARK OUTFITTERS	ALUMINIUM HUB 6 TABLE SETTING X 4	5088.60
EFT20331	14/12/2016	STEPHEN EDWIN MOWLE	PROTECTIVE CLOTHING (BOOTS) REIMBUR	120.56
EFT20332	14/12/2016	LANCELIN BEACH HOTEL	CATERING	473.00
EFT20333	14/12/2016	ROAD SIGNS AUSTRALIA	SIGNS	45.10
EFT20334	14/12/2016	TRISLEYS HYDRAULIC SERVICES	POOL DRAINAGE ISSUE	792.00
EFT20335	14/12/2016	INDIAN OCEAN PEST CONTROL	REMOVAL OF BEES	220.00
EFT20336	14/12/2016	COURIER AUSTRALIA	COURIER AUSTRALIA - WORKSHOP	116.56
EFT20337	14/12/2016	MOORE RIVER ROADHOUSE	NOVEMBER ACCOUNT	1099.13
EFT20338	14/12/2016	LANDGATE	GROSS RENTAL VALUATIONS	574.92
EFT20339	14/12/2016	WREN OIL	PUMP OUT AND RECYCLED WASTE OIL - 30/11/20	951.50
EFT20340	14/12/2016	WATERLOGIC AUSTRALIA PTY LTD	WATER FILTRATION HIRE	128.15
EFT20341	14/12/2016	COMMERCIAL AIR SOLUTIONS (CAS)	MAINTENANCE AIR CON	352.00
EFT20342	14/12/2016	SOLAHART WANNEROO	SOLAHART UNIT GU CARAVAN PARK RESIDENCI	3900.00
EFT20343	14/12/2016	SHIELDS POWER CLEAN	WEEKLY CLEANING GRANVILLE AND BUS	1125.00
EFT20344	14/12/2016	MELANIE MCGOLDRICK	TRANSPORT FOR CHRISTMAS PARTY	450.00
EFT20345	14/12/2016	ACS SWAN EXPRESS PRINT	STATIONERY:	4290.00
EFT20346	14/12/2016	GINGIN TRADING	RETICULATION GUILDERTON CARAVAN PARK.	232.00
EFT20347	14/12/2016	GINGIN FUEL AND TYRES	LANCELIN AIR SYSTEM	13.80
EFT20348	14/12/2016	KLEENHEAT GAS PTY LTD	NOVEMBER ACCOUNT	4200.62
EFT20349	14/12/2016	COS	STATIONARY	138.32
EFT20350	14/12/2016	ASHLEYS ELECTRICAL SERVICES	REPAIRS AT LA CARAVAN PARK	967.99
EFT20351	14/12/2016	WATERLOGIC AUSTRALIA PTY LTD	WATER FILTRATION HIRE	128.15
EFT20352	14/12/2016	TONER PLUS	DEPO TONER- VALUE PACK X2	76.50
EFT20353	14/12/2016	GRANTS EMPIRE	REGIONAL TRIATHLON EVENTS	726.00
EFT20354	14/12/2016	AVANTGARDE TECHNOLOGIES	BLOCK TIME AGREEMENT - 50 HOURS	9817.50
EFT20355	14/12/2016	MOORE STEPHENS	ANNUAL AUDIT 15/16	14931.40
EFT20356	15/12/2016	MARIE THERESA CRANE	REIMBURSEMENT CRAFT SUPPLIES FOR LA LIBR	50.43
EFT20357	15/12/2016	MARKETFORCE PRODUCTIONS	ADVERTISING	950.58
EFT20358	15/12/2016	SAFEWAY AQUATIC SERVICES	1ST PAYMENT OF RETENTION FUNDS	10683.92
EFT20359	15/12/2016	JOANNE TONNA GRAPHIC DESIGN	ANNUAL REPORT 2015-16 DESIGN	2400.00
EFT20360	15/12/2016	STEWART AND HEATON CLOTHING	BOOTS	1379.40
EFT20361	15/12/2016	HELEN MARIE SAMPSON	WASTE MANAGEMENT	5230.30
EFT20362	15/12/2016	SIGMA CHEMICALS	LANE ROPES	4994.03
EFT20363	15/12/2016	FRONTLINE FIRE AND RESCUE EQUIP	PPE	2899.17
EFT20364	15/12/2016	WA SHED COMMERCIAL	FINAL PAYMENT	10443.08
EFT20365	15/12/2016	LA TRADE AND RURAL SUPPLIES	NOVEMBER ACCOUNT 2016	436.95
EFT20366	15/12/2016	STEVE'S TRANSPORTABLES	SUPPLY OF CAMP KITCHEN	20460.00
EFT20367	15/12/2016	RSPCA WA (INC.)	PAYROLL DEDUCTIONS	10.00
EFT20368	15/12/2016	LGRCEU (WA DIVISION)	PAYROLL DEDUCTIONS	61.50
EFT20369	15/12/2016	HIF	PAYROLL DEDUCTIONS	141.85
EFT20370	15/12/2016	SOCIAL CLUB	PAYROLL DEDUCTIONS	1039.00
EFT20371	15/12/2016	PAYWISE	VEHICLE LEASE	1409.01
EFT20372	15/12/2016	ADVANCED TRAFFIC	TRAFFIC CONTROL	28540.08
EFT20373	15/12/2016	HERSEY JR & A	PPE	487.65
EFT20374	15/12/2016	DVG WANNEROO MITSUBISHI	PARTS FOR SCHEDULED 10K SERVICE 4GG	191.40
EFT20375	15/12/2016	HANSON CONSTRUCTION MATERIALS	50T GRAVEL PRIVATE WORKS CAMPDRAFT	1145.60
EFT20376	15/12/2016	SUNNY SIGNS COMPANY PTY LTD	SIGNS	1192.40
EFT20377	15/12/2016	ROAD SIGNS AUSTRALIA	SIGNS	117.70
EFT20378	15/12/2016	ALANCO AUSTRALIA	VHF ANTENNA FOR GG003	606.83
EFT20379	15/12/2016	BITUTEK PTY LTD	PRIME AND SEAL GINGIN BROOK RD	54043.44
EFT20380	15/12/2016	GINGIN FUEL AND TYRES	DIESEL	8805.50
EFT20381	16/12/2016	PAV EVENTS	PARTY IN THE PARK	2131.25
EFT20382	19/12/2016	THE JAFFA ROOM NORTHSTAR ASSET	COPYRIGHT - THE JUNGLE BOOK (2016)	605.00
EFT20383	19/12/2016	ADS AUTOMATION PTY LTD	REPAIR/RESET THE BOOM GATE AT GU CPARK	565.40
EFT20384	19/12/2016	HAROLD ARNOLD MORRIS	PUSHING UP TIPS	11484.00
EFT20385	19/12/2016	ASHLEYS ELECTRICAL SERVICES	REPLACE POWER OUTLETS LA CPARK.	347.60
EFT20386	19/12/2016	WRIGHT EXPRESS AUSTRALIA	NOVEMBER ACCOUNT	1737.02
EFT20387	19/12/2016	ROAD SIGNS AUSTRALIA	SIGNS	2428.80
EFT20388	19/12/2016	ROBBRO ROAD CONSTRUCTION PTY LTD	TRUCK HIRE	20350.00
EFT20389	19/12/2016	BOC PTY LTD	GAS BOTTLE HIRE	110.34
EFT20390	19/12/2016	LA CHAMBER OF COMMERCE	FINANCIAL SUPPORT LA OCEAN CLASSIC	11000.00
EFT20391	19/12/2016	RUNYON PTY LTD	RATES REFUND	1358.02
EFT20392	20/12/2016	GINGIN FUEL AND TYRES	DIESEL	8512.00
EFT20393	20/12/2016	GINGIN TRADING	NOVEMBER ACCOUNT	4461.72
EFT20394	20/12/2016	CU@PARK	ABLUTION CLEANING	1882.68
EFT20395	20/12/2016	FV & M SMIT TRUST ACCOUNT	ADMIN STAFF COSTS GG MEDICAL CENTRE	4656.98
EFT20396	20/12/2016	THE JAFFA ROOM NORTHSTAR ASSET	COPYRIGHT - FINDING DORY - 04/03/17	605.00
EFT20397	20/12/2016	STEWART AND HEATON	PPE	1068.98

EFT20398	20/12/2016	FUEL DISTRIBUTORS	DIESEL	6684.06
EFT20399	20/12/2016	COMMERCIAL LOCKSMITHS	REPLACE LOCK AND PROVIDE KEYS	242.55
EFT20400	20/12/2016	NATIONWIDE SIGNS	PARTY IN THE PARK IOD BANNER X2	2525.60
EFT20401	20/12/2016	SAFETYQUIP	CONFINED SPACE RESCUE KIT	2698.75
EFT20402	20/12/2016	PAV EVENTS	JAZZ AND MOVIE IN THE PARK - 4 MARCH 2017	1966.25
EFT20403	20/12/2016	GINGIN FUEL AND TYRES	BEARING	41.40
EFT20404	20/12/2016	LANCELIN SANDS	SAND RENOURISH AT GRACE DARLING PARK	23096.37
EFT20405	21/12/2016	LA COUNTRY WOMENS ASSOCIATION	REIMBURSEMENT FOR ELECTRICITY	117.50
EFT20406	21/12/2016	MCLEODS	CONTRACT OF SALE 4 CONSTABLE STREET	2416.80
EFT20407	21/12/2016	LA COMM RESOURCE CENTRE INC	FUNDING FOR TOURISM	10000.00
EFT20408	21/12/2016	TUTT BRYANT EQUIPMENT	SCHEDULED SERVICE FOR GG016	788.25
EFT20409	21/12/2016	MOORE RIVER ELECTRICAL SERVICES	REPLACE POLE AND RECONNECT PUMP	1276.00
EFT20410	21/12/2016	KEVREK (AUSTRALIA) PTY LTD	CONSOLE COVER AND CYLINDER HOSE GG060	191.29
EFT20411	21/12/2016	COUNTRY VALUES REAL ESTATE	INSTALL RETICULATION AND INSTALL PLANTS	1000.00
EFT20412	21/12/2016	LEARNING HORIZONS	STRATEGIC COMM PLAN MAJOR REVIEW	3300.00
EFT20413	21/12/2016	M P ROGERS & ASSOC	LA BOAT RAMP CONCEPT DESIGN	1291.49
EFT20414	21/12/2016	EXISTCO	BARCODE SCANNER FOR LANCELIN LIBRARY	530.50
EFT20415	21/12/2016	GINGIN FUEL AND TYRES	NEW TYRES FOR GG009	1201.00
EFT20416	21/12/2016	STEWART AND HEATON	PPE	40.21
EFT20417	21/12/2016	GARRY ALAN MASON	FIREBREAKS	2150.00
EFT20418	21/12/2016	MR FLOORS & FURNISHINGS	MULCHING FIREBREAKS	3300.00
EFT20419	21/12/2016	JOANNE TONNA GRAPHIC DESIGN	MARKET DAY (LA OCEAN CLASSIC) POSTER	240.00
EFT20420	22/12/2016	RSPCA WA (INC.)	PAYROLL DEDUCTIONS	10.00
EFT20421	22/12/2016	LGRCEU (WA DIVISION)	PAYROLL DEDUCTIONS	61.50
EFT20422	22/12/2016	HIF	PAYROLL DEDUCTIONS	141.85
EFT20423	22/12/2016	SOCIAL CLUB	PAYROLL DEDUCTIONS	1039.00
EFT20424	22/12/2016	PAYWISE	VEHICLE LEASE	1409.01
EFT20425	22/12/2016	ANSPACH	TRUCK HIRE	22349.25
EFT20426	22/12/2016	STEWART AND HEATON	PPE	355.98
EFT20427	22/12/2016	COMM NEWSPAPER GROUP	ADVERTISING	1149.15
EFT20428	22/12/2016	DARRYL BRENDON FERGUSON	TRUCK HIRE	3366.00
EFT20429	22/12/2016	MARKETFORCE	ADVERTISING	1591.26
EFT20430	22/12/2016	G T HARLEY FENCING	SUPPLY AND INSTALL FENCING	1241.67
EFT20431	22/12/2016	NEO INFRASTRUCTURE	RETENTION FUNDS	9895.70
EFT20432	22/12/2016	MOORE DEMO & CIVIL	DEMOLITION OF HOUSE LA CARAVAN PARK	10310.00
EFT20433	22/12/2016	DANIEL'S PRINTING CRAFTSMEN	ANNUAL REPORT	1730.30
EFT20434	22/12/2016	INTRASTRUCT	LIMESTONE ROCKS AT LA CARAVAN PARK	2035.00

EFT TOTAL**1,112,546.28****CHEQUES**

115080	1/12/2016	SHIRE OF GINGIN	PAY ENDING 29/11/2016	2270.00
115081	7/12/2016	LORRAINE BEBIC	REFUND CANCELLED BOOKING GU CPARK	115.00
115082	7/12/2016	VINCENT PEREZ	REFUND CANCELLED BOOKING GU CPARK	115.00
115083	7/12/2016	CITY OF GREATER GERALDTON	30% DEPOSIT ON SEEDLINGS	990.00
115084	8/12/2016	PATRICIA LILY ELLIOT	CATERING	150.00
115085	8/12/2016	ARTHUR VIVIAN DEWAR	REFUND OF SMALL ANIMAL TRAP	50.00
115086	8/12/2016	HELEN JOAN SUTHERLAND	SUBSCRIPTION FOR VOLUNTEERING WA	220.00
115087	8/12/2016	GREEN GOLD PROPERTY PTY LTD	RATES REFUND	39.35
115088	8/12/2016	BEN MILE KALAJZICH	REIMBURSEMENT FOR CROSS OVER	250.00
115089	8/12/2016	WATER CORPORATION	POOL	183.51
115090	13/12/2016	PAUL BROWN	PAINTING OF LA CARAVAN PARK OFFICE.	250.00
115091	15/12/2016	SHIRE OF GINGIN	PAY ENDING 13/12/2016	2220.00
115092	15/12/2016	TELSTRA	FIRE FIGHTING PHONES AND DATA	226.19
115093	15/12/2016	DEPARTMENT OF TRANSPORT	FLEET B9380 RENEWALS - 6 MONTH ONLY	2519.40
115096	19/12/2016	BEACHSANDS LEDGE POINT	NOVEMBER ACCOUNT	159.51
115097	20/12/2016	GINGIN PHARMACY	SENSITIVE SUNSCREEN FOR OUTSIDE STAFF	154.50
115098	20/12/2016	BUNNINGS BUILDINGS SUPPLIES	WOODEN OUTDOOR FURNITURE GU CARAVAN P	5592.00
115099	21/12/2016	HANNAH BURLEY	REFUND CANCELLED BOOKING GU CPARK	82.00
115100	21/12/2016	MICHELLE GOODRICK	REFUND CANCELLED BOOKING GU CPARK	82.00
115101	21/12/2016	DEPARTMENT OF TRANSPORT	VEHICLE SEARCH	62.70
115102	22/12/2016	SHIRE OF GINGIN	PAY ENDING 27/12/2016	2525.00

CHEQUES TOTAL**18,256.16****DIRECT DEBIT**

DD20098.1	09/12/2016	WATER CORPORATION	EDWARDS ST SEABIRD PARK	55.27
DD20100.1	09/12/2016	WATER CORPORATION	MCCORMICK ST SEAVIEW	189.50
DD20102.1	20/12/2016	WATER CORPORATION	HEFFRON WAY GABBADAH	62.04
DD20104.1	19/12/2016	WATER CORPORATION	KING ST LANCELIN	9.02
DD20106.1	07/12/2016	WATER CORPORATION	KING DR WOODRIDGE	53.02
DD20108.1	06/12/2016	WATER CORPORATION	NR BRIDGE WELD ST GG LOT ROAD RESERVE	39.48
DD20111.1	06/12/2016	WATER CORPORATION	BARLEE ST GINGIN	302.30
DD20113.1	06/12/2016	WATER CORPORATION	WELD ST GINGIN	990.94
DD20115.1	06/12/2016	WATER CORPORATION	BROCKMAN ST GINGIN	187.25

DD20117.1	06/12/2016	WATER CORPORATION	AMBULANCE DEPOT HORAN ST GINGIN	1556.21
DD20119.1	06/12/2016	WATER CORPORATION	BROCKMAN ST GINGIN	11.28
DD20121.1	06/12/2016	WATER CORPORATION	FIRE STATION ROBINSON ST GINGIN	6.58
DD20123.1	06/12/2016	WATER CORPORATION	MEDICAL CENTRE BROCKMAN ST GINGIN	647.17
DD20125.1	07/12/2016	WATER CORPORATION	SHED KING DR WOODRIDGE	6.68
DD20127.1	08/12/2016	WATER CORPORATION	EDWARDS ST GUILDERTON	446.58
DD20129.1	08/12/2016	WATER CORPORATION	RESERVE EDWARDS ST GUILDERTON	469.25
DD20131.1	08/12/2016	WATER CORPORATION	CARAVAN PARK GUILDERTON	4426.27
DD20134.1	08/12/2016	WATER CORPORATION	FIELDGATE PL WOODRIDGE	39.48
DD20136.1	08/12/2016	WATER CORPORATION	TOILETS MOORE RIVER	11.28
DD20138.1	08/12/2016	WATER CORPORATION	KING DR WOODRIDGE	401.57
DD20140.1	08/12/2016	WATER CORPORATION	WEDGE ST GUILDERTON	86.86
DD20142.1	05/12/2016	WATER CORPORATION	EDWARDS ST GUILDERTON	172.70
DD20144.1	05/12/2016	TELSTRA	PHONES GU CARAVAN PARK	605.85
DD20146.1	05/12/2016	WA TREASURY CORPORATION	REPAYMENT LOAN 124A	15660.20
DD20153.1	08/12/2016	TELSTRA	LANDLINE	2457.32
DD20155.1	07/12/2016	SYNERGY	WANGAREE PARK	425.00
DD20159.1	06/12/2016	WATER CORPORATION	POOL	309.64
DD20177.1	13/12/2016	CLICK SUPER	PAYROLL DEDUCTIONS	3505.14
DD20177.2	13/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	69.84
DD20177.3	13/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	83.69
DD20177.4	13/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	228.86
DD20177.5	13/12/2016	CLICK SUPER	PAYROLL DEDUCTIONS	337.74
DD20177.6	13/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	198.76
DD20177.7	13/12/2016	CLICK SUPER	PAYROLL DEDUCTIONS	695.20
DD20177.8	13/12/2016	CLICK SUPER	PAYROLL DEDUCTIONS	1139.53
DD20177.9	13/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	206.87
DD20220.1	27/12/2016	CLICK SUPER	PAYROLL DEDUCTIONS	19192.97
DD20220.2	27/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	69.84
DD20220.3	27/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	104.61
DD20220.4	27/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	228.86
DD20220.5	27/12/2016	CLICK SUPER	PAYROLL DEDUCTIONS	337.74
DD20220.6	27/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	198.76
DD20220.7	27/12/2016	CLICK SUPER	PAYROLL DEDUCTIONS	695.20
DD20220.8	27/12/2016	CLICK SUPER	PAYROLL DEDUCTIONS	1140.54
DD20220.9	27/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	206.87
DD20177.10	13/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	206.87
DD20177.11	13/12/2016	CLICK SUPER	PAYROLL DEDUCTIONS	18694.05
DD20177.12	13/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	531.83
DD20177.13	13/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	259.92
DD20177.14	13/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	680.86
DD20177.15	13/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	1256.84
DD20177.16	13/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	253.87
DD20177.17	13/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	120.87
DD20177.18	13/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	161.70
DD20220.10	27/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	206.87
DD20220.11	27/12/2016	CLICK SUPER	PAYROLL DEDUCTIONS	3872.05
DD20220.12	27/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	531.83
DD20220.13	27/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	231.04
DD20220.14	27/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	674.66
DD20220.15	27/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	1256.84
DD20220.16	27/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	253.87
DD20220.17	27/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	113.10
DD20220.18	27/12/2016	CLICK SUPER	SUPERANNUATION CONTRIBUTIONS	161.70
DIRECT DEPOSIT				87,738.53
TOTAL MUNICIPAL				<u>1,218,540.97</u>
TRUST				
3188	20/12/2016	CONNIE WALKER	PART PAYOUT	280.00
BANK STATEMENT TOTALS				
		STATEMENT DEBITS	BANK FEES AND CHARGES	2,866.57
		PAYS	WAGES AND SALARIES	234,367.20
		ELECTRONIC PAYMENTS	POLICE LICENCING	71703.10
			LA OFFICE RENT	643.38
			GG DOCTORS RESIDENCE	1,600.00
			FLEXIRENT	212.14
			LA DOCTORS RESIDENCE	2,000.00
			LA DOCTORS VEHICLE	623.52

TOTAL EXPENDITURE	<u>314,015.91</u>
CREDIT CARD BREAK-UP	<u>1,532,556.88</u>

NOVEMBER

BANK CHARGES	MONTHLY CARD FEE X 6,	24.00
REFRESHMENTS/RECEPTIONS	EMCCS MTGS, CEO MTGS, O/SIDE TBOX MT,	483.10
TRAINING/CONFERENCE	YOUNG PROF CONF, CEO, EMRS	2,278.27
IT SUPPORT	IPHONES, MONITOR MOUNTS,	3,305.67
TELSTRA	BIGPOND	180.00
LICENCING	DEPT OF TRANSPORT PLATE CHANGES, REGO	191.30
PARKING	EMCCS MTG, CEO MTGS, EMO MTG, EMRS MTG	57.11
5GG	FUEL	76.33
CAR HIRE	CAR HIRE BUDGET	1,291.06
WORKSAFE	DOCUMENT REQUEST	107.00
POST	POLICE CLEARANCE	52.60
8GG	FUEL	15.00
		<u>8,061.44</u>

AT THE TIME OF PRINTING THE
AGENDA THERE WERE NO CREDITORS
OUTSTANDING

CHIEF EXECUTIVE OFFICER

PRESIDENT

11.2.2 UNBUDGETED EXPENDITURE - LANCELIN TRIATHLON

FILE: REC/1-5
AUTHOR: LINDA FIDGE – COORDINATOR COMMUNITY SERVICES
REPORTING OFFICER: KAYE LOWES - EXECUTIVE MANAGER CORPORATE & COMMUNITY
REPORT DATE: 17 JANUARY 2017
REFER: NIL

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the approval of unbudgeted expenditure of \$13,280 to fund the inaugural Shire of Gingin Lancelin Triathlon.

BACKGROUND

Administration has been considering the introduction of a second triathlon within the Shire for some time. A community member has been sourced and is willing to partner in coordinating and seeking local sponsorship for the event.

In years past a small, free entry duathlon was held in conjunction with the Lancelin Ocean Classic (LOC), where participants ran on the beach and swam adjacent to Lancelin Island. A past coordinator of the LOC (and interested community member) is very keen to progress the triathlon and encourage community investment in the event.

The Lancelin Triathlon proposal was discussed at Council's Concept Forum on 6 September 2016, at which point the consensus was one of general support for the proposal.

COMMENT

Community event coordinators find it a challenge to bank roll events such as this due to the cost of public liability insurance to cover both the event coordinator and entrants/spectators. However in this instance the Shire's corporate insurance will cover the proposed event, thus limiting the cost exposure to outside coordinators. It is proposed that the Shire, in its joint coordinating role, would have control of the event thus limiting any potential liability to outside event coordinators and the Shire.

The event in Lancelin is scheduled for 19 February 2017 to maximise advertising reach and community engagement during the Party in the Park and Lancelin Ocean Classic events in January. This event is not affiliated with the Lancelin Ocean Classic.

Preparations for the triathlon are well underway and the community coordinator is currently seeking sponsorship from community/businesses in Lancelin.

Work is currently underway to develop a regional triathlon event circuit with the Shires of Moora and Dandaragan. A grant application has been submitted through the regional grants scheme to fund a component of the proposed regional triathlon series which would include triathlons in Jurien Bay, Moora, Lancelin and Gingin.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

The following table provides the proposed approximate budget for the event:

Item	Direct	In-Direct (inc O/H)
Staff	800 O/T	11,000
Timing	2,300	
Bags	600	
Shirts/Hats	3,000	
Race Bibs	250	
Sausage Sizzle	500	
Prizes (Slater Gartrell)	1,500	
Ambulance	450	
Place Medallions	820	
Two way radios	340	
TMP	360	
Catering (compet/vol)	1,200	
Water - bottled	50	
Sea Search Rescue etc	1,000	
Public Liability Insurance	110	
Total	\$13,280	\$11,000

Budget Implications Table (proposed expenditure/income):

Account	Description	16/17	Proposed Amended Budget	Variation
New account	Lancelin Triathlon	0	12,480	12,480
1061070200	GG School Municipal – Transfer \$5250	16,000	10,750	-5250
New Account	Entry Fees	0	-3500	-3500
New Account	Sponsorship	0	-3730	-3730
1132070370	Staff O/T	30000	18438	800
			Net Effect	0

It must be noted that staff costs are not included in the Budget Implications Table (other than potential overtime costs) as they are indirect costs.

A saving of \$5,250 has been recognised in the Gingin School account (1061070200) due to fewer students attending the Canberra Camp than were originally budgeted for. Additionally, applications to the Shire's Mid-Year Community Grant Scheme (1132070371) amounted to \$17,638 from a budget of \$30,000.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015-2025

Focus Area	<i>Community Wellbeing</i>
Objective	<i>To support the Shire of Gingin community to be inclusive, vibrant and healthy.</i>
Outcome	<i>1.1 Inclusive Community 1.3 Healthy Community</i>
Strategy	<i>1.1.1 Partner with aged care providers to develop ageing in place services and accommodation. 1.1.2 Develop the Shire of Gingin as an age friendly community. 1.3.1 Advocate quality health services, facilities and programs.</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

It is recommended that Council amend the adopted 2016/17 Budget in accordance with the following table:

Account	Description	16/17	Proposed Amended Budget	Variation
New account	Lancelin Triathlon	0	13,280	13,280
1061070200	GG School Municipal – Transfer \$5250	16,000	10,750	-5250
New Account	Entry Fees	0	-3500	-3500
New Account	Sponsorship	0	-3730	-3730
1132070370	Staff O/T	30000	18438	-800
			Net Effect	0

RESOLUTION

Moved Councillor Ammon, seconded Councillor Court that Council amend the adopted 2016/17 Budget in accordance with the following table:

Account	Description	16/17	Proposed Amended Budget	Variation
New account	Lancelin Triathlon	0	13,280	13,280
1061070200	GG School Municipal – Transfer \$5250	16,000	10,750	-5250
New Account	Entry Fees	0	-3500	-3500
New Account	Sponsorship	0	-3730	-3730
1132070370	Staff O/T	30000	18438	-800
			Net Effect	0

CARRIED BY ABSOLUTE MAJORITY
9-0

11.3. REGULATORY SERVICES

11.3.1 APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED EXPANSION OF CARAVAN PARK (WILLOWBROOK) ON LOT 7 GINGIN BROOK ROAD, NEERGABBY

FILE:	BLD/1293	
APPLICANT:	BURGESS DESIGN GROUP	
LOCATION:	LOT 7 GINGIN BROOK ROAD, NEERGABBY	
OWNER:	WILLOWBROOK CARAVAN PARK PTY LTD	
ZONING:	GENERAL RURAL (GR20)	
WAPC NO:	N/A	
AUTHOR:	KYLIE BACON – MANAGER STATUTORY PLANNING	
REPORTING OFFICER:	SEBASTIAN CAMILLO – EXECUTIVE MANAGER REGULATORY SERVICES	
REPORT DATE:	17 JANUARY 2017	
REFER:	19 APRIL 2005	ITEM 10.3.2
	20 DECEMBER 2016	ITEM 11.3.9

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider an Application for Development Approval for expansion of the Willowbrook Caravan Park (131 additional caravan/tent sites) plus four chalets and incidental developments on Lot 7 Gingin Brook Road, Neergabby.

BACKGROUND

The Shire is in receipt of an Application for Development Approval for expansion of the Willowbrook Caravan Park on Lot 7 Gingin Brook Road, Neergabby. The subject lot is located within Neergabby, with a total site area of 16.0717ha. The site is situated approximately 19.8km west of the Gingin town centre, 18.9km east of the Guilderton town centre, and 72km north of the Perth central business district.

The proposal was considered at the Ordinary Council Meeting on 20 December 2016. Council resolved to refer the item for discussion at a future meeting of Council in order to give Councillors time to visit the subject site. Councillors undertook a site inspection on Wednesday 11 January 2017.

During discussions at the December 2017 meeting, Councillors also raised the question of whether the planning approval currently in effect was for a “nature based caravan park”. The following information is provided in this regard.

At its meeting on 4 May 2004, the then Council considered an application for planning consent for a proposed caravan park and irrigated horticulture (perennial) on the subject property. The caravan park component of the proposal included parking for up to 60 caravans and was intended to cater for caravan clubs for a maximum stay of four consecutive nights. The proposal did not include ablution facilities, and was therefore deemed by Administration to be a “Nature Based Caravan Park” as per the definition contained within the *Caravan Parks and Camping Grounds Act 1995*. The proposal was considered to be an AA use, which can be determined by Council without advertising, and was therefore not subjected to a public consultation process.

After due consideration, Council resolved to grant planning consent for a caravan park on Lot 7 of M1098 Gingin Brook Road, Neergabby subject to a number of conditions. The proposal for irrigated horticulture (perennial) was also approved at this time.

Following Council’s decision, the proponents were required to seek a Ministerial exemption under the *Caravan Parks and Camping Grounds Act 1995* to establish the park, as nature based caravan parks cannot be located any closer than 50 kilometres from a “fully licensed” caravan park. The application for an exemption was subsequently refused by the then Department of Local Government and Regional Development, under delegated authority from the Minister, on the grounds that it may have a detrimental effect on fully licensed caravan parks existing within a 50 kilometre catchment.

The proponents then lodged a further application for planning consent for the construction of ablution and laundry buildings to service the caravan park in order to satisfy the requirements of the *Caravan Parks and Camping Grounds Act 1995* with respect to the development of a fully licensed caravan park. Following expressions of concern from neighbouring landowners, at its meeting on 15 February 2005 Council resolved that the revised proposal represented changes to the original proposal that were too significant to be dealt with in the context of the current planning approval, and that the revised proposal should be subjected to public advertising in accordance with Town Planning Scheme No. 8.

At the conclusion of the advertising process, a total of 27 submissions were received with seven objecting to the proposal. Council gave consideration to the revised application at its meeting on 19 April 2005 and resolved to grant delegated authority to the Chief Executive Officer to issue an instrument of planning consent for a caravan park on Lot 7 of M1098 Gingin Brook Road, Neergabby, subject to a number of conditions.

Therefore, it is confirmed that the currently planning approval is for a “fully licensed” caravan park rather than a nature based park.

The site fronts Gingin Brook Road along its northern boundary, and gains secondary access from Harris Road at the rear of the property (southern boundary). The proposal relates to the northern 2.7832ha portion of the 4.9025ha property, excluding the existing Park facilities which comprise 2.1193ha.

The Applicant proposes to expand the existing Caravan Park as follows:

- 131 additional caravan/tent sites;
- Four chalets, each with four bedrooms with ensuites;

- A new camp kitchen;
- A new ablution facility;
- New recreation areas;
- Upgraded access, site services (electricity, water etc.) and waste disposal areas, as applicable; and
- Demolition of existing shed.

The remainder of the property will remain as pasture for grazing by livestock (sheep, alpacas, Belted Galloways, Texas Longhorns etc.).

The site currently accommodates the Willowbrook Farm Caravan Park, with a manager's house which is a Category 3 heritage listed building on the Shire's Municipal Heritage Inventory. The site also accommodates various associated outbuildings (ablution facilities, camp kitchen, BBQ area etc.), which were established in 2006. Development Approval for Willowbrook Caravan Park was issued on 9 August 2005 by the Shire of Gingin.

The surrounding properties are used primarily for rural purposes such as grazing, farming, market gardens and general rural uses.

The subject site is zoned General Rural under the Shire of Gingin Local Planning Scheme No. 9 (LPS9). A Caravan Park use is normally a use that is not permitted in the General Rural zone. However, this subject site is listed in Additional Uses as per Schedule 2 of LPS9.

The following Table 1 outlines the additional uses and conditions imposed for the site:

Description of Land	Additional Use	Conditions
Lot 7 (1679) Gingin Brook Road, Neergabby	Caravan Park, Restaurant, Shop (incidental to, and located within Caravan Park)	<p>i. Development to be generally in accordance with the development approval issued by local government 9 August 2005 or a subsequent development approval issued by local government.</p> <p>ii. Any future development is not permitted unless local government has exercised its discretion by granting development approval</p> <p>iii. Notice of a development application must be served on adjoining owners and occupiers in accordance with Clause 9.4.3(a) and referred to the Department of Water and the Department of Health.</p> <p>iv. In considering a development application, local government will have particular regard to potential amenity impacts on land use conflicts with neighbouring properties; and any potential on Quin Brook from sewerage, drainage and internal access arrangements</p>

A Location Plan and Site Plan are provided as **Appendix 1**.

A copy of the Applicant's proposal is provided as **Appendix 2**.

COMMENT

Community Consultation

At the time this application was advertised, the advertising process was in accordance with LPS9. The Application was referred to affected landowners for a period of 21 days. Two submissions were received, one supporting and one objecting to the proposed development. The submitter raised concerns about the size of the proposed development, waterways and heritage sites.

Responses were also received from the Department of Water (DoW) and the Department of Health which are addressed in more detail in the Comment section of this report.

The Schedule of Submissions and Recommended Responses is provided as **Appendix 3**.

Planning Assessment

Local Planning Scheme No. 9 (LPS 9)

The subject lot is zoned General Rural (GR20) 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.*

Amendment No. 6 was approved by the Minister for Planning on 24 September 2014. This amendment included the conditions currently listed under Schedule 2 of LPS9 which previously limited development to the extent shown on the August 2005 approval.

Amendment No. 6 now allows Council to consider development applications over this site, in accordance with Schedule 2 of LPS9. Schedule 2 lists *Caravan Park, Restaurant, Shop (incidental to, and located within caravan park* as Additional Uses for the site, with the following conditions:

- i. *Development to be generally in accordance in with the development approval issued by Council 9 August 2005 or a subsequent development approval issued by Council;*
- ii. *Any future development is not permitted unless Council has exercised its discretion by granting planning approval;*
- iii. *Notice of a development application must be served on adjoining owners and occupiers in accordance with Clause 9.4.3(a) and referred to the Department of Water and the Department of Health;*
- iv. *In considering a development application, Council will have a particular regard to potential amenity impacts on land use conflicts with neighbouring properties; and any potential on Quin Brook from sewerage [sic], drainage and internal access arrangement.*

LPS 9 provisions for the General Rural zone require minimum boundary setbacks of 20 metres for front, rear and sides of the property. Landscaping provisions as required by the local government and car parking are discussed in further detail below.

Strategic Land Use Planning

Wheatbelt Regional Planning and Infrastructure Framework (WRPIF):

The WRPIF has recognised that the tourism sector is currently a small but important and growing part of the Wheatbelt economy. To support growth in the tourism industry within the Wheatbelt region, WRPIF has recognised the necessity of *“investment in accommodation, attractions and product development to respond to the unique characteristics of the numerous sub-regions within the Wheatbelt”*. To support this, the *“establishment of new tourist accommodation, attractions and recreation opportunities and better marketing of existing facilities will make a contribution to ensuring the sustainability of some Wheatbelt communities and diversifying the economic base of the region”*.

The expansion of Willowbrook Caravan Park supports the aims and objectives of promoting tourism within the Wheatbelt region. The expansion caters for the retention and development of an existing caravan park that meets commercial and tourism needs without compromising the natural and cultural environment, which could be unnecessarily compromised if a new location was required. It capitalises on existing infrastructure and services without the need to create new ones. Furthermore, the site will support tourist uses supplying a range of accommodation styles and budgets which, according to WRPIF, helps boost the development of overnight tourism rather than day trippers which is currently the characteristic for tourism in this locality.

Shire of Gingin Local Planning Strategy 2012 (Strategy):

The Strategy aims to ensure that the rural economy remains responsive and versatile. It seeks to promote expansion and diversification of the rural economy and the service industry.

The Strategy recognises that increasing the profile of the Shire as a tourist destination will require improvement of goods, services, leisure facilities and accommodation. The proposed expansion of the Willowbrook Caravan Park will help integrate the objectives of the Strategy by directly improving tourism and accommodation opportunities in the region, which in turn will benefit the rural economy by providing development that is complimentary to its goods and services.

External Guidelines

Caravan and Camping Grounds Act 1995 and Regulations 1997

The proposed caravan park extension will be subject to the provisions of the *Caravan Parks and Camping Grounds Act 1995* and the *Caravan Parks and Camping Grounds Regulations 1997* and will require the applicant to address the following matters:

- Roads, parking and car parks;
- Recreational areas;
- Ablution facilities;

- Laundry facilities;
- Lighting of facilities and caravan park grounds;
- Firefighting equipment;
- Electricity to sites;
- Water supply;
- Waste water, sewerage and drainage;
- Chemical toilet dump point;
- Rubbish provision and collection;
- Telephones;
- Camping ground provision; and
- Access being limited to the River with pedestrian control.

Once established, the proposal shall at all times be required to comply with the *Caravan and Camping Grounds Act 1995* and *Caravan Parks and Camping Grounds Regulations 1997*.

Further considerations such as recreation areas, landscaping, traffic, vehicle access and parking, stormwater management, waste disposal and fencing are discussed in further detail below.

West Australian Planning Commission (WAPC) Planning Bulletin No. 49 Caravan Parks

The intent of this bulletin is to support the provision of caravan parks within Western Australia by facilitating greater flexibility in the design and composition of new or redeveloped caravan parks, while delivering quality land use planning outcomes.

Administration has considered the proposed expansion against the bulletin and is satisfied the proposal achieves the bulletin's key objectives with the appropriate conditions and management strategies in place.

State Planning Policies

State Planning Policy 2.5 Rural Planning

The WAPC SPP 2.5 has been prepared to act as a policy guide *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.*

In considering the proposed expansion on the subject site already accommodating a caravan park, it is considered that the proposal achieves the objectives of the policy SPP 2.5 as it is consistent with the existing use of the site being used as a caravan park. The site is capable of accommodating the land use and the ability to manage offsite impacts can be managed through appropriate planning conditions and management plans.

State Planning Policy 3.7 (SPP 3.7) Planning in Bushfire Prone Areas

The subject site is located within a designated bushfire prone area and the proposal requires the application of SPP 3.7. The proposal is also considered to be a 'Vulnerable Land Use' under SPP 3.7 which is defined as:

A land use where persons may be less able to respond in a bushfire emergency.

The Planning in Bushfire Prone Areas Guidelines (the Guidelines) expand this and state that vulnerable land uses are typically those that are considered to have occupants with a lesser capacity to respond in the event of a bushfire and that may present evacuation challenges.

The intent of the policy measure is to recognise that such sites require special consideration when located in bushfire prone areas. This will ensure that bushfire risk management is sufficiently addressed in the planning assessment of these land uses.

A Bushfire Management Plan (BMP) and an Emergency Evacuation Plan (EEP) have been prepared and have been considered by the Department of Fire and Emergency Services and the Shire of Gingin and the following advice is provided:

Bushfire Management Plan (BMP)

Officers attended a site inspection on Friday, 9 December 2016 to assess the subject site's onsite vegetation, how this relates to the vegetation being identified in the BMP and how the site can reduce its bushfire risk. Overall the BMP is supported with the following changes:

- Any vegetation located from the eastern boundary fence and the first row of eucalypt trees (refer to photo in **Appendix 4**) will be required to be removed to increase the separation distance from the bushfire prone vegetation located on the adjoining Lot 1 and the proposed caravan bays adjacent to the eastern boundary;

The grassland between the eastern boundary fence, the rows of eucalypt trees in this location (including the growth under the trees) and any revegetation that may be undertaken as part of the landscaping plan will be maintained at all times as low threat and will meet AS3959-2009 s2.2.3.2 requirements; and

- The coupling fitting identified on page 71 of the BMP is to be a stainless steel fitting.

Overall the assessed bushfire risk is considered to be manageable and will be achieved by the identified stakeholders implementing and maintaining the bushfire risk management measures that are presented in the BMP, including amendments.

Determined BAL (Bushfire Assessment Level) ratings of BAL 12.5 are able to be achieved for the proposed construction of four chalets as part of the overall caravan park extension.

All of the proposed caravan sites are within an indicative BAL rating of BAL 29 or less and do not require the application of the construction standards.

Department of Fire and Emergency Services (DFES)

As mentioned above, the Bushfire Management Plan (BMP) was referred to the Department of Fire and Emergency Services (DFES) for comment. A response was received from the Department advising that:

- a. The BMP has not demonstrated compliance with Element 1: Location and Element 2: Siting and Design;
- b. Achieving the least possible risk from bushfire is critical for all sites, but it is even more important for vulnerable land uses where people are less able to respond in a bushfire emergency and where construction requirements may not apply to the class of building; and
- c. The proposal is consistent with the definition of vulnerable land use under State Planning Policy 3.7 and therefore Policy Measure 6.6 and the relevant policy requirements must be applied.

Based on the above, DFES advises that, as the proposal has not demonstrated compliance with policy measure 6.6, the BAL rating in the submitted BMP cannot be validated and therefore DFES cannot endorse the BMP. DFES has recommended that a revised BMP be sought for the proposed development application in line with points provided for the bushfire consultant (**refer Appendix 5**)

In the event that Council approves the application, a planning condition will be imposed requiring the BMP to be amended in accordance with the requirements of DFES to the satisfaction of the Shire of Gingin and DFES. The proposal will be required to comply at all times with the approved BMP to the satisfaction of the Shire of Gingin.

Emergency Evacuation Plan (EEP)

Administration has no additional comments to make and supports the EEP. In the event that Council approves the application, a planning condition will be imposed requiring the EEP to be implemented to the satisfaction of the Shire of Gingin.

Local Planning Policies

Local Planning Policy No. 1.4 – Foreshore Reserves along Water Course (LPP 1.4)

The policy objective of LPP 1.4 is to *protect the margins and foreshores of water courses from future development*. Furthermore, Policy Statement 3.1 requires *the building line for all development adjacent to a water course shall be 50 metres measured from the top of the bank of the water course*.

The proposed development maintains a 50 metre minimum setback from Quin Brook. Furthermore, the proposal was referred to the Department of Water (DoW), which is satisfied with the proposed foreshore area buffer to the caravan park.

Local Planning Policy No. 1.8 – Landscaping Plan (LPP 1.8)

The policy objective for LPP 1.8 is the Shire's requirement for landscaping plans which *shall be designed to be sympathetic to the amenity and aesthetics of the locality whilst providing the Shire with a suitable commitment from the Developer for planting, watering and maintenance*.

It is noted on the site plan and as part of the BMP that removal of some vegetation will be required to facilitate the caravan/tent bays and to minimise the property's bushfire risk.

In the event that the development application is approved, a condition will be imposed requiring the provision of a landscaping plan. At a minimum, the landscaping plan shall be prepared in accordance with LPP 1.8 and incorporate the following:

- The retention of native vegetation and mature trees on the lot, unless approved for removal (by the relevant agency where required);
- The incorporation of a vegetated noise bund adjacent to the eastern and east-north-eastern boundaries of the site to provide additional buffering to the adjoining neighbours; and
- Revegetation and landscaping of the proposed revegetation area.

Any revegetation works or replanting must comply with the requirements/standards outlined in the BMP so as not to increase the site's bushfire risk. The landscaping plan is to be approved, implemented and maintained to the satisfaction of the Shire of Gingin.

Proposed Development

This application proposes the expansion of a 'Caravan Park and associated Facilities' as keeping in accordance with additional uses as per Schedule 2 of LPS 9.

The proposed use comprises:

- Open recreation areas;
- 131 new grassed caravan sites (188 in total), nominally measuring 8 x 11m each and serviced with power, water and waste water (sullage) disposal;
- Four chalets, each with four rooms with a double bed and ensuites (sleeping 32 people in total);
- Ablution facilities;
- A camp kitchen;
- A new site office;
- Crushed limestone access paths and a new sealed main entry;

- Revegetation/landscape buffer areas; and
- Services as applicable (e.g. electrical connections, waste disposal (dump) points etc.)

The balance of the land will remain as pasture for grazing by livestock. A 'Caravan Park' use is permissible under Schedule 2 of LPS 9, subject to the conditions listed therein.

LPS 9 Development Requirements

Setbacks

The proposed structures and sites maintain a minimum 20 metre setback to all lot boundaries as indicated on the site plan. This area will be the subject of a landscaping plan to be implemented to the satisfaction of the Shire of Gingin. The area will be landscaped to provide increased amenity benefits that will provide buffers and screening to minimise the potential for conflicts with adjoining land uses such as market gardens, and noise and visual impacts upon the adjoining landowners. However, any landscaping/revegetation that has the potential to become a bushfire risk will need to be maintained in accordance with AS3959-2009 s2.2.3.2 requirements as outlined in the BMP.

A 50 metre set back from Quin Brook has been provided to comply with LPP 1.4 and West Australian Planning Commission (WAPC) State Planning Policy 2.9 – Water Resources. Furthermore, in the event Council approves the application a condition has been imposed for the requirement of a Foreshore Management Plan to be submitted to the satisfaction of the Department of Water to ensure the ecological protection of Quin Brook.

Traffic and Vehicle Access

The Shire is satisfied with the traffic and vehicle access arrangements that will be implemented as part of the proposal and the justification provided in sections 6.6 and 6.7 of the Applicant's report.

In the event that the proposal is approved, conditions regarding traffic, vehicle access and parking have been imposed to ensure the design and construction standards are undertaken to the satisfaction of the Shire of Gingin.

Car Parking

In accordance with Table 3 – Parking Requirements under LPS9, the minimum number of car parking spaces required for the proposed Caravan Park is 1.5 per camp site. The table below compares the required number of car parking bays to those that are being provided:

Use	Ratio	No. of Bays Required	No. of Bays Proposed	Shortfall
Caravan Park 131 caravan / tent site 4 chalets*	1.5 per campsite	203	157 131 bays caravan / tent sites; 10 bays associated for visitor parking and arrivals 16 bays for chalet and additional visitor parking Total 157 bays onsite	46

*It should be noted that Table 3 – Parking Requirements under LPS9 does not have a parking requirement for a Chalet use. In accordance with clause 4.7.2.5 of LPS9, the number of bays for the Chalets will be the same ratio as the proposed Caravan Park use.

The proposal has a 46 bay shortfall under LPS9. However, in accordance with the *Caravan Parks and Camping Grounds Regulations 1997*, each site is to accommodate parking for one vehicle. The design and layout for the sites will be required to comply with this requirement. The proposal complies with the *Caravan Parks and Camping Grounds Regulations 1997* parking requirements, but not the requirements imposed by LPS9.

It is concluded that the 157 bays proposed for the subject site are sufficient to cater for the number of cars expected to visit the site in relation to the 131 caravan/tent sites plus the four chalets and associated visitors.

Landscaping

Addressed under LPP 1.8 above.

Land Use Conflicts with Neighbouring Properties

Schedule 2, condition iv states the following:

In considering a development application, local government will have particular regard to potential amenity impacts on land use conflicts with neighbouring properties; and any potential on Quin Brook from sewerage, drainage and internal access arrangements.

Adjoining Buffer Setbacks

The caravan park is considered to be a 'guest' within the General Rural zone and has the potential to be impacted upon by the adjoining agriculture uses. The main concern within this locality is the introduction of additional irrigated horticulture activities. Some agricultural uses such as market gardens are intensive land uses and require significant buffer requirements to secure the amenity and health of occupants of adjoining sensitive land uses (i.e. caravan parks).

Irrigated Horticulture

Local Planning Policy No. 1.6 Agriculture Intensive, clause 3.1.11 states:

'All irrigated horticulture activity shall be setback 500 metres from any Rural Living, Residential, Tourist, Commercial or Urban Development zones. Applications for reduced setbacks shall be accompanied by comprehensive data and evidence that supports the proposed reduction'.

While there are no immediate market gardens within close proximity to the existing caravan park, the subject lot itself is located within the 500 metre buffer requirement from the potential of being affected, should adjoining landowners wish to undertake a market garden operation. However, other State guidelines (i.e. WAPC Planning Bulletin 63 – Policy for Dealing with Potential Conflicts between Residential Subdivision and Market Gardens in East Wanneroo and Department of Health (DoH) – Guidelines for Separation of Agricultural and Residential Land Uses (August 2012) (DoH Guidelines)) only recommend a minimum buffer distance of 300m.

The existing caravan park is situated in the northern-most part of the subject lot, which is outside the 300-500m buffer to the closest intensified market garden located on the eastern side of Military Road. The proposed expansion would encroach into the 500m separation distance imposed by LPP 1.6, but complies with the 300m separation distance recommended by the State guidelines referenced above. The existing caravan park has been able to co-exist with adjoining land uses without causing any conflicts to date.

It is not considered that the proposed expansion will create more land use conflicts with respect to the buffer/separation distances that are required for irrigated horticulture than the existing caravan park for the following reasons:

- Should adjoining landowners want to undertake intensive agriculture uses such as market gardens, the impacts that result from this intensive land use would affect the caravan park's existing location and its expansion in a collective manner. The location of the proposed expansion and the existing caravan park occurs within the first third of the lot. This area collectively encroaches within the 500 metre buffer distance that is required under LPP 1.6 and the 300m that other external guidelines require as a minimum should adjoining properties wish to undertake or expand intensive agriculture land uses.
- While it is acknowledged the proposed expansion on the eastern side of the subject lot would encroach within the buffer requirement from the market garden located on the eastern side of Military Road (if the 500m separation distance is applied), the impact on the caravan park would be no greater than the level of amenity the existing caravan park enjoys. As to the existing onsite vegetation, the vegetation on the adjoining lot and the screening vegetation on the market garden lot acts as a screening buffer to limit any spray drift that may occur.

The proposal is also subject to a landscaping plan which will require the provision of additional vegetation buffers (vegetation buffers will need to comply with the Bushfire Management Plan) to serve as multiple amenity purposes. Furthermore, the natural vegetated setting of the caravan park reduces any visual and noise impacts seen from both Gingin Brook Road and adjoining landowners.

Water Supply

The Applicant has provided the following advice with respect to the proposal's water supply:

'Further investigation into the current and future water use required as a result of the expansion will be undertaken. This will also involve discussion with the Department of Water about securing current and future water allocation for the caravan park. Assuming a combination of rainwater and bore water use would continue, some guarantee/access rights to water will be required. Furthermore, water quality testing will be undertaken to confirm it meets Australian Drinking Water Guidelines'.

Summary

It is considered that the subject site can accommodate the proposed expansion to the Willowbrook Caravan Park with the appropriate planning conditions and management plans in place. Furthermore, the proposal recognises the contribution and role of caravan parks in facilitating tourism and economic growth within the district and providing for accommodation diversity without adversely impacting upon the amenity of the General Rural locality.

Advice Notes

In the event that Council resolves to approve this application, the following advice notes will apply:

- A. Further to this approval, the Applicant will be required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011*, the *Building Regulations 2012* and the *Health Act 1911* and Regulations made thereunder, which are to be approved by the Shire of Gingin.
- B. All food related aspects (camp kitchen, bbq, shelter, etc.) are to comply with the provisions of the *Food Act 2008* and related codes, regulations and guidelines.
- C. All public access related facilities (shearing shed, ablutions etc.) are to comply with the provisions of the *Health Act 1911*, related regulations and guidelines.
- D. Once established, the proposal shall at all times be required to comply with the *Caravan and Camping Grounds Act 1995* and *Caravan Parks and Camping Grounds Regulations 1997*.
- E. In respect of Conditions 2E, 2F and 2H, the applicant is to liaise with the Shire's Operations Department in relation to standards and the location and type of signage required.

- F. In respect of Condition 2L, the landscaping plan is to be prepared, at a minimum, in accordance with the Shire of Gingin's Local Planning Policy 1.8 Landscaping Plan.
- G. In respect of Condition 2N, the applicant is to liaise with the Shire's Environmental Health Department on the proposal's requirement for a Noise Management Plan. The development at all times is required to comply with the *Environmental Protection (Noise) Regulations 1997*.
- H. In respect of Condition 2O, any proposal to reuse grey water and wastewater for parks and gardens is subject to an application that will comply with the requirements as given under the *Guidelines for the Non-potable Uses of Recycled Water in Western Australia* and an approval from the Department of Health. Such application must be supported by a geotechnical report on the site. A site investigation will need to be undertaken in late winter and in accordance with the Australian/New Zealand Standard 1547:2012.
- I. In respect of Condition 2P, the management plan should be compiled in accordance with *Operation Policy 4.3: Identifying and establishing waterways foreshore areas (DoW 2012)*.
- J. The Applicant is reminded that this Development Approval is not to be interpreted as an approval to extract and use groundwater supplies, nor does it imply that the Shire of Gingin has knowledge in relation to availability of groundwater supplies.

STATUTORY ENVIRONMENT

Planning and Development Act 2005
Local Planning Scheme No. 9

Part 3 Zones and the use of the land
3.2 Objectives of the zones
3.2.7 General Rural zone

Part 4 General Development Requirements
4.5 Variations to site and development standards and requirements
4.7 General Development Standards

Schedule 2 – Additional Uses

Wheatbelt Regional Planning and Infrastructure Framework

Shire of Gingin Local Planning Strategy (2012)

Caravan and Camping Grounds Act 1995

Caravan and Camping Grounds Regulations 1997

POLICY IMPLICATIONS

State Planning Policy 2.9 Water Resources

State Planning Policy 2.5 Rural Planning

State Planning Policy 3.7 Planning in Bushfire Prone Areas

Local Planning Policy No. 1.4 Foreshore Reserves along Water Courses

Local Planning Policy No. 1.6 Agriculture Intensive

Local Planning Policy No. 1.8 Landscaping Plan

West Australian Planning Commission (WAPC) Planning Bulletin No. 49 Caravan Parks

West Australian Planning Commission (WAPC) Planning Bulletin No. 63 Policy for Dealing with Potential Conflicts between Residential Subdivision and Market Gardens in East Wanneroo

Department of Health (DoH) Guidelines for Separation of Agricultural and Residential Land Uses (August 2012) (DoH Guidelines)

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015 - 2025

<i>Focus Area</i>	<i>Leadership and Governance</i>
<i>Objective</i>	<i>2. Accountable and responsible governance</i>
<i>Outcome</i>	<i>2.1 Deliver accountable and good governance</i>
<i>Focus Area</i>	<i>Local Business</i>
<i>Objective</i>	<i>3. Grow local business</i>
<i>Outcome</i>	<i>3.1 Initiatives which support business growth</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council:

1. Advise the applicant that, within 90 days of notice, it is required to resubmit a Bushfire Management Plan and amend its Development Application dated 1 July 2015 prepared by Burgess Design Group to address the following concerns of the Department of Fire and Emergency Services and the Shire of Gingin:

- a. Demonstrate compliance with Element 1: Location and Element 2: Siting and Design of the Guidelines for Planning in Bushfire Prone Areas produced by the Department of Planning and the Western Australian Planning Commission.
 - b. Ensure that Policy Measure 6.6 of State Planning Policy 3.7 Planning in Bushfire Prone Areas and relevant policy requirements are applied.
 - c. Address the actions identified in the Advice for the Bushfire Consultant as shown in Appendix 5.
 - d. Any vegetation located on the eastern boundary fence and the first row of eucalypt trees will be required to be removed to increase the separation distance from the bushfire prone vegetation located on the adjoining Lot 1 and the proposed caravan bays adjacent to the eastern boundary.
 - e. The grassland between the eastern boundary fence, the rows of eucalypt trees in this location (including the growth under the trees) and any revegetation that may be undertaken as part of the landscaping plan will all be maintained as low threat and will meet AS3959-2009 s2.2.3.2 requirements; and
 - f. The coupling fitting identified on Page 71 of the Bushfire Management Plan is to be a stainless steel fitting.
2. Subject to compliance with the requirements of Part 1 (above), authorise the Chief Executive Officer to grant Development Approval for extension of the Caravan Park situated at Lot 7 Gingin Brook Road, Neergabby, subject to the following conditions
 - a. The land use and development shall be undertaken in accordance with the approved plans, management plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
 - b. This approval is for the expansion of the Caravan Park including incidentals as provided in the proposal only;
 - c. All car parking shall be contained within the allocated areas depicted on the approved plans;
 - d. Detailed elevation and floor plans of the proposed structures to be submitted to the satisfaction of the Shire of Gingin prior to the issuing of a Building Permit;
 - f. Prior to the commencement of site works, engineering plans shall be prepared for development works including internal accesses, upgrade of existing crossover(s), parking areas, stormwater drainage, and earthworks to the satisfaction of the Shire of Gingin;
 - g. Prior to the occupation of the caravan park (that is subject of this proposal), sealed access, crossover, driveway and parking areas (including the provision for disabled parking) to an approved design are to be provided and implemented at the expense of the applicant/owner to the satisfaction of the Shire of Gingin;

- h. All stormwater generated on site shall be retained on site;
- i. Prior to occupation of the caravan park (that is subject of this proposal), advance warning signage for entering and exiting the site is to be installed on Gingin Brook Road to the satisfaction of the Shire of Gingin;
- j. Prior to occupation of the caravan park (that is subject of this proposal), the approved Bushfire Management Plan and the Bushfire Emergency Evacuation Plan are to be implemented and shall comply at all times to the satisfaction of the Shire of Gingin;
- k. It is the responsibility of the landowner for maintaining the emergency water supply tank/s at or above the designated capacity (minimum 50,000 litres) at all times;
- l. Prior to the issuing of a building permit for the development the owner(s)/applicant shall execute and provide to the Shire of Gingin a notification pursuant to Section 70A of the Transfer of Land Act to be registered on the title to the land as notification to prospective purchasers that the title of the proposed lot is:
 - i. located in a General Rural Locality which the land may be affected by emissions from adjoining agricultural land uses; and
 - ii. located in a Bushfire Prone Area and is subject to a Bushfire Management Plan and Bushfire Emergency Evacuation Plan;
- m. Prior to the commencement of site works, a Landscaping Plan shall be prepared, approved and implemented to the satisfaction of the Shire of Gingin. At a minimum (but not limited to) the landscaping plan shall be prepared in accordance with LPP 1.8 and incorporate the following:
 - i. retention of native vegetation and mature trees on the lot unless approved for removal (by the relevant agency where required);
 - ii. the incorporation of a vegetated noise bund adjacent to the eastern and east-north-east boundaries (as marked in RED ink on the approved plan) of the site to provide additional buffering to the adjoining neighbours;
 - iii. revegetation and landscaping of the 'proposed revegetation area' to provide additional landscaping buffers from adjoining agricultural uses.
 - iv. revegetation works or replanting must comply with the requirements/standards outlined in the BMP so as not to increase the site's bushfire risk.

- n. Prior to the occupancy of the caravan park with patrons, a rural type fence is required to fence off the 20 metre setback area along the eastern and east-north-east boundary between the subject lot and Lot 1 (as marked in RED ink on the approved plan), so patrons and members of the public cannot access the setback area. Furthermore, the fence will require the provision of a gate with a minimum width of 3.6m with design, construction and lock key system to be approved to the satisfaction of the Shire of Gingin.
- o. Prior to the commencement of site works, a Noise Management Plan shall be prepared and approved by the Shire of Gingin; (Health)
- p. Prior to the commencement of site works, approvals from Department of Health are required for (but not limited to):
 - i. confirmation that the land is capable of disposing all wastewater associated with the total development on the lot, and the wastewater system proposed; and
 - ii. confirmation that the development is to have access to a sufficient supply of potable water that is of the quality specified under the *Australian Drinking Water Quality Guidelines 2004*.
- q. Prior to the commencement of site works, a Foreshore Management Plan is to be prepared and approved to the satisfaction of the Department of Water. The management plan should consider, but not limited to, erosion control, revegetation and prevention of pollution of the water course.
- r. The proposal at all times is to comply with the definition of 'Short Stay Accommodation' as defined by Local Planning Scheme No. 9 (LPS9) which defines short stay as:

'means a tourist accommodation facilities (including motels, caravan and camping facilities, chalets, guest houses, holiday houses or any other form of tourist accommodation) set aside either continuously or from time to time for temporary living purposes but which are not occupied by the same person or group of persons for a period in excess of 3 months in any one 12 month period'.
- s. The operator(s) of the caravan park are required to keep an up to date guest register which at a minimum indicates the length of stay for each patron(s).
- t. At any time the Shire reserves the right to inspect or request any of the management plans that are conditioned as part of this planning approval; and
- u. All conditions shall be complied with prior to the occupancy of the caravan park by patrons, unless otherwise specified in the individual conditions.

SUBSTANTIVE MOTION WITH AMENDMENT

In condition 1d, insert the word “within” between the words “and” and “the” in the first line. Add new condition 2v and 2w.

Moved Councillor Fewster, seconded Councillor Collard that Council:

- 1. Advise the applicant that, within 90 days of notice, it is required to resubmit a Bushfire Management Plan and amend its Development Application dated 1 July 2015 prepared by Burgess Design Group to address the following concerns of the Department of Fire and Emergency Services and the Shire of Gingin:**
 - a. Demonstrate compliance with Element 1: Location and Element 2: Siting and Design of the Guidelines for Planning in Bushfire Prone Areas produced by the Department of Planning and the Western Australian Planning Commission.**
 - b. Ensure that Policy Measure 6.6 of State Planning Policy 3.7 Planning in Bushfire Prone Areas and relevant policy requirements are applied.**
 - c. Address the actions identified in the Advice for the Bushfire Consultant as shown in Appendix 5.**
 - d. Any vegetation located on the eastern boundary fence and within the first row of eucalypt trees will be required to be removed to increase the separation distance from the bushfire prone vegetation located on the adjoining Lot 1 and the proposed caravan bays adjacent to the eastern boundary.**
 - e. The grassland between the eastern boundary fence, the rows of eucalypt trees in this location (including the growth under the trees) and any revegetation that may be undertaken as part of the landscaping plan will all be maintained as low threat and will meet AS3959-2009 s2.2.3.2 requirements; and**
 - f. The coupling fitting identified on Page 71 of the Bushfire Management Plan is to be a stainless steel fitting.**
- 2. Subject to compliance with the requirements of Part 1 (above), authorise the Chief Executive Officer to grant Development Approval for extension of the Caravan Park situated at Lot 7 Gingin Brook Road, Neergabby, subject to the following conditions**
 - a. The land use and development shall be undertaken in accordance with the approved plans, management plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;**
 - b. This approval is for the expansion of the Caravan Park including incidentals as provided in the proposal only;**

- c. All car parking shall be contained within the allocated areas depicted on the approved plans;**
- d. Detailed elevation and floor plans of the proposed structures to be submitted to the satisfaction of the Shire of Gingin prior to the issuing of a Building Permit;**
- f. Prior to the commencement of site works, engineering plans shall be prepared for development works including internal accesses, upgrade of existing crossover(s), parking areas, stormwater drainage, and earthworks to the satisfaction of the Shire of Gingin;**
- g. Prior to the occupation of the caravan park (that is subject of this proposal), sealed access, crossover, driveway and parking areas (including the provision for disabled parking) to an approved design are to be provided and implemented at the expense of the applicant/owner to the satisfaction of the Shire of Gingin;**
- h. All stormwater generated on site shall be retained on site;**
- i. Prior to occupation of the caravan park (that is subject of this proposal), advance warning signage for entering and exiting the site is to be installed on Gingin Brook Road to the satisfaction of the Shire of Gingin;**
- j. Prior to occupation of the caravan park (that is subject of this proposal), the approved Bushfire Management Plan and the Bushfire Emergency Evacuation Plan are to be implemented and shall comply at all times to the satisfaction of the Shire of Gingin;**
- k. It is the responsibility of the landowner for maintaining the emergency water supply tank/s at or above the designated capacity (minimum 50,000 litres) at all times;**
- l. Prior to the issuing of a building permit for the development the owner(s)/applicant shall execute and provide to the Shire of Gingin a notification pursuant to Section 70A of the Transfer of Land Act to be registered on the title to the land as notification to prospective purchasers that the title of the proposed lot is:**
 - i. located in a General Rural Locality which the land may be affected by emissions from adjoining agricultural land uses; and**
 - ii. located in a Bushfire Prone Area and is subject to a Bushfire Management Plan and Bushfire Emergency Evacuation Plan;**
- m. Prior to the commencement of site works, a Landscaping Plan shall be prepared, approved and implemented to the satisfaction of the Shire of Gingin. At a minimum (but not limited to) the landscaping plan shall be prepared in accordance with LPP 1.8 and incorporate the following:**

- i. retention of native vegetation and mature trees on the lot unless approved for removal (by the relevant agency where required);
 - ii. the incorporation of a vegetated noise bund adjacent to the eastern and east-north-east boundaries (as marked in RED ink on the approved plan) of the site to provide additional buffering to the adjoining neighbours;
 - iii. revegetation and landscaping of the 'proposed revegetation area' to provide additional landscaping buffers from adjoining agricultural uses.
 - iv. revegetation works or replanting must comply with the requirements/standards outlined in the BMP so as not to increase the site's bushfire risk.
- n. Prior to the occupancy of the caravan park with patrons, a rural type fence is required to fence off the 20 metre setback area along the eastern and east-north-east boundary between the subject lot and Lot 1 (as marked in RED ink on the approved plan), so patrons and members of the public cannot access the setback area. Furthermore, the fence will require the provision of a gate with a minimum width of 3.6m with design, construction and lock key system to be approved to the satisfaction of the Shire of Gingin.
- o. Prior to the commencement of site works, a Noise Management Plan shall be prepared and approved by the Shire of Gingin; (Health)
- p. Prior to the commencement of site works, approvals from Department of Health are required for (but not limited to):
 - i. confirmation that the land is capable of disposing all wastewater associated with the total development on the lot, and the wastewater system proposed; and
 - ii. confirmation that the development is to have access to a sufficient supply of potable water that is of the quality specified under the *Australian Drinking Water Quality Guidelines 2004*.
- q. Prior to the commencement of site works, a Foreshore Management Plan is to be prepared and approved to the satisfaction of the Department of Water. The management plan should consider, but not limited to, erosion control, revegetation and prevention of pollution of the water course.
- r. The proposal at all times is to comply with the definition of 'Short Stay Accommodation' as defined by Local Planning Scheme No. 9 (LPS9) which defines short stay as:

‘means a tourist accommodation facilities (including motels, caravan and camping facilities, chalets, guest houses, holiday houses or any other form of tourist accommodation) set aside either continuously or from time to time for temporary living purposes but which are not occupied by the same person or group of persons for a period in excess of 3 months in any one 12 month period’.

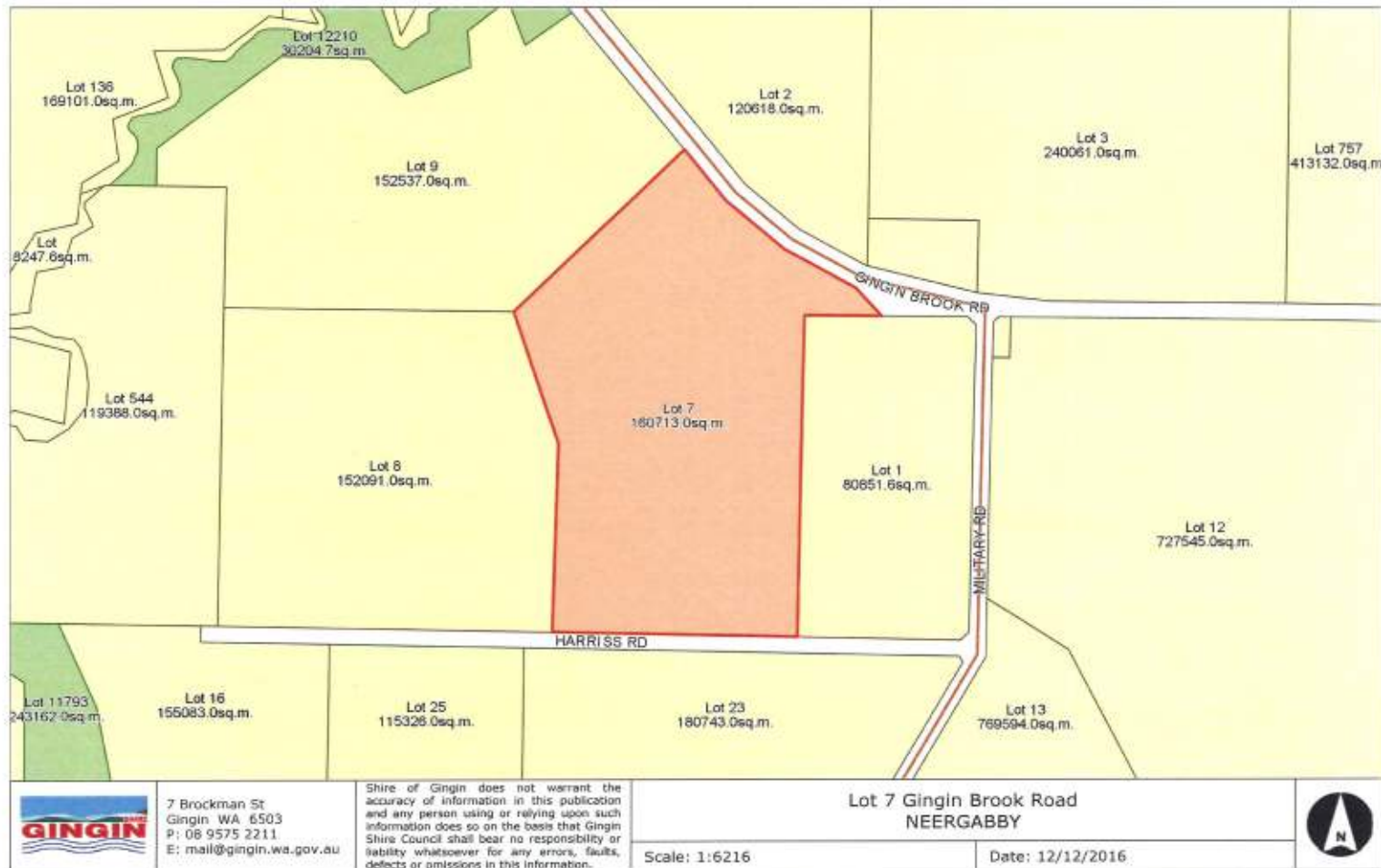
- s. The operator(s) of the caravan park are required to keep an up to date guest register which at a minimum indicates the length of stay for each patron(s).**
- t. At any time the Shire reserves the right to inspect or request any of the management plans that are conditioned as part of this planning approval; and**
- u. All conditions shall be complied with prior to the occupancy of the caravan park by patrons, unless otherwise specified in the individual conditions.**
- v. The following bays 14-18, 23-36 and 103-112 are to be deleted from the proposed caravan park expansion as marked in RED on the approved plans.**
- w. Within 90 days of the commencement of site works the gravesites are to be protected and interpretative signage being installed in consultation with the Shire Of Gingin.**

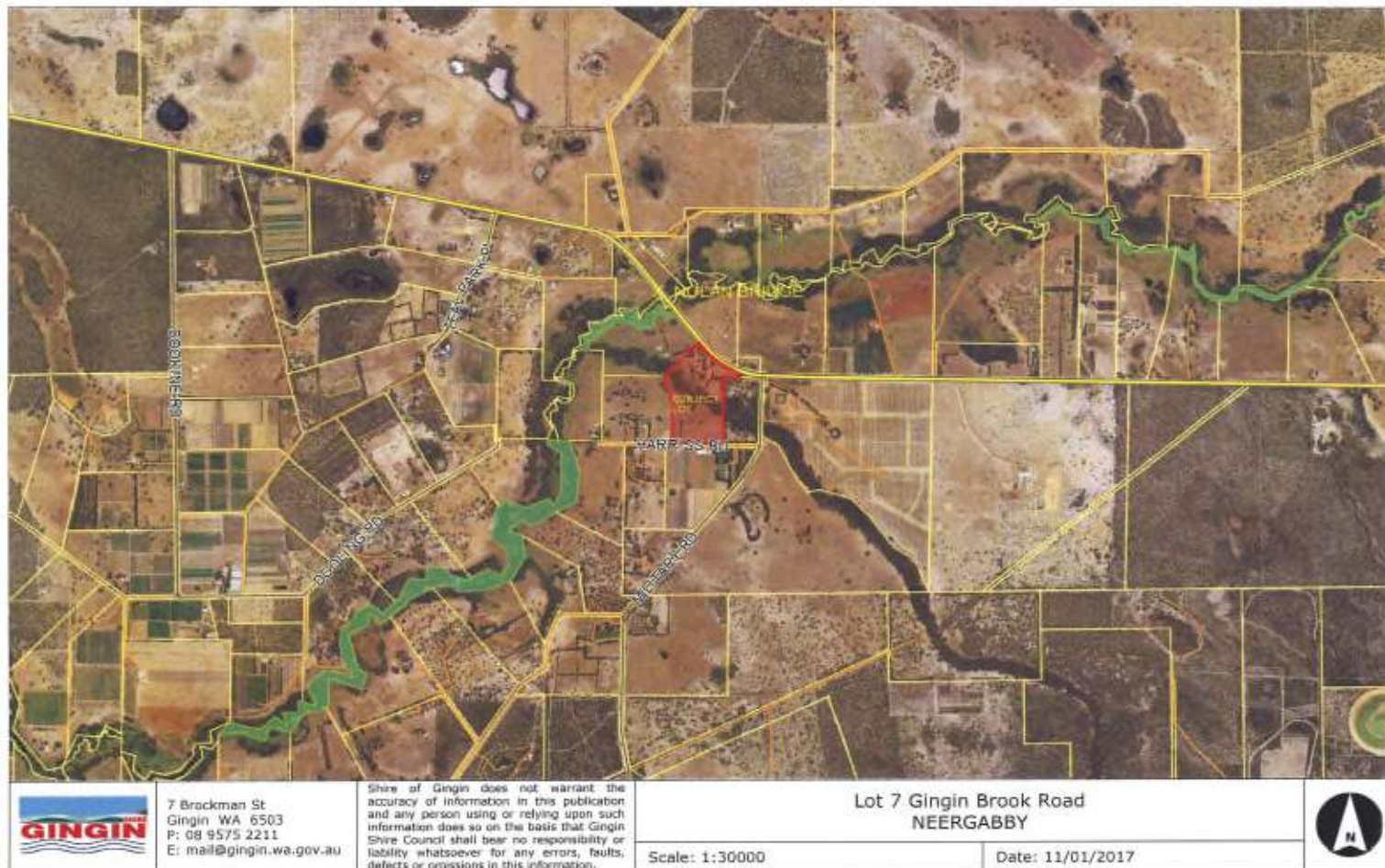
CARRIED UNANIMOUSLY

REASON FOR AMENDMENT

Council was of the view that the inclusion of the word “within” in condition 1d was necessary to clarify the position of vegetation to be removed. Condition 2v was added to reduce the overall number of new bays approved and to provide a greater buffer distance to neighbouring properties. Condition 2w was added to ensure that the historic grave sites located on the property are protected.

APPENDIX 1





APPENDIX 2



DEVELOPMENT APPLICATION EXPANSION OF CARAVAN PARK

LOT 7 (No. 1679) GINGIN BROOK ROAD, NEERGABBY

CITY OF GINGIN



PREPARED BY:

burgess design group
TOWN PLANNING + URBAN DESIGN



Lot 7 (No.1679) GINGIN BROOK ROAD, NEERGABBY

Shire of Gingin

EXPANSION OF CARAVAN PARK

Issue 1: July 2015

Prepared for: **Willowbrook Caravan Park Pty Ltd**

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Job code: WBF GIN
File reference: 150722RLGA_Development Application
Revision No: 1

Quality Assurance

Issue/Version:	Date:	Author:	Reviewer:
1	22 July 2015	Mitch Bisby	Mark Szabo

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Appendix 1	Certificate of Title and Survey Plan
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1. INTRODUCTION

Burgess Design Group has been appointed by Willowbrook Caravan Park Pty Ltd, the registered owner of Lot 7 Gingin Brook Road, Neergabby, for the provision of town planning and urban design consultancy services for the preparation of a Development Application and the coordination of statutory approvals for a proposed expansion of the existing Caravan Park on the subject site (the "site").

This Application proposes to expand the existing Caravan Park as follows:

- 131 additional caravan/tent sites;
- Four chalets, each with four bedrooms with ensuited;
- A new camp kitchen;
- A new ablution facility;
- New recreation areas; and,
- Upgraded access, site services (electricity, water etc.), and waste disposal areas, as applicable.

The following report provides an overview of the site characteristics, the local and regional context, findings of preliminary technical investigations, and explains the rationale of the Development Application design and the statutory framework that will guide its implementation.

1.1 ABBREVIATIONS

Abbreviations used in this report are summarised below for ease of reference:

AHD	Australian Height Datum
ASS	Acid Sulfate Soils
TPS9	Shire of Gingin Town Planning Scheme No.9
Regulations	<i>Caravan and Camping Grounds Regulations 1997</i>

2. SITE DESCRIPTION/DETAILS

2.1 LEGAL DESCRIPTION, RESTRICTIONS AND ENCUMBRANCES

Lot 7 is registered in the ownership of Willowbrook Caravan Park Pty Ltd.

The site can be legally described as:

- Lot 7 on Diagram 77273, Certificate of Title Volume 1884 Folio 806.

There are no restrictions or encumbrances registered on the Title. Refer to **Appendix 1 – Certificate of Title and Survey Plan**.

The site comprises a total legal land area of 16.0717ha. This application relates to the northern most 4.9025ha, or 2.7832ha excluding the existing Park facilities which comprise approximately 2.1193ha.

2.2 LOCATION

The land is located in Neergabby, within the municipal boundary of the Shire of Gingin. The site is situated approximately 19.8km west of the Gingin Town Centre, 18.9km east of the Guilderton Town Centre, and 72km north of the Perth Central Business District.

The site fronts Gingin Brook Road along its northern boundary, and gains secondary access from Harriss Road at the rear of property, along its southern boundary. **Figure 1 – Location Plan** shows the location of the site.

2.3 EXISTING AND HISTORICAL USE AND DEVELOPMENT

The site currently accommodates the Willowbrook Farm Caravan Park, with a manager's house and various associated outbuildings (ablution facilities, camp kitchen, BBQ area etc.), which was established in 2006. Refer to **Figure 2 –Aerial Photograph**.

2.3.1 Cultural Heritage Sites

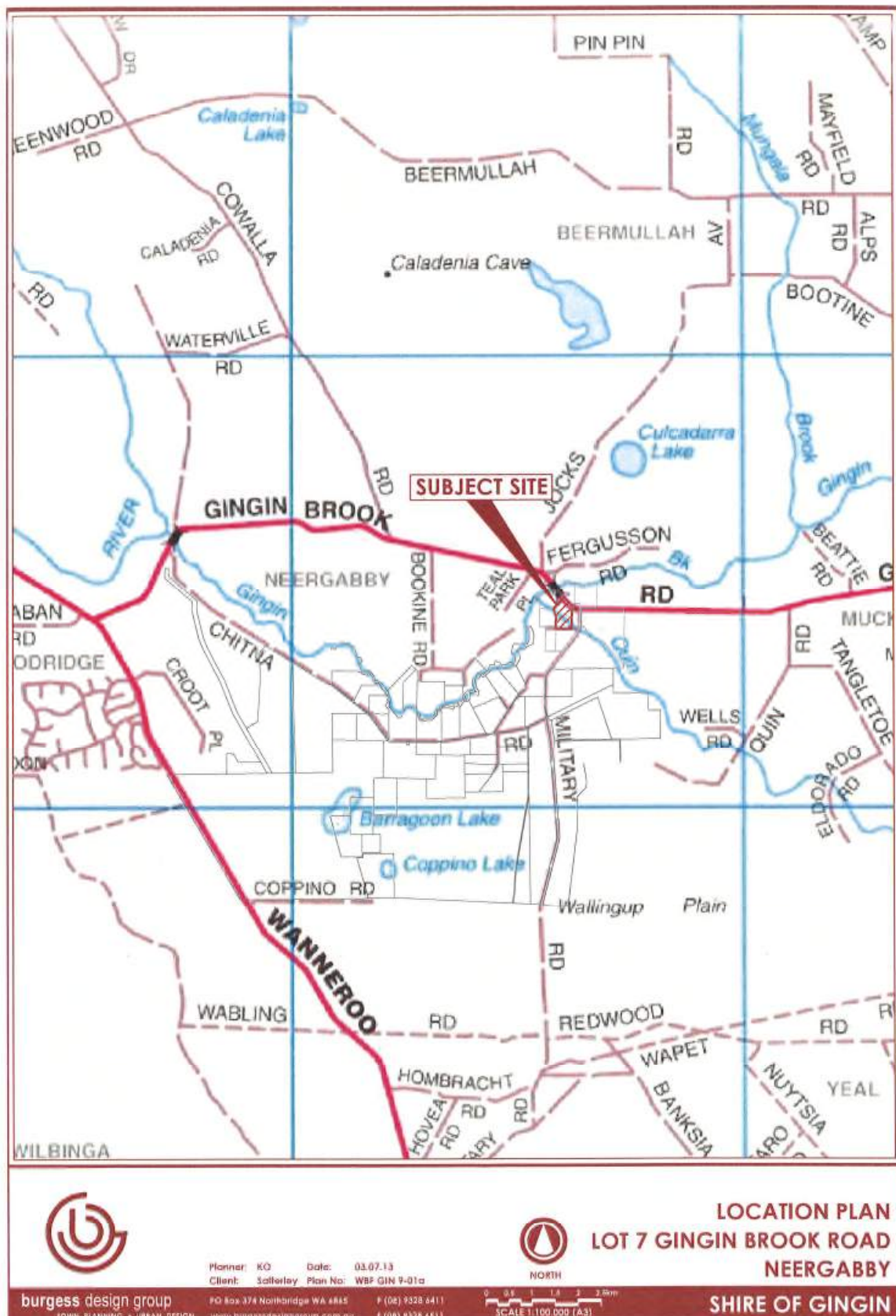
A search of the Department of Aboriginal Affairs (DAA) Aboriginal Heritage Inquiry System (AHIS) revealed two registered sites occurring within the land, as follows:

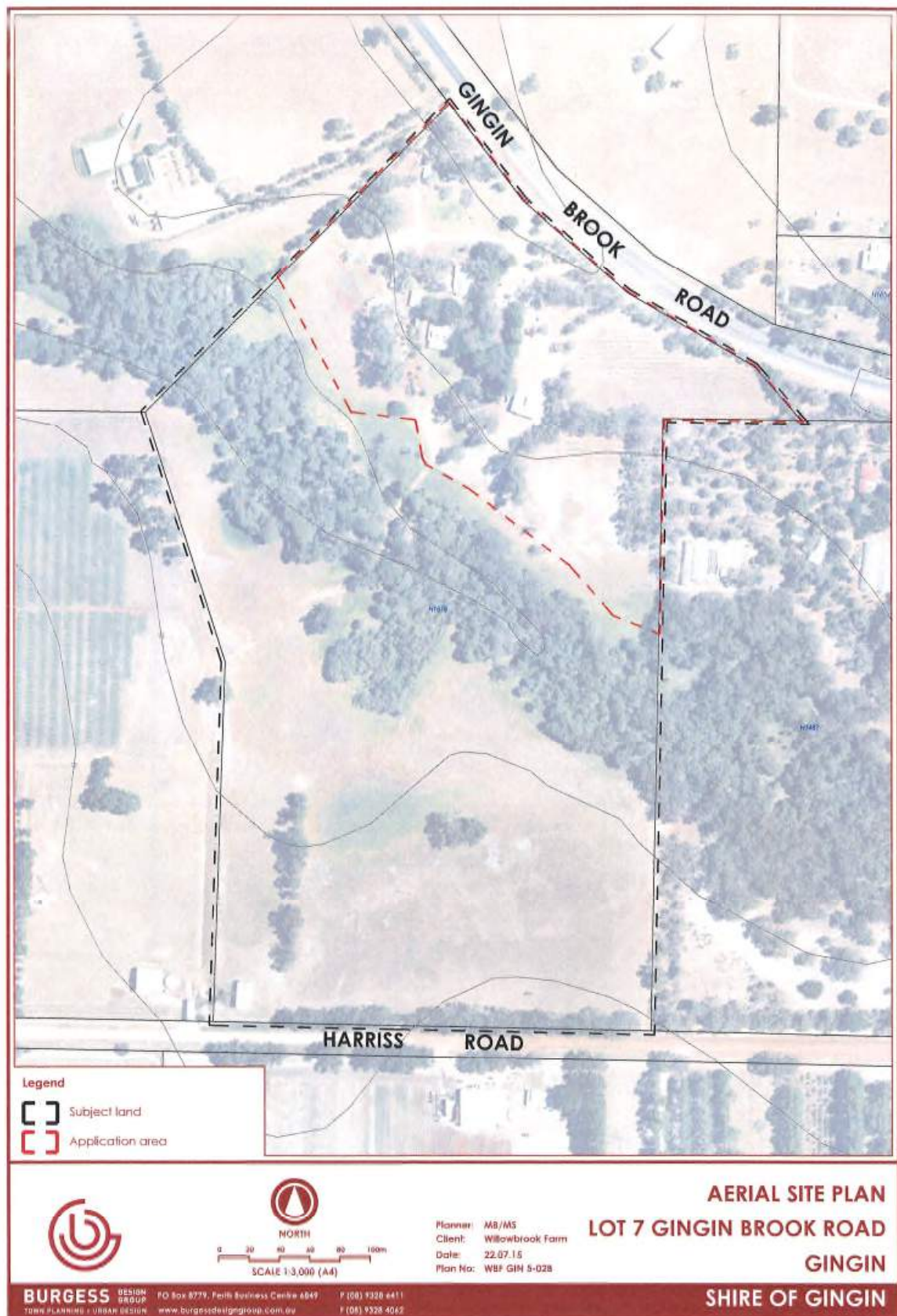
- Registered Site 20008 – Gingin Brook Waggy Site; and,
- Registered Site 20749 – Moore River Waugal.

We understand that Registered Site 20008 is a 'closed' site, with the DAA's public mapping showing an exaggerated boundary to obscure the actual location, but that it is associated with the Gingin Brook. As the Gingin Brook is located approximately 350m north west of the land, we do not anticipate that the land falls within the actual boundary of Registered Site 20008.

Registered Site 20749 is identified as having a 'reliable boundary' on the DAA's AHIS, and is associated with Quin Brook. As the proposed development is set back from Quin Brook, we do not anticipate any impacts within the registered site.

It should be noted that the Manager's house is the original homestead of the land, and was constructed in 1874. The homestead is not listed under the Shire of Gingin's Municipal





Inventory of Heritage, and no alterations to the structure are proposed as part of this application.

2.4 SURROUNDING LAND USE AND DEVELOPMENT

Surrounding land uses are primarily rural in nature, with land being used for grazing, lettuce farming, and rural residential uses.

3. SITE ANALYSIS

3.1 TOPOGRAPHY

The subject site slopes from approximately 39mAHD in the northern portion of and site and 40mAHD in the southern portion of the site to a low point of approximately 29mAHD in the centre of the site, along the Quin Brook. Refer to **Figure 2 –Aerial Photograph**.

3.2 GEOTECHNICAL

3.2.1 Acid Sulfate Soils

The site is identified as being at moderate risk of Acid Sulfate Soils (ASS) occurring within 3m of the natural soil surface.

Given the nature of the proposed development (mostly grassed caravan sites, and crushed limestone access tracks), no significant earthworks are anticipated.

3.2.2 Soil Contamination

There are no known contamination issues associated with the site.

3.3 HYDROLOGY

3.3.1 Groundwater

The Department of Water's *Geographic Data Atlas* indicates that groundwater occurs at approximately 30mAHD, and flows in a westerly direction. This provides a separation of approximately 9-1.5m from the natural ground level of the application area.

3.3.2 Surface Water

The site is transected by Quin Brook, a tributary of the Gingin Brook, which is identified as a non-perennial watercourse on Landgate's WA Land Atlas. The proposed development maintains an approximate 50m setback to Quin Brook in accordance with the requirements of Local Planning Policy Statement No. – 1.4 *Foreshore Reserves along Water Courses*.

4. INFRASTRUCTURE & SERVICES

4.1 TRAFFIC AND TRANSPORT

4.1.1 Road Network

Regional Road Network

The site has excellent access to the regional road network, with Gingin Brook Road having direct connections to Brand Highway and Indian Ocean Drive, providing ample access to the Perth Metropolitan Region, as well as regional areas.

Local Road Network

The subject site is accessed primarily from Gingin Brook Road, with Harriss Road along the southern boundary providing secondary access to the rear paddocks. Gingin Brook Road is a sealed rural road, with a posted speed limit of 90km/h. The road has two eastbound lanes and one westbound lane with a slip road for traffic entering the site.

4.2 SERVICE INFRASTRUCTURE

A summary of the infrastructure and servicing connections that are available is provided below.

4.2.1 Western Power Electricity Supply

Connection available.

4.2.2 Water Corporation Water

^{not}
Connection available. —
^

4.2.3 Water Corporation Sewer

No services available. A suitable Department of Health approved waste water disposal system will be required. This will be dealt with through a subsequent application.

4.2.4 Stormwater Management

Stormwater runoff is to be accommodated on-site through infiltration. We note that the majority of the site will remain as grassed area, along with permeable crushed-limestone access paths.

4.2.5 Telecommunications

Connection available.

5. PLANNING FRAMEWORK

Outlined below is a summary of the relevant strategic and statutory documents that guide the use and development of the site and/or support the development of the land.

5.1 STATUTORY FRAMEWORK

5.1.1 Shire of Gingin Town Planning Scheme No.9

The subject land is zoned "General Rural" under the Shire of Gingin Town Planning Scheme No.9 (TPS9) (refer **Figure 3 – Shire of Gingin Town Planning Scheme No.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.*

Additionally, Schedule 2 of TPS9 lists 'Caravan Park, Restaurant, Shop (incidental to, and located within caravan park)' as Additional Uses for the site, with the following conditions:

- (i) *Development to be generally in accordance in with the development approval issued by Council 9 August 2005 or a subsequent development approval issued by Council.*
- (ii) *Any future development is not permitted unless Council has exercised its discretion by granting planning approval.*
- (iii) *Notice of a development application must be served on adjoining owners and occupiers in accordance with Clause 9.4.3(a) and referred to the Department of Water and the Department of Health.*
- (iv) *In considering a development application, Council will have particular regard to potential amenity impacts on land use conflicts with neighbouring properties; and any potential on Quin Brook from sewerage [sic], drainage and internal access arrangements.*

TPS9 specifies the following standards for the "General Rural" zone:

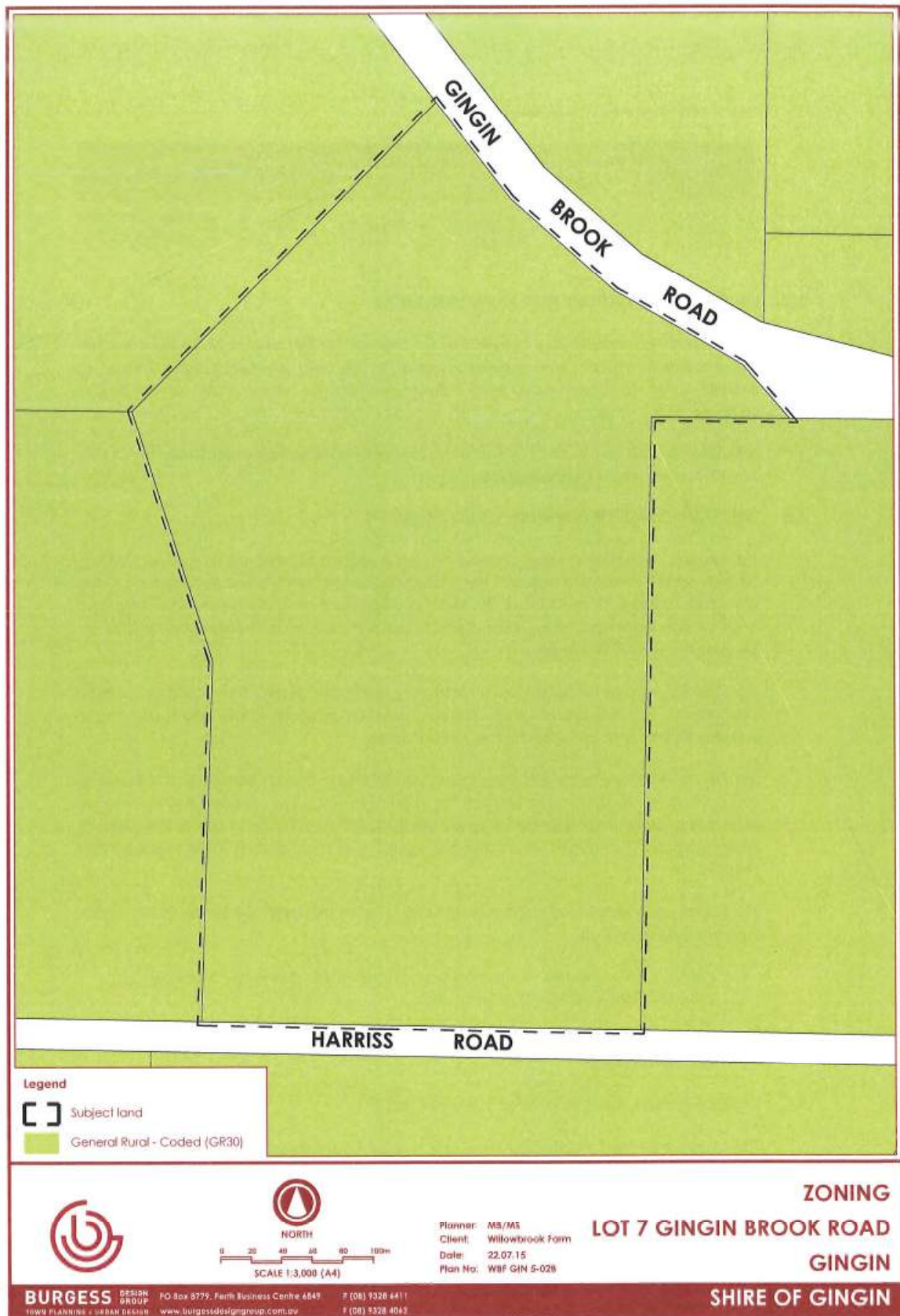


Table 1: TPS9 "General Rural" Provisions

Maximum Plot Ratio	Minimum Boundary Setbacks			Maximum Site Coverage	Minimum Landscaping
	Front	Rear	Sides		
N/A	20m	20m	20m	N/A	As required by local government

5.2 LOCAL PLANNING SCHEME NO.9 AMENDMENT NO.6

Amendment No.6 to LPS9 was approved by the Minister for Planning on 24 September 2014. This amendment included the conditions currently listed under Schedule 2 of the Scheme, as detailed above, which previously limited development to the extent shown on the August 2005 approval.

Amendment No.6 now allows Council to consider development applications over the site, in accordance with the revised conditions.

5.3 WHEATBELT LAND USE PLANNING STRATEGY (DRAFT)

The Western Australia Planning Commission is in the process of preparing a Land Use Planning Strategy for the Wheatbelt Region. The Strategy will guide planning and development of the Wheatbelt to 2031. Once finalised, this Strategy will replace the Central Coast Structure Plan, Avon-Arc Sub Regional Strategy and Gingin Coast Structure Plan as the over-arching strategic planning framework for the Region.

The Strategy will plan for people and population in the region, protect the natural and cultural environment, facilitate economic development, consider settlements and land supply needs, and provide guidance on regional infrastructure issues.

Notably, the Strategy recognises the importance of Caravan Parks, particularly as a source of affordable accommodation. The Strategy has also found that many existing Caravan Parks are perceived to be under pressure, as they are usually in locations that make them attractive for redevelopment. The Strategy states that it is important to try to protect these sites wherever possible.

The Strategy also aims to support businesses that bring employment and people to the region, including businesses that:

Provide sites capable of supporting tourist uses supplying a range of accommodation styles and budgets; and

Cater for the retention and development of caravan parks and meet commercial and tourism needs.

5.4 SHIRE OF GINGIN LOCAL PLANNING STRATEGY (2012)

The Gingin Local Planning Strategy (Strategy) aims to ensure that the rural economy remains responsive and versatile. It seeks to promote the expansion and diversification of the rural economy and the service industry. The Strategy specifically recognises that increasing the

profile of the Shire as a tourist destination will require the improvement of goods, services, leisure facilities and accommodation.

This Development Application will help to integrate the objectives of the Strategy by directly improving tourism and accommodation opportunities in the region, which in turn will benefit the rural economy by providing development that is complimentary to its goods and services.

5.5 LOCAL PLANNING POLICIES

5.5.1 Local Planning Policy Statement No.1.4 – Foreshore Reserves along Water Courses

Local Planning Policy Statement No.1.4 – Foreshore Reserves along Water Courses (LPP1.4) aims to protect the margins and foreshores of water courses from future development.

Policy Statement 3.1 states that *“the building line for all development adjacent to a water course shall be 50 metres measures from the top of the bank of the watercourse.”* The proposed development maintains a 50m minimum setback, as shown on the Site Plan (refer **Plan 1**).

5.5.2 Local Planning Policy Statement No.1.8 – Landscaping Plan

Local Planning Policy Statement No.1.8 – Landscaping Plan (LPP1.8) aims to provide guidance in relation to the Shire’s requirement for Landscaping Plans. LPP1.8 states that such Plans shall be designed to be sympathetic to the amenity and aesthetics of the locality whilst providing the Shire with a suitable commitment from the Developer for planting, watering and maintenance.

Any landscaping plans associated with this application shall be prepared in accordance with LPP1.8, and will take into consideration the unique attributes of the site. This may include factors such as maintaining a rural streetscape from Gingin Brook Road, providing maximum shielding to the adjoining neighbours, and maintaining a low bushfire risk level.

6. PROPOSED DEVELOPMENT

The Willowbrook Farm Caravan Park provides a unique, family friendly rural experience for long-distance travellers or those seeking a weekend getaway. The Park provides a relaxing setting of grassed caravan bays and campsites, shaded by native trees, with the site being adorned by character-full buildings, such as the original homestead, built in 1874, along with authentic shearing sheds that serve as the Park's function area.

Visitors are invited to join in the daily animal feeding, where they are able to get up close with the Farm's livestock (Sheep, Alpacas, Belted Galloways, Texas Longhorns, along with Chickens, Geese and Guinea Fowl), or share a spot around the (seasonal) fire pit, and enjoy a BBQ overlooking the Quin Brook whilst the kids play on the generous grassed area outside the homestead's expansive veranda.

The Site Managers have extensive local knowledge, and encourage all their visitors to sample the local attractions and activities, such as the Gravity Discovery Centre, the Gingin Observatory, Caladenia Mini Golf, Le Shed Cafe, Moore River horseback rides, or day visits the monastic township of New Norcia, the Pinnacles at Cervantes, or sand boarding at Lancelin.

Willowbrook's ability to provide patrons with a relaxing, idyllic experience is reflected in their growing popularity, with the park reaching capacity quickly during peak periods, and long weekends for the next 12-18 months already being booked-out. This proposed expansion serves to increase its capacity, thereby providing greater opportunities for affordable, family friendly accommodation that benefits the economy and helps to enhance the identity of the greater region.

6.1 LAND USE

This application proposes the expansion of a 'Caravan Park' over the northernmost 4.9025ha of the site, comprising 2.7832ha of development area in addition to the existing 2.1193ha Park (refer **Plan 1 – Site Plan**). The proposed uses comprise:

- Open recreation areas;
- 131 new grassed caravan sites (188 in total), nominally measuring 8x11m each and serviced with power, water and waste water (sullage) disposal;
- Four chalets, each with four rooms with a double bed and ensuite (sleeping 32 people in total);
- Ablution facilities;
- A camp kitchen;
- A new site office;
- Crushed limestone access paths and a new sealed main entry;
- Revegetation/landscape buffer areas; and,
- Services, as applicable (e.g. electrical connections, waste disposal ('dump') points etc.).

The balance of the land will remain as pasture for grazing by the livestock (sheep, alpacas, Belted Galloways and Texas Longhorns etc.).

As noted previously, a 'Caravan Park' use is permissible under Schedule 2 of TPS9, subject to the conditions listed therein.



6.2 SITE LAYOUT AND DESIGN RATIONALE

The proposed Caravan Park expansion has been designed to maintain and enhance the unique rural character of the area. Notably, this entailed a site visit with the Park's Managers and Proprietor to understand the day-to-day operations and unique assets of the Park, along with the preparation of a detailed site survey (refer **Figure 4 – Site Survey**) to ensure that development accounts for the existing site features, and sits sensitively in the landscape.

Key to the design rationale and maintaining the character of the site is the retention of vegetation (and planting of additional trees and vegetation to act as a landscape buffer). The proposal has been designed to ensure that, wherever possible, no mature trees will be removed from the site. Instead, the design utilises the existing vegetation, particularly the windbreak trees located along former paddock boundaries, to provide shade for the proposed caravan/tent sites. These trees are shown on the Site Plan contained at **Plan 1**.

Additionally, the design seeks to maximise access to grassed recreation areas, along with views to Quin Brook. This aims to maintain the informal rural character of the site by having trees and other greenery as dominant features in the landscape. To that end, the proposal also includes an extensive revegetation area that will provide a soft transition between the surrounding rural activities and the proposed development, thereby minimising any visual impacts from adjoining land.

The proposed Camp Kitchen and Ablution Block have been located in the eastern portion of the land to service the bulk of the proposed new sites. The existing facilities will continue to service the existing bays and the western-most proposed sites. These shared facilities will be located within 90m of all of the proposed sites, and will be equipped as required under the *Caravan and Camping Grounds Regulations 1997* (the Regulations). Please note that this application is only for the general siting of these structures, with detailed development applications (including floor plans, elevations, specific setbacks etc.) to be provided in a subsequent development or building applications (as required).

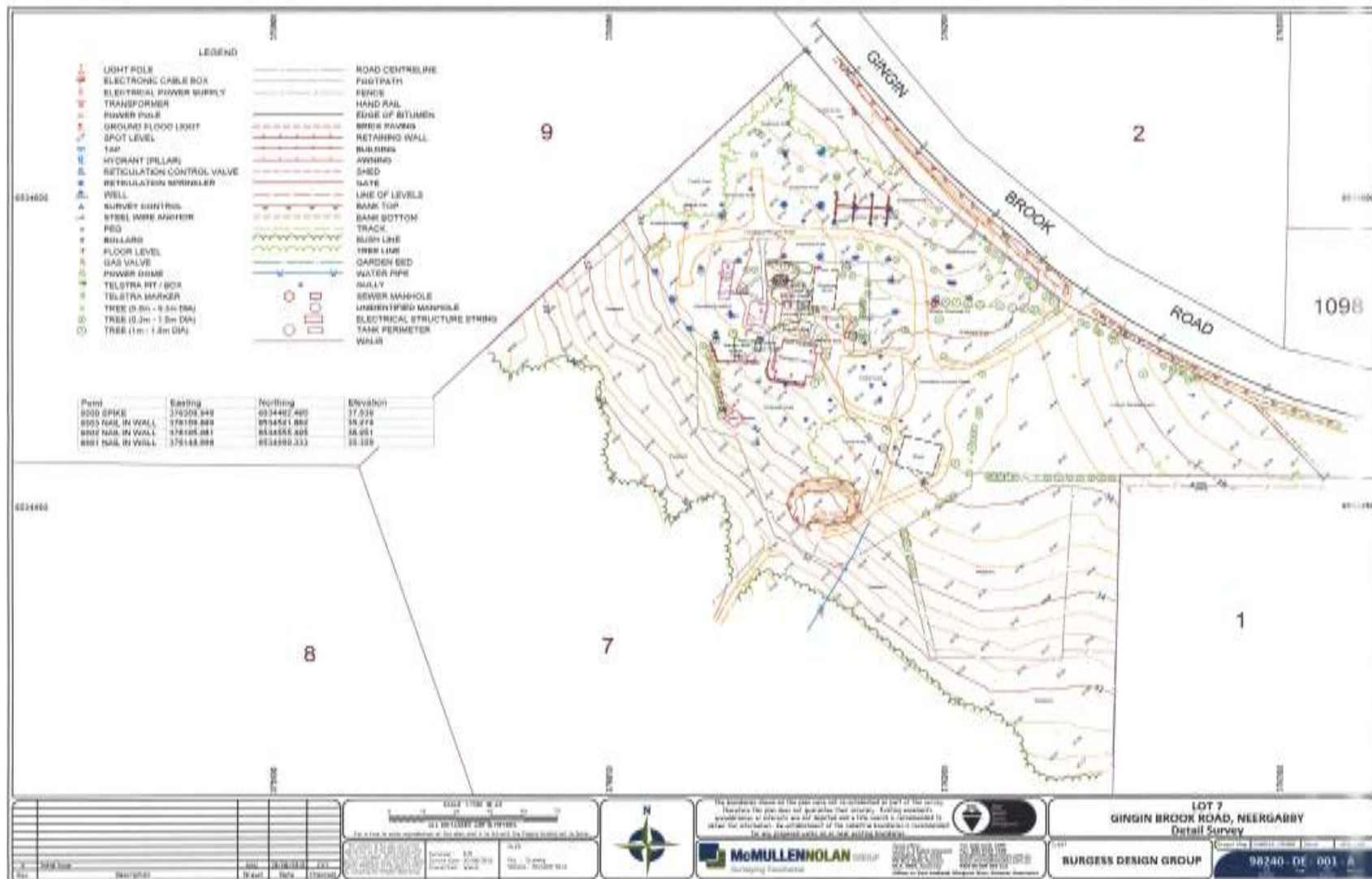
It should be noted that the actual extent of physical 'development' is very limited. As shown on the Development Plan (refer **Plan 2**), the proposal generally includes extending the crushed limestone accessways, and constructing some new site facilities (such as an ablution block, camp kitchen, site office, and four chalets). The balance of the land, including the proposed caravan/tent sites, is intended to be kept as landscaped/turfed area. As such, there will be minimal impact on the landscape quality of the area.

6.3 BUILT FORM CHARACTER AND DETAIL

The proposed new structures comprise:

- Four chalets, each with four bedrooms;
- A new camp kitchen;
- A new ablution facility; and,
- A new site office.

This application is seeking approval for the general location of these structures. Details such as cladding, colours, specific dimensions, setbacks and floor plans etc. will be subject to separate Development or Building Licence Applications as required. This approach serves to provide some certainty regarding the potential development outcome so that issues regarding the





general site layout and any landscape buffering requirements etc. can be resolved before these details are prepared.

6.3.1 Building Setbacks

All proposed structures and sites maintain a minimum 20m setback to all lot boundaries, and 50m to the Quin Brook as required under LPP1.4. Specific building setbacks will be determined as part of future applications for the relevant structures.

6.4 LANDSCAPING

This proposal includes a revegetation area around the perimeter of the land abutting the application area (nominally measuring 20m in width). This area will provide a soft transition between the surrounding rural activities and the proposed development, whilst enhancing the rural character of the area and the amenity of the site.

We note that a landscaping plan may be required as a condition of approval, and will need to be prepared in accordance with the Shire's LPP1.8.

6.5 RECREATION AREAS

The Regulations require that 10 per cent of the site be set aside for recreation. This proposal includes a total of approximately 4,959m² of recreation area, representing 10.1 per cent of the total site area. This includes three additional grassed recreation areas, comprising 1,496m² of the total 4,959m² provision. These areas have been located to provide easy access to passive and active recreation opportunities for all guests, and will complement the gardens surrounding the homestead and mature vegetation dispersed throughout the site.

6.6 TRAFFIC

We estimate an average of 3 vehicle movements per day per occupied site. This is based upon the assumption that a third of the patrons will undertake two trips per day (4 vehicle movements) (such as families visiting local attractions), another third will undertake one trip per day (2 vehicle movements) (patrons taking day trips, or collecting supplies), and the remaining third will not undertake any trips (patrons who have arrived the previous day, and are relaxing). This provides an average of 2 trips. However, in order to account for arrivals and departures, and provide a conservative estimate, we have increased this to 3 trips. The table below provides an outline of possible vehicle movements generated from development at different occupancy rates.

Table 2: Estimated Vehicle Movements

Occupancy Rate	Sites Occupied (caravan + chalet)	Estimated Vehicle Movements Per Day
50%	82	245
80%	130	390
100%	163	489

Given the current role of Gingin Brook Road as the main thoroughfare between Indian Ocean Drive and Brand Highway, any potential impact arising from the development is considered to be negligible. Furthermore, as noted in the section below, access and egress from the site can occur safely, without impeding general traffic flow, due to the current road treatment abutting the site (including two eastbound lanes, and a slip road along the west-bound lane for vehicles accessing the site).

6.7 VEHICLE ACCESS AND PARKING

The site will be accessed from Gingin Brook Road, which is a sealed rural road, with a posted speed limit of 90km/h. The road has two eastbound lanes and one westbound lane with a slip road for traffic entering and exiting the site. This treatment ensures that there is no conflict with traffic for vehicles entering or exiting the site, as they can be easily and safely passed in adjacent lanes.

As vehicles enter the site, via the proposed sealed driveway (currently crushed limestone), they will drive towards a parking area that accommodates both visitor parking and arrivals, with signage directing them to the proposed Site Office. Once visitors report to the office, they will be directed to their assigned bay which can be accessed via a combination of two way and one way crushed limestone paths.

In accordance with the Regulations, each site will accommodate parking for one vehicle, along with space for a caravan or camping equipment. Additionally, ten visitor bays will be provided at the main parking area (adjacent to the proposed site office).

6.8 SIGNAGE

No additional signage is proposed as part of this application.

6.9 STORMWATER MANAGEMENT

Given that the majority of the proposed development will comprise grass and limestone access paths, it is assumed that stormwater can be retained on site through infiltration.

6.10 WASTEWATER DISPOSAL

Wastewater sullage disposal for the existing park is accommodated through septic tanks and leach drains. The proposed extension will be serviced by an Aerobic Treatment Unit, subject to further approvals by the Department of Health and the Shire of Gingin. This shall include provision for sullage disposal points as required in the Regulations, with the existing chemical waste dump point to continue to service all of the proposed sites.

6.11 FENCING

A new post and wire fence will be established along the southern boundary of the development, abutting the Quin Brook foreshore. This will aid in the protection of the Brook by preventing access from the Park's patrons.

7. CONCLUSION

The proposed expansion of the Willowbrook Farm Caravan Park is considered to be in accordance with the provisions of the Shire of Gingin's Local Planning Scheme No.9, and other relevant policies and regulations. This expansion will service the growing needs for affordable, family friendly accommodation in the Shire of Gingin, whilst maintaining the unique rural character that makes the site and the region so popular. This growth also serves to promote the wider tourism assets of the region, and will support their economic viability.

We hereby respectfully request the Council's approval for the proposed Caravan Park Expansion.





**APPENDIX 1:
Certificate(s) of Title
and Survey Plan(s)**

REGISTER NUMBER 7/D77273	
DUPLICATE EDITION 5	DATE DUPLICATE ISSUED 1/11/2010

WESTERN  AUSTRALIA

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1884** FOLIO **806**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.


REGISTRAR OF TITLES 

LAND DESCRIPTION:

LOT 7 ON DIAGRAM 77273

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

WILLOWBROOK CARAVAN PARK PTY LTD OF POST OFFICE BOX 889, PORT HEDLAND
(T L450030) REGISTERED 11 OCTOBER 2010

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1884-806 (7/D77273).
PREVIOUS TITLE: 1884-805.
PROPERTY STREET ADDRESS: 1679 GINGIN BROOK RD, NEERGABBY.
LOCAL GOVERNMENT AREA: SHIRE OF GINGIN.

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Page 1 (of 2 pages) 1884 806

ORIGINAL—NOT TO BE REMOVED FROM OFFICE OF

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Application E440525
Volume 1884 Folio 805

WESTERN



AUSTRALIA

VOL. 1884
FOL. 806

CERTIFICATE OF TITLE

UNDER THE "TRANSFER OF LAND ACT, 1893" AS AMENDED

I certify that the person described in the First Schedule hereto is the registered proprietor of the undermentioned estate in the undermentioned land subject to the easements and encumbrances shown in the Second Schedule hereto.

Dated 5th September, 1990

REGISTRAR OF TITLES



ESTATE AND LAND REFERRED TO

Estate in fee simple in portion of each of Swan Locations 545, 551, 649 and 1098 and being Lot 7 on Diagram 77273, delineated on the map in the Third Schedule hereto.

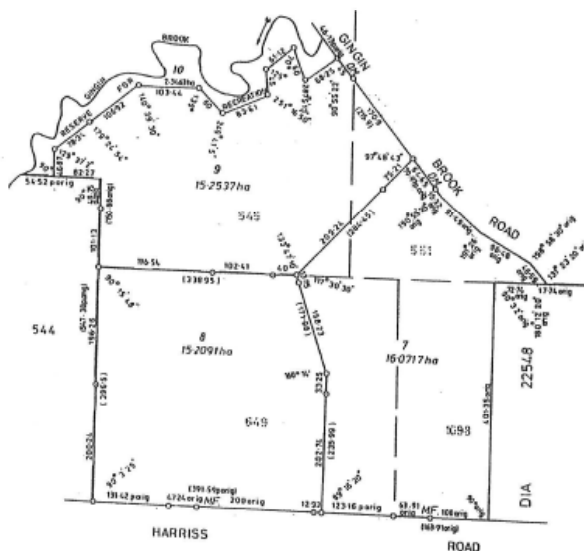
FIRST SCHEDULE (continued overleaf)

Hugh Harris of "Willow Brook" Farm, West Gungahlin

SECOND SCHEDULE (continued overleaf)

NIL

THIRD SCHEDULE



NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS.

567590/2/09-2086-L/4654


PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

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Page 2 (of 2 pages) LT. 37





Superseded Copy for Sketch Only

NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS

INSTRUMENT		NATURE	NUMBER	REGISTERED TIME	SEAL	CERT. OFFICER
NATURE	NUMBER					
Mortgage	F102340	Transfer	F102339	4.2.93	8.36	
Mortgage	G125540					

Harold Arthur White and Kaye Lorraine White both of "Willow Brook" Farm, West Gingin, as joint tenants.

SECOND SCHEDULE (continued) NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS

INSTRUMENT		PARTICULARS	REGISTERED TIME	SEAL	CERT. OFFICER	CANCELLATION	NUMBER	REGISTERED OR LODGED	SEAL	CERT. OFFICER
NATURE	NUMBER									
Mortgage	F102340	to National Australia Bank Ltd.	4.2.93	8.36						
Mortgage	G125540	to Bank of Western Australia Ltd.	15.3.96	8.42		Discharged	G278622	12.9.96		

CERTIFICATE OF TITLE VOL. 1884FOL. 806

APPENDIX 3

SCHEDULE OF SUBMISSIONS AND RECOMMENDED RESPONSES

APPLICATION FOR PLANNING APPROVAL PROPOSED EXPANSION OF CARAVAN PARK ON LOT 7 GINGIN BROOK ROAD, NEERGABBY

No.	Submitter	Submission Detail	Applicant's Response	Officer Response
1.	Ratepayer	<p>The Submitter supports the above proposal and makes the following comments:</p> <p><i>Willowbrook Caravan Park has been and always will be a most favoured caravan park of tourists. It is a natural grass caravan park in a natural setting no heavy structure.</i></p> <p><i>We support fully this development.</i></p>	Noted.	Noted
2.	Ratepayer	<p>The Submitter does not support the above proposal and makes the following comments:</p> <p><i>We DO NOT SUPPORT the proposal.</i></p> <p><i>We have inspected the documents and comment as follows:</i></p> <p><i>Note: through our comments we refer to the Town Planning Scheme No. 9 in its abbreviated form of TPS9; we refer to the Applicants Expansion of Caravan Park developed by Burgess Design Group as AECP.</i></p> <p>a) AECP 2.2 – Location</p> <p><i>States that a secondary access from Harriss Road is existent. Access is not deemed for public use across Quin Brook. Therefore not accurate to mention to be used in conjunction with caravan park expansion.</i></p> <p>b) AECP 2.3.1 – Cultural Heritage Sites</p> <p><i>Proposal should reflect TPS9 7.1.3 (c) Department of Aboriginal Affairs need to be consulted and report presented.</i></p> <p>c) AECP 3.1 – Topography</p>	<p>a) Dismissed. Section 2.2 discusses the existing site access arrangements. Only emergency access is proposed to Harriss Road, to be used in the event of a bushfire, as outlined in the Bushfire Management Plan.</p> <p>b) Council to respond.</p> <p>c) Dismissed. The Biophysical Assessment prepared to support the Application demonstrates that the proposal achieves sufficient separation to the Brook, floodplains, and will provide adequate methods of protection.</p> <p>d) Dismissed. See above</p> <p>e) Dismissed. See below:</p> <p>a. The proposal considers the safety of movements to and from the site, insofar that passing traffic can safely pass vehicles entering the site via slip-lanes, and by proposing to seal the main entry driveway to prevent any potential hazards arising from dust.</p> <p>b. Table 2 outlines the traffic impacts arising from the proposed development (i.e. the additional development that is being proposed). Section 6.6 clearly</p>	<p>a) Harris Road is proposed to be used in the event of a bushfire as outlined in the Bushfire Management Plan</p> <p>b) The Shire referred the proposal twice to Department of Indigenous Affairs (DIA) who have provided no response on the matter. The shire subsequently followed up a response on 8 September 2016 with no response to this follow up. Therefore, as stated in the advertising letter, if a response isn't received then the shire considers that DIA have no objections to the proposal.</p> <p>c) DoW will require prior to the commencement of site works. A Foreshore Management Plan is to be prepared and approved to the satisfaction of the Department of Water. The management plan should consider, but not limited to, erosion control, revegetation, and prevention of pollution of the water course.</p> <p>The management plan should be compiled in accordance with</p>

	<p><i>Proposal on low point of 29mAHD and the beginning of expansion at 32mAHD does not consider the TPS9 6.2.3 Development Standards & Consideration d) the 1 in 100 year flood level.</i></p> <p>d) AECP 3.3 – Hydrology</p> <p><i>AECP 3.3.1 – Separation of 0.9 and 1.5m of groundwater and application area is not sufficient to co-exist with TPS9 6.2 Special Control Area 1 – River Environs Management Areas.</i></p> <p><i>AECP 3.3.2 Surface Water states a setback of 50m but does not indicate management to reflect runoff downhill toward Quin Brook as deemed in TPS9 6.2.3 b) Development applications for land within the River Environs Management Area should not be approved where it could reasonably be expected that the development may result in; harm to water quality or habitat values of the waterway.</i></p> <p>e) AECP 4.1.1 – Road Network</p> <p><i>States that entry in on Gingin Brook Road, AECP page 11 refers to 100% operational park will have an estimated 489 vehicle movements per day. This submission does not take into consideration that the entranceway on Gingin Brook Road is a designated Road Train Route. Which deems it heavily used by Road Trains throughout the year but particularly heavy at times of Lime sand cartage.</i></p> <p><i>Note: AECP Table No 2 on page 11 is incorrect with information supplied on AECP page 9 6.1 stating that 188 sites in total, plus chalets, plus incidental tents. Therefore vehicle movements are above which are given. AECP is incorrect and needs to be resubmitted accurately.</i></p>	<p>states the methodology used in those estimates, such that the data may be extrapolated if the need arises.</p> <p>f) Further investigation into the current and future water use required as a result of the expansion will be undertaken. This will also involve discussion with the Department of Water about securing current and future water allocation for the caravan park. Assuming a combination of rainwater and bore water use would continue, some guarantee/access rights to water will be required. Furthermore, water quality testing will be undertaken to confirm it meets Australian Drinking Water Guidelines.</p> <p>g) Dismissed. Section 6.10 outlines that a suitable Aerobic Treatment Unit (ATU) will be used to accommodate wastewater sullage disposal. The nature of these systems requires detailed technical analysis, which is not appropriate to be undertaken at the Development Application stage, as the ultimate form and extent of development is unknown. Any future proposals to service the site with an ATU system will be subject to all relevant approvals.</p> <p>h) Dismissed. A Foreshore Management Plan will be prepared prior to the commencement of site works, which will set out management measures to protect the watercourse from pollution.</p> <p>i) Dismissed. See below</p> <p>a. The character of a place comprises the qualities that make it different from another. The character of Willowbrook Farm, as outlined in Section 6 of the application report, is steeped in the history of the place, its ongoing use as a hobby-farm, the rich green canopy of mature trees, and, most importantly, it's convivial hosts. This culminates in a</p>	<p>Operational Policy 4.3: Identifying and establishing waterways foreshore areas (DoW 2015);</p> <p>d) See point c above</p> <p>With respect to the following comments regarding:</p> <ul style="list-style-type: none"> • Sewerage • Storm Water Management • Water Supply • Traffic and Car Parking • Adjoining Landuse and Separation Buffers • Environmental concerns • Amenity concerns • Bushfire Management • Emergency Evacuation Management Plan • Planning Strategies • Zoning and Development Standards under the Local Planning Scheme • Local Planning Policies <p>Are all discussed in the officer's report to council.</p>
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	<p>f) <i>AECP 4.2.2 – Water Corporation</i></p> <p><i>Licence is not indicated to show amount of water available in comparison to amount of water required to service a full working expansion.</i></p> <p>g) <i>AECP 4.2.3 – Water Corporation Sewer</i></p> <p><i>No sewerage works are given to indicate that a 100% occupied caravan park can be managed. No indication of monitoring in regards to TPS9 6.2.3 Development Standards and Considerations.</i></p> <p>h) <i>AECP 4.2.4 – Storm Water Management</i></p> <p><i>Proposed sites are naturally built up 1.5m above Quin Brook. Once site development completes this will be higher. Stormwater will naturally run into Quin Brook. Proposal does not show any management to prevent occurrences given anti wetting soils of area, heavy downpours will shed.</i></p> <p>i) <i>AECP 5.1.1 – Discussion point</i></p> <p>a. <i>We disagree with the referral that the proposal does not change the rural character. Currently 38 bays on a 2.1 Hectares does not impede greatly and remains within TPS9. The increase of 134 bays in 2.9 hectares alters this perception and doesn't maintain the rural character.</i></p> <p>b. <i>We disagree with proposal. It does not account for adjoining horticultural uses. Neighbours are not given allowance for spray drift. Our horticultural business is 30m away from nearest site on their eastern boundary inclusive of their allotted 20m setback. We are limited to our usage of products on our land.</i></p>	<p>unique, relaxing and idyllic atmosphere that has made Willowbrook such a popular attraction. None of these qualities will be compromised as a result of the proposed development. Rather, the character of the site will be enhanced, with the development facilitating new active management of the river foreshore and ecological values, bushfire risk, access arrangements and wastewater disposal. Further, Willowbrook Farm actively contributes to the character of the wider community, such as its fundraisers to support local volunteer emergency services, and its ongoing and direct support of the local tourism economy that maintains many of the region's unique and defining features.</p> <p>b. The 'horticultural' activities within the adjacent lot are not considered to be of a sufficient scale to warrant the application of spray drift buffers. Further, given the heavily vegetated nature of the site, and the importance that bears on the character of the area, we do not consider it likely that broad-scale agricultural uses will take place.</p> <p>c. See response to 'g' and 'h'</p> <p>d. The proposal is not considered to limit the scope of 'horticultural' activities on adjoining land, insofar that the proposal includes a 20m revegetation area.</p> <p>j) Dismissed. See below</p> <p>a. Additional Use No.21 provides the opportunity for Council to consider proposals on their merits</p> <p>b. The site is zoned to accommodate such potential uses and future compliance is irrelevant to the merits of</p>	
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		<p>c. AECP does not have a proposal to monitor effluent contamination.</p> <p>d. The AECP limits the scope of adjoining properties to undertake horticulture.</p> <p>j) AECP 5.1.1 – Addition to TPS9</p> <p>a. Approval was issued for a small caravan park with low density and little impact. Current AECP conflicts with this proposal. Original proposal by H & K White was introduce to neighbours as a Nature based Caravan Park. It was on this presumption that neighbours subjected our original acceptance of activities.</p> <p>b. Council can exercise discretion on application but we express concerns that once zoning is altered and if AECP is accepted can council enforce breaches of conditions. In matters of dust, noise, water pollution, traffic control, public access to Quinn Brook and pedestrian traffic on road verges. Limit of patrons on each site. AECP does not indicate management of a maximum number of persons permitted on Lot 7.</p> <p>c. No discussion can accurately be made until all information from relevant parties be presented for viewing, i.e. Water Corporation and Department of Public Health.</p> <p>d. We find this condition has not been fulfilled. As the proponents have not sought input from us as neighbours to identify and plan around any perceived issues. No notification to date has been given to music events or large gatherings resulting in increased noise level.</p>	<p>this application</p> <p>c. The Department of Water and Department of Health have been consulted and submissions will be considered. Therefore this condition is considered to be satisfied.</p> <p>d. The proposed development adequately addresses any potential amenity and ecological impacts as noted in the application report and otherwise herein.</p> <p>k) Irrelevant. The setbacks specified in the Scheme have been satisfied, and a vegetated buffer is proposed to screen development.</p> <p>l) Irrelevant. This was considered as part of the Amendment process and the application should be considered on its merits.</p> <p>m) Dismissed. The Draft Wheatbelt Land Use Planning Strategy is entirely relevant as the draft over-arching strategic planning framework for the region, and it expressly supports the retention and development of caravan parks that meet commercial and tourism needs. The proposed development does not alter the zoning of the site.</p> <p>n) Dismissed. The proposed uses are consistent with the existing zoning and Additional Use.</p> <p>o) Dismissed. See response to 'c' and 'h'.</p> <p>p) Dismissed. The design and extent of the landscape buffer will be at the Shire's discretion and in accordance with an approved Bushfire Management Plan. The WAPC's Bushfire Risk Management Framework implicitly states that any bushfire management measures be accommodated within lot boundaries (i.e. adjacent landowners cannot be compelled to implement bushfire risk management</p>	
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	<p>k) AECP quotes - TPS9 Table 1 "General Rural" Provisions as a minimum setback of 20m</p> <p><i>This is Shire ruling but is in question when it is applied to Lot 7 with the intent of high density of use, and the impact upon neighbours.</i></p> <p>l) AECP 5.2 – Amendment No.6 gives council consideration to developmental applications, history must be considered and given due thought as to WHY council originally placed a restriction on Lot 7.</p> <p>m) AECP 5.3 – Disregard Wheatbelt Land Use Planning Strategy as it has no relevance as a draft on this particular proposal.</p> <p><i>This proposal of expansion shows no environment impact management strategies as stated in draft. The draft is taken out of context when it describes that "existing caravan parks are under pressure, as they are usually in location that make them attractive for redevelopment". This proposal is not about protecting the current planning zone area of a caravan park, it is about altering a general rural zone with special conditions to now proposing further development. If this draft were to be taken in context, then the caravan should not be altered away from its current development and protect as it is.</i></p> <p>n) AECP 5.4 – States "This development application will help to integrate the objectives of the Strategy by directly improving tourism Benefit the rural economy by providing development that is complimentary to its goods and services". Conflicton with TPS9 General Rural and Additional uses.</p> <p>o) AECP 5.5.1 – Foreshore Reserves along Water Courses</p> <p><i>Proposal doesn't address fertiliser leaching</i></p>	<p>associated with adjacent development).</p> <p>q) irrelevant to this application. The uses are consistent with the existing zoning/Additional Use and concerns regarding compliance should be referred to the Shire.</p> <p>r) Dismissed. Proposed development maintains adequate separation distances, and includes landscape buffers.</p> <p>s) Dismissed. The proposed uses are in accordance with the Additional Use permitted over the land. The trees shown on the proposed site plan are to be retained wherever possible. We also note that the existing sheering sheds will continue to accommodate informal events and functions, and that the only structures to be removed are generally screened from the road, are not identified on the Municipal Heritage Inventory.</p> <p>t) Dismissed. The precise siting of structures will be determined as part of future building permit applications made pursuant to planning approval. This approach allows the requisite flexibility to accommodate minor variations to suit servicing requirements, building code requirements etc.</p> <p>u) Dismissed. Setbacks are in accordance with Scheme requirements. Incidentally, the 'tourism' zone permits a 5m front setback, nil side setback and 6m rear setback.</p> <p>v) Dismissed. See 'e(a)'.</p> <p>w) Dismissed. Contradictory, see 'e(a)'.</p> <p>x) Dismissed. See 'h'</p> <p>y) Dismissed. Any such activities will be managed in the context of the Foreshore Management Plan and Biophysical Assessment.</p>	
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	<p>from lawn areas. Pedestrian encroachment and impact on Quin Brook with consideration that development is only 0.9 – 1.5m above water level with the 50m set back.</p> <p>p) AECP 5.5.2 – Insufficient information given as to buffer design and maintenance. Hasn't fulfilled landscaping conditions that were in place from 2005.</p> <p>AECP states "providing maximum shielding to the adjoining neighbours, and maintaining a low bushfire risk level". Our property is deemed high fire loading and we have had consultation with Shire Fire Officers over this winter. We do not approve of any heavy planting of anything which will cause an increased fire risk above of which we already need to deal with. To prevent a bushfire from travelling we propose that any plantings BEGIN beyond the current 20m set back and NOT within it.</p> <p>q) AECP 6 – Denotes that the proposal is a rural experience; this proposal is in contrast to the zoning of Rural. Caravan Park occasionally operates outside current planning approval and exceed permitted by usage. I.e. tents in unpermitted areas; long term campers behind work shed. Only 2 incidences had been reported by neighbours and dealt with by Shire Officers. How will the number of patrons be monitored? Currently we have been asked be the monitors and contact Shire when we deem they have extended.</p> <p>r) AECP 6.1 – Land Use</p> <p>Points of Ablution Facilities and Camp Kitchens are situated close to neighbours and proposal will impact with a noise issue on the "Rural" zoning of our land.</p> <p>AECP states "previously Permissible under Schedule 2 of TPS9 ..." no mention is</p>	<p>Further Considerations</p> <p>a) Dismissed. Bushfire risk management will be undertaken in accordance with the Bushfire Management Plan.</p> <p>b) Irrelevant to this application.</p> <p>c) Dismissed. Control of animals dealt with under the Caravan Parks and Camping Grounds Regulations 1997.</p> <p>d) Dismissed. The proposed development does not intrude into the adjacent lot.</p> <p>e) Dismissed. The aerial shown on the site plan is for illustrative purposes only, and is no consequence to the content of the application.</p> <p>f) Dismissed. Any relevant soil testing will be undertaken as part of building permit applications.</p> <p>g) Dismissed. This comment is unsubstantiated/heresay.</p>	
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		<p><i>made of Original application of a nature based / small caravan park which was thoughtfully planned and created to be at the furthest point away from existing neighbours. Currently it operates with low impact, low density. "Balance of the land will remain as pasture for grazing by the livestock..." Currently livestock have access to majority of the land. With proposal they will be limited to southern most enclosure. Will this number of hooved animals exceed the recommendation as per TPS9 5.10.5.8?</i></p> <p>s) AECP 6.2 – Site Layout and Design Rationale</p> <p><i>Statements made are false in regard to "...ensure that development accounts for the existing site features, and sits sensitivity in the landscape". Proposal being put forward to council is for the removal of "locally iconic" old sheds, yards and original homestead ancient trees, this does not preserve current aesthetics of Lot 7. Site Layout and Design Rationale of this proposal is high density and does not improve the aesthetics of the rural area. The site view of 200 caravans, noise and population increase, vehicle movement does not enhance the rural setting to which it is set. Environmental, rural aesthetic preservation and design impact do not co-exist with high density proposals. A high density caravan is a tourism business therefore, Not General Rural, and it should adhere to TPS9 4.2.8 b) where they will no impact detrimentally on the surrounding or wider area;</i></p> <p>t) AECP 6.3 – Not acceptable to state that the proposed maps show the "... general location of these structures". Presently Shire are dealing with an issue of another proposal by a separate proponent with this exact misunderstanding of a general placement of a dam. Proposal must specific so to prevent misunderstandings, truthful comments and</p>	
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		<p><i>honest decisions to be made. As per stated in Part 9 of TPS9, the policy states supply of site plans – and not the general / maybe site plan.</i></p> <p><i>u) AECP 6.3.1 – Setbacks are noted for a Rural zone, this does not support the intent of the proposal as a high density application. We request that Shire enforce TPS9 (b) Council may vary the Table 2 site requirements provisions in the Town Centre and Tourism zones subject to consultation with affected landowners. Proposal of such a large Caravan Park is altering the zoning to a commercially Tourism Land Use.</i></p> <p><i>v) AECP 6.6 – Traffic</i></p> <p><i>As per noted above in AECP 4.1.1 – Road Network. Dramatically increasing the vehicle movement with a designated Road Train Route is unadvisable due to safety concerns. AECP does not give any suggestion or proposal to consider increase of pedestrian traffic on a Road train route and 90km speed zone area. Currently there are daily pedestrians in small numbers. Which use (at risk) the road verge which is unstable and unsafe due to Gingin Brook Road being raised above the height of our property? It is our property which they walk around from Gingin Brook Road to Military and then onto Harriss Road. TPS9 9.2 requests the supply of relevant information (iv) the existing and proposed means of access for pedestrians and vehicles to and from the site.</i></p> <p><i>w) AECP 6.7 – Vehicle Access and Parking</i></p> <p><i>Dangerous option with increased usage as noted above. Safer position would be access from Harriss Road. But access over Quin Brook would be unadvisable due to negative Environmental impact.</i></p>	
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		<p>x) <i>AECP 6.9 – Stormwater Management</i></p> <p><i>Assumptions to retain storm water from entering Quin Brook is in breach of Environmental Management TPS9 6.2.3 Development Standards and Considerations. Where the AECP states "... it is assumed ..." they should be stating a direct proposal which prevents contamination.</i></p> <p>y) <i>AECP 6.11 – Fencing</i></p> <p><i>"New fence will prevent access from the Park's patrons;" this is contradiction of AECP 6. "Visitors are invited to join in the daily animal feeding, where they are able to get up close with the Farm's livestock (sheep, Alpacas, Belted Galloways, Texas Longhorns..." of which should be housed in southern most section of Lot 7 according to AECP 6.1 "the balance of the land will remain as pasture for grazing by livestock". False information about preventing access to Quin Brook if patrons are invited to cross it daily to feed farm animals.</i></p> <p><i>Further Comments:</i></p> <p>a. <i>Quin Brook is predominantly Paper Bark Trees and peat. In the unfortunate event of a bushfire travelling along Quin Brook, how is a full caravan park of possible patrons exceeding 400 in total to exit Willowbrook through 1 exit?</i></p> <p><i>In the unfortunate event that a bushfire travels in from the northern area trapping patrons, how are they so exit safely away from the encroaching fire? (Neergabby had a lightning strike close to this area just last summer on the northern side of Gingin Brook Road).</i></p> <p><i>TPS9 4.2.8 (e) avoid increased fire risk to life and property through inappropriately located and designed land use, subdivision and</i></p>	
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		<p>development;</p> <p>High Density tourism accommodation is not suited in a potentially high risk fire zone such as Quin Brook.</p> <p>b. Closest large caravan park of this size is Guilderton which is situated 100 metres from nearest residence. We request that high populated tourism / special conditions on General Rural application be given similar considerations.</p> <p>c. Currently Willowbrook is a pet friendly Caravan Park which encourages patrons to bring their dogs. No mention of animal control is mentioned in proposal. We question if 163 sites bring along their pets, is it then not respected to be given consideration as would a boarding kennel?</p> <p>d. For the last 2 years we have been part of the Black Carnaby Protection and Feed Planting Program. We are using part of our property as a fenced off secluded area designed to grow feed trees for the Carnaby's.</p> <p>We deem this Caravan Park Proposal with increased vehicle movement and patron usage to hinder our design to attract a threatened species into the area of Neergabby. The Chittering Wildlife Carers are to supply us with nesting boxes to place in our tallest Marri's to increase the chances of introduction into the Gingin area. Our block of land is unique and should be protected due to the high number of planted feed trees especially the old plantation of Marri's. Our block Lot 1 Military was once owned by a Botanist Professor who planted many West Australian Banksia's which are Fauna feed trees and are NOT located ANYWHERE else within the Gingin Shire.</p> <p>e. The maps which accompany the proposal are incorrect and DO NOT show recently built buildings which is the closest dwelling to the</p>		
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	<p>development. <i>TPS9 9.5 Applications continuing insufficient information. We request that accurate maps be submitted to council accompanying this proposal and not at a later date.</i></p> <p>f. <i>Recent soil testing of our land on our western boundary which buffers Lot 7 revealed:</i></p> <p><i>**Generally, topsoil overlaid natural sands and silty sands to a termination depth of 2.1m. Based on the PSP tests carried out on site the natural sands/silty sands are considered loose to the PSP termination depth of 1.05m. Ground water was not encountered at the boreholes during the time of investigation. However, groundwater levels may fluctuate during the wet and dry seasons ... due to loose sands and silty sands encountered to the PSP termination depth of 1.05, the site, at its current state is classified as "Class P", ... The purpose of classifying the site a "Class P" is to highlight the potential differential settlement of loose sands..." *Cardno Geotech, dated 26 September 2014. Test was carried out 70m from proposed site at 34mAHD. We propose that no development be permitted on land within the proximity of Quin Brook which suggests vehicle movement and weight on sands which are classed as unstable. Copy of this report is on Shire record as part of our application for Ancillary Accommodation.</i></p> <p>g. <i>Local residents have stated that there is a burial gravesite within the proposed area of expansion near our boundary. It is situated amongst the trees which were since planted. Previous owners, once mention that the head stone was to be moved to reside with other grave sites on property. No known excavation of the actual gravesite was carried out according to our previous land owners. Upon a property visit by ourselves this site had been pointed out to us by previous</i></p>	
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		<p>owners. Proposal should not be accepted until All burial sites are located, mapped and preserved from unintentional excavation.</p> <p>This mentioned site was not placed with existing burial site near homestead. WHY? It may be of aboriginal decent which is possible to be within proximity of Aboriginal Heritage Site – being the waterway. This site can be suggested for Aboriginal heritage site under section 5 of the AHA. Shire should have these sites on the municipal inventory.</p> <p>As there is known Aboriginal heritage in close proximity to the proposed development the developer and Gingin Shire Heritage Department should be encouraged to discuss the project with the DAA.</p>		
3.	Department of Water	<p>The Submitter does not support the above proposal and makes the following comments:</p> <p>Thank you for the above referral dated 24 September 2015. The Department of Water (DoW) is unable to support the proposed expansion of the caravan park for the following reasons:</p> <ol style="list-style-type: none"> 1. The property is adjacent to Quin Brook, a significant waterway, and the proposed expansion of the caravan park is a substantial development. The DoW recommend that a biophysical assessment be undertaken to determine a suitable setback from Quin Brook. 2. Biophysical assessment of waterway buffer <p>The DoW requires that a Biophysical Assessment is undertaken, in accordance with the DoW's Operational Policy 4.3: Identifying and establishing waterways foreshore areas, to determine the appropriate buffer to the waterway, to ensure protection of stream bank stability</p>	<p>Noted. A Biophysical Assessment has been prepared for the site, which found the proposed development maintains an adequate separation distance. In accordance with DoW advice, we understand that the Shire may condition the preparation of a Foreshore Management Plan to ensure adequate on-going management of the Brook.</p>	<p>Recommended condition of planning approval</p>

		<p>and the retention of native vegetation. This assessment will need to be undertaken prior to the approval of any development over the subject site. This is to ensure that the waterway buffer is appropriately incorporated into the site design.</p>		
4.	Department of Health (DoH)	<p>The Submitter does not support the proposal and makes the following comments:</p> <p><i>1. Water Supply and Wastewater Disposal</i> The DoH does not support the proposed expansion of the caravan park until it can be demonstrated that the land is capable of disposing all wastewater associated with the total development on the lot, and the wastewater system proposed.</p> <p>Any proposal to reuse grey water and wastewater for parks and gardens is subject to an application that will comply with the requirements as given under the Guidelines for the Non-potable Use of Recycle Water in Western Australia and an approval from the DoH. Application must be supported with a geotechnical report of the site to demonstrate site capability to dispose treated wastewater on the site. Site investigation will need to be undertaken in late winter and in accordance with the Australian/New Zealand Standard 1547:2012.</p> <p>The development is to have access to a sufficient supply of potable water that is of the quality specified under the Australian Drinking Water Quality Guidelines 2004.</p> <p><i>2. Food Act Requirements</i> All food related aspects (Camp Kitchen, BBQ Shelter, etc.) is to comply with the provisions of the Food Act 2008 and related code, regulations and guidelines.</p> <p><i>3. Health Act Requirements</i> All public access related facilities (shearing shed, ablutions etc.) to comply with the provisions of the</p>	<p>Noted. We understand that the Shire may require the approval and implementation of a suitable effluent disposal system as a condition of approval.</p> <p>The site is not impacted by any known buffers for existing agricultural uses.</p>	<p><i>1. Water Supply and Wastewater Disposal</i> In the event council approves the application, condition of the planning approval will require that the proposal must meet this requirement before commencement of site works.</p> <p><i>2. Food Act Requirements</i> Advice Note</p> <p><i>3. Health Act Requirements</i> Advice Note</p> <p><i>4. Toxicology Programs and Services</i> Addressed in the Report under adjoining buffer setbacks</p> <p><i>5. Disaster Preparedness and Emergency Management</i> Applicant has provided an Emergency Evacuation Plan (EEP) and has been reviewed by the shire. In the event council approves the application, condition of the planning approval will require that the proposal shall comply with the EEP plan at all times.</p>

		<p><i>Health Act 1911, related regulations and guidelines.</i></p> <p><i>4. Toxicology Programs and Services</i> <i>There may be a concern about existing and potential agricultural activities on surrounding land and the possible resultant spray drift from chemical applications. The proposal should incorporate the necessary buffer separation distances between agricultural and sensitive land uses and ensure that there is no development within the buffer area.</i></p> <p><i>The DoH has released Guidelines for Separation of Agricultural and Residential land Uses and it should be taken into consideration. A copy is attached to the original submission or accessed from the Public Health website at http://www.public.health.wa.gov.au/cproot/4913/2/Guidelines%20for%20Agriculture%20and%20Residential%20Buffer.pdf</i></p> <p><i>5. Disaster Preparedness and Emergency Management</i> <i>The proponents should develop a Disaster Management and Emergency Response Plan and integrate it with the Shire of Gingin Emergency Response and Disaster Recovery Plan.</i></p>		
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APPENDIX 4



APPENDIX 5

Advice for the Bushfire Consultant

Issue	Assessment	Action
Element 1: Location		
The BMP has not demonstrated that post development the buildings will be located in an area where the bushfire hazard assessment will, on completion, be moderate or low, or BAL-29 or below.	Achieving the least possible risk from bushfire is critical for all sites, but it is even more important for vulnerable land uses where people are less able to respond in a bushfire emergency and where construction requirements may not apply to the class of building.	The scale of the BAL Contour makes it difficult to validate that the proposed sites on the southern boundary are BAL-29. DFES are concerned some sites are BAL-40. The site numbers in Figure 3.1 are unclear and a higher resolution image is required to validate the BAL ratings for the sites on page 21. It is preferred that the site numbers are included on the BAL Contour Map for clarity.
	There are only 6 photographs of the vegetation across the entire development site. There are areas of vegetation within Lot 7 adjacent to the development and within the development site that have been excluded as managed but there is no photographic evidence to support this exclusion.	Please provide further photographic evidence of the areas of vegetation that have been excluded.
	Clarification is sought regarding the section on page 16 of the BMP and whether the Class G Grassland has been classified and contoured.	Please provide clarification.
	Table 5.2.1 does not show the inputs for the BAL rating for the 4 proposed chalets, there is no applied vegetation classification, slope or separation distance provided.	Please amend Table 5.2.1 on page 20.
	Table 5.2.1 does not show the separation distances used to calculate the BAL rating for the proposed sites.	Please amend Table 5.2.1 on page 21.
	The table on page 21 states that: <ul style="list-style-type: none"> sites 35 and 36 are BAL-19 but it appears they are BAL-29 on the BAL Contour Map. sites 116 and 117 are shown as BAL-29 but it 	The scale of the BAL Contour makes it difficult to validate that the proposed sites on the southern boundary. The site numbers in Figure 3.1 are unclear and a higher resolution image is required to validate the BAL

Issue	Assessment	Action
	appears they are BAL-19 on the BAL Contour Map.	ratings for the sites on page 21. Please clarify and amend the table on page 21.
Element 2: Siting and Design		
The BMP has not demonstrated compliance with Element 2.	Clarification is sought regarding compliance with A2.1.	Please mark the separation distances to the bushfire hazard on a Figure to demonstrate APZs can be achieved.
	Clarification is sought regarding the note for Table 7.3.1 stating the classified vegetation is primarily offsite. There is a significant Plot of Class B Woodland within Lot 7.	Please provide clarification.
	It appears the layout design of the development has not optimised hazard separation around the proposed sites to minimise the level of bushfire impact and the least possible risk.	Please demonstrate how the design achieves the intent of Element 2.

11.3.2 APPLICATION FOR DEVELOPMENT APPROVAL - FOR A HELICOPTER LANDING SITE AND HANGAR (PERSONAL AND RECREATIONAL USE) ON LOT 10 CHITNA ROAD, NEERGABBY

FILE:	BLD/4985	
APPLICANT:	MICHAEL HARTE AND EMMA BROWN	
LOCATION:	LOT 10 CHITNA ROAD, NEERGABBY	
OWNER:	MICHAEL HARTE AND EMMA BROWN	
ZONING:	GENERAL RURAL (GR20)	
WAPC NO:	N/A	
AUTHOR:	KYLIE BACON – MANAGER STATUTORY PLANNING	
REPORTING OFFICER:	SEBASTIAN CAMILLO – EXECUTIVE MANAGER REGULATORY SERVICES	
REPORT DATE:	17 JANUARY 2017	
REFER:	19 JANUARY 2016	ITEM 11.3.2
	17 NOVEMBER 2015	ITEM 11.1.1

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider an Application for the continuation of an existing development approval for a helicopter landing site and hangar on Lot 10 Chitna Road, Neergabby.

BACKGROUND

Council at its meeting of 17 November 2015 resolved to refuse a development application for the commercial use of a Helicopter Landing Site (HLS) and Hangar on Lot 10 with a maximum flight frequency of ten flights per week, and also resolved to request the landowners to lodge a retrospective development application for the personal and recreational component of the helicopter usage.

In December 2015, the Shire received the requested retrospective development application which was approved at the Ordinary Council Meeting held on 19 January 2016 for a period of 12 months, subject to conditions.

The subject lot is situated in the locality of Neergabby. It is irregular in shape with a total site area of 28.1732 hectares and is bordered by Chitna Road to the south and Gingin Brook to the north. The surrounding properties are predominantly small General Rural zoned lots ranging from 13 to 40 hectares.

The site contains a dwelling located in the centre of the property, together with incidental outbuildings. A 15 metre x 10 metre hangar, which is located approximately 157 metres from the nearest western boundary, was built with limestone blocks and used for the landowner's personal use. A 15 metre x 10 metre concrete landing pad has been constructed adjacent to the hangar. The area surrounding the landing pad and hangar is grassed.

The applicants are seeking continuation to the existing development approval for the Helicopter Landing Site and Hangar (Personal and Recreational Use), to conduct personal and private flights to a maximum of 7 flights per week (a flight consists of one take off and one landing). It is noted that emergency flights are not included. The proposed flight path is to depart from the hangar in a south westerly direction to avoid any flight over neighbouring properties.

The helicopter proposed to be used in this Application is a Robinson R44, which is classified as a small helicopter with a rotor radius of 5.02 metres and a total length of 11.66 metres. The helicopter seats four people including the pilot. The weight at full load is 1086kg and its empty weight is 652kg. It has a cruise speed of 113 knots (209.27 kph) and a range of 300 nautical miles (555.6km).

A location plan, aerial image and applicant's proposal are attached as **Appendix 1**.

COMMENT

Community Consultation

The application was advertised in accordance with clause 64 of the *Planning and Development (Local Planning Scheme Regulations) 2015 Deemed Provisions for Local Planning Schemes* (the Regulations).

The proposal was advertised to the surrounding landowners for a minimum period of 21 days and to State referral agencies for 42 days. Submissions from neighbours closed on 6 January 2016.

The Shire has received nine submissions from surrounding landowners, six of which object to the proposed extension, one supports the proposal and two contain general comments. Based on submissions received, it is apparent that ratepayers within the locality of Neergabby have concerns with an approval that does not impose a timeframe.

To date the Shire of Gingin has received one comment from a State agency that does not object to the proposal as there is no change to the original development approval. The referral period for State agencies closed on 13 January 2017.

The Schedule of Submissions and Recommended Responses have been included as **Appendix 2**.

PLANNING FRAMEWORK

Shire of Gingin Local Planning Strategy

The Shire of Gingin Local Planning Strategy identifies lots along both Moore River and Gingin Brook as future Rural Small Holding developments with the possibility of introducing smaller General Rural zoned blocks into the area.

Local Planning Scheme No. 9 (LPS 9)

The subject lot is zoned General Rural (GR 20) under LPS 9, the objectives of which are to:

- a) *Manage land use changes so that the specific local rural character of the zone is maintained or enhanced;*
- b) *Encourage and protect broad acre agricultural activities such as grazing and more intensive agriculture 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 Helicopter Landing Site and Hangar is considered to be a use not listed under LPS 9. Clause 3.4.2 of LPS 9 provides the following requirements for a use not listed development:

- 3.4.2 *If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may –*
- a) *Determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
 - b) *Determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or*
 - c) *Determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.*

The use of a helicopter will not fundamentally change the rural character of the area if the use is restricted and infrequent. In addition to the objectives of the zone, Council should have due regard to other factors such as the existing amenity of the area, environmental impacts and submissions received in relation to the application.

The nature of the use being sought is uncommon and the impacts potentially caused by the helicopter may become apparent over an extended period of time. It is noted that peak tourism periods throughout the coastal areas within the Shire occurs over the summer months and in turn would likely reflect the demand for scenic flights provided by the applicant. It is administrations view that the 12 month operating period has not provided sufficient time to determine if the use is consistent with the objectives of the General Rural Zoning.

Planning Guidelines for Helicopter Landing Site and Hangar

Currently, there are no planning regulations, guidelines or policies relating to the use and development of helicopter landing sites in Western Australia. Such a land use has been proposed and scrutinised in eastern states planning jurisdictions on a number of occasions, particularly in Victoria (refer previous reports).

There are a number of statutory authorities responsible for administering federal legislation and regulations for the use of helicopters, including helicopters in flight:

1. The Civil Aviation Safety Authority (CASA), which was established by the *Civil Aviation Act 1988* and responsible for administering the Civil Aviation Regulation 1988. CASA conducts safety regulation of civil air operations and is also responsible for pilot licensing and registration;
2. Air Services Australia was established in 1995 and is responsible for airspace management, aeronautical information, aviation communications, radio navigation aids, aviation rescue and fire-fighting services. Air Services Australia has a major role in managing aircraft noise and the distribution of information about aircraft noise management and ensures, wherever possible, that flight departures and arrivals avoid residential areas and that noise abatement principles are implemented;
3. The responsible authority (Shire of Gingin) ultimately decides whether the impact on the surrounding community's amenity is acceptable;
4. The Department of Infrastructure and Regional Development advises on policy and the regulatory framework for Australian airports and the aviation industry;
5. Generally, the aviation industry works closely with the independent Office of the Aircraft Noise Ombudsman (ANO) to improve the way in which it can respond to community concerns about the impact of aviation on communities.

A helicopter, once airborne, falls under the jurisdiction of CASA, Air Services Australia and Department of Defence (DoD). DoD has advised that the airspace above Lot 10 is a restricted airspace. When the restricted airspace is activated, the pilot will require prior approval from DoD to enter into the airspace. The DoD has previously confirmed that they have no objection to the proposed land use so long as due process is followed.

The local government development approval process relating to helicopter operations only deals with the use and development of land (i.e. planning frameworks for areas around airports) to ensure that inappropriate developments are avoided where aircraft noise would be high and impact on nearby sensitive uses rather than matters such as aviation safety, compliance with CASA laws and regulations, flight noise and flight height.

Amenity

In accordance with clause 67 of the Scheme Regulations, Council is to have due regard to the preservation of the amenity of the locality, which includes environmental and social impacts of the development and the character of the locality.

The closest dwellings to the proposed HLS are located approximately 220 metres to the east and 660 metres to the west. There are a total of nine dwellings within the 1000 metre radius from the proposed HLS which will be affected by this proposal.

The applicant provided a Noise Management Plan prepared by an acoustic engineer (Herring Storer Acoustics) as part of the original application. Council's Environmental Health Officer examined the noise measurement results and the extrapolation of those noise readings for eight different locations contained in the assessment and supports the conclusions of the report.

A copy of the Noise Management Plan is provided as **Appendix 3**. Council will note that some of the information contained in the original Noise Management Plan has been struck out by the applicant.

The continuation will be in line with the original proposal, consisting of seven flights per week with no more than two flights on any given weekend day (one flight consists of a take-off and a landing).

Safety and Risk Management

Safety and risk management is not a primary planning consideration when Council deliberates on a development application (including the continuation of a development application), and it is entirely dependent on the individual pilot to ensure safe operation of the aircraft. It is advised that both the helicopter and hangar have been insured.

CASA published Civil Aviation Advisory Publication 92-2 Guidelines for the Establishment and Operation of Onshore Helicopter Landing Site (CAAP 92-2) to guide the design and construction of helicopter landing sites. CAAP92-2 does not have any specific construction requirements for a basic HLS other than ensuring a sufficient buffer for the helicopter to safely take off and land and having a surface that can withhold the load of the helicopter.

Privacy

The hovering ability of a helicopter may create possible overlooking onto neighbouring properties which will cause unease for local residents. Currently, there are no policies and regulations applicable to privacy protection from aircraft.

Enforceability of Private and Recreational Use of the HLS and Hangar

Should Council approve the continuation of the development application for a Helicopter Landing Site and Hangar (personal and recreational use), the imposition of conditions relating to logbook keeping and inspection, reduced number of flights and restriction on the entrance to the HLS by members of the public will continue to be recommended as part of the conditions. This will provide safeguards for ensuring the use will remain personal and recreational in nature.

Summary

In view of the above assessment Administration is of the view that the proposed continuation of development approval of the Helicopter Landing Site and Hangar (Personal and Recreational Use) on Lot 10 Chitna Road, Neergabby should be supported subject to conditions.

STATUTORY ENVIRONMENT

Local Planning Scheme No. 9

Part 3 – Zones and the Use of Land

3.2 Objectives of the Zones

Part 4 – General Development Requirements

4.7 General Development Standards

4.8.6 – General Rural Zones

Civil Aviation Act 1988

Civil Aviation Safety Regulations 1998

Civil Aviation Regulations 1988

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 – Deemed Provisions

Air Navigational (Aircraft Noise) Regulations 1984

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015 - 2025

Focus Area	<i>Built Environment</i>
Objective	<i>3. To effectively manage growth and provide for community</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council approve the continuation of the Helicopter Landing Site and Hangar (Personal and Recreational Use) on Lot 10 Chitna Road, Neergabby in accordance with the development application dated 1 December 2016, subject to the following conditions:

1. The land use and development shall be in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise in this approval;
2. This approval is valid for a period of 3 years from the date of issue. At the completion of the 3 year period, the applicant is to lodge a new development application.
3. This approval relates specifically to the applicants and does not run with the land if and when the property is sold/leased.
4. This approval shall only permit the use of the helicopter for personal use, including commuting to places of business operation, and shall not permit any flight for commercial gain;
5. All helicopter flights must enter into or exit from Lot 10 on the southern boundary only and must follow the approved flight path to coastal locations unless otherwise consented to in writing by the Shire;
6. Except in the case of emergency, a maximum of seven uses per week will be permitted from the Helicopter Landing Site. No more than two uses will be permitted on any weekend day. A use will consist of one take off and one landing. The approval holder must keep a logbook of the time and date of each flight to the satisfaction of the Shire and the logbook must be made available for inspection by the Shire on request;
7. No flights may take place before 7am on weekdays, before 8am on weekend days and holidays, or after dark on any day;
8. This Approval only permits the use of one Robinson R44 helicopter with the Aircraft Serial No. 2124 or as otherwise varied by agreement of Council;
9. Warning signs shall be erected with respect to the storage of aviation fuel in the Hangar;
10. The area surrounding the Helicopter Landing Site and Hangar shall be maintained to minimise dust emission to the satisfaction of the Shire;
11. The Applicant shall contact the Department of Defence before each flight to obtain permission to enter into restricted airspace R155;
12. The transport, storage and handling of aviation fuel must comply with AS 1940-2004;

13. Noise levels from the use of the helicopter must not exceed the levels presented in the Noise Management Plan prepared by Herring Storer Acoustics on the 4 November 2015; and
14. The Helicopter Landing Site must at all times comply, and be operated in accordance with, Civil Aviation Safety Authority Publication CAAP 92-2.

SUBSTANTIVE MOTION WITH AMENDMENT 7

Delete Part 2.

Moved Councillor Elgin, seconded Councillor Peczka that Council approve the continuation of the Helicopter Landing Site and Hangar (Personal and Recreational Use) on Lot 10 Chitna Road, Neergabby in accordance with the development application dated 1 December 2016, subject to the following conditions:

1. The land use and development shall be in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise in this approval;
2. This approval relates specifically to the applicants and does not run with the land if and when the property is sold/leased.
3. This approval shall only permit the use of the helicopter for personal use, including commuting to places of business operation, and shall not permit any flight for commercial gain;
4. All helicopter flights must enter into or exit from Lot 10 on the southern boundary only and must follow the approved flight path to coastal locations unless otherwise consented to in writing by the Shire;
5. Except in the case of emergency, a maximum of seven uses per week will be permitted from the Helicopter Landing Site. No more than two uses will be permitted on any weekend day. A use will consist of one take off and one landing. The approval holder must keep a logbook of the time and date of each flight to the satisfaction of the Shire and the logbook must be made available for inspection by the Shire on request;
6. No flights may take place before 7am on weekdays, before 8am on weekend days and holidays, or after dark on any day;
7. This Approval only permits the use of one Robinson R44 helicopter with the Aircraft Serial No. 2124 or as otherwise varied by agreement of Council;
8. Warning signs shall be erected with respect to the storage of aviation fuel in the Hangar;
9. The area surrounding the Helicopter Landing Site and Hangar shall be maintained to minimise dust emission to the satisfaction of the Shire;

10. The Applicant shall contact the Department of Defence before each flight to obtain permission to enter into restricted airspace R155;
11. The transport, storage and handling of aviation fuel must comply with AS 1940-2004;
12. Noise levels from the use of the helicopter must not exceed the levels presented in the Noise Management Plan prepared by Herring Storer Acoustics on the 4 November 2015; and
13. The Helicopter Landing Site must at all times comply, and be operated in accordance with, Civil Aviation Safety Authority Publication CAAP 92-2.

AMENDMENT

Insert Part 2 as follows:

2. *This approval is valid for a period of 3 years from the date of issue. At the completion of the 3 year period, the applicant is to lodge a new development application.*

Moved Councillor Fewster, seconded Councillor Collard that Council approve the continuation of the Helicopter Landing Site and Hangar (Personal and Recreational Use) on Lot 10 Chitna Road, Neergabby in accordance with the development application dated 1 December 2016, subject to the following conditions:

1. The land use and development shall be in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise in this approval;
2. This approval is valid for a period of 3 years from the date of issue. At the completion of the 3 year period, the applicant is to lodge a new development application.
3. This approval relates specifically to the applicants and does not run with the land if and when the property is sold/leased.
4. This approval shall only permit the use of the helicopter for personal use, including commuting to places of business operation, and shall not permit any flight for commercial gain;
5. All helicopter flights must enter into or exit from Lot 10 on the southern boundary only and must follow the approved flight path to coastal locations unless otherwise consented to in writing by the Shire;
6. Except in the case of emergency, a maximum of seven uses per week will be permitted from the Helicopter Landing Site. No more than two uses will be permitted on any weekend day. A use will consist of one take off and one landing. The approval holder must keep a logbook of the time and date of each flight to the satisfaction of the Shire and the logbook must be made available for inspection by the Shire on request;
7. No flights may take place before 7am on weekdays, before 8am on weekend days and holidays, or after dark on any day;

8. This Approval only permits the use of one Robinson R44 helicopter with the Aircraft Serial No. 2124 or as otherwise varied by agreement of Council;
9. Warning signs shall be erected with respect to the storage of aviation fuel in the Hangar;
10. The area surrounding the Helicopter Landing Site and Hangar shall be maintained to minimise dust emission to the satisfaction of the Shire;
11. The Applicant shall contact the Department of Defence before each flight to obtain permission to enter into restricted airspace R155;
12. The transport, storage and handling of aviation fuel must comply with AS 1940-2004;
13. Noise levels from the use of the helicopter must not exceed the levels presented in the Noise Management Plan prepared by Herring Storer Acoustics on the 4 November 2015; and
14. The Helicopter Landing Site must at all times comply, and be operated in accordance with, Civil Aviation Safety Authority Publication CAAP 92-2.

LOST

For: Councillors Fewster, Collard, Aspinall

Against: Councillors Elgin, Smiles, Peczka, Court, Roe, Ammon

SUBSTANTIVE MOTION WITH AMENDMENT

Delete Part 2.

Moved Councillor Elgin, seconded Councillor Peczka that Council approve the continuation of the Helicopter Landing Site and Hangar (Personal and Recreational Use) on Lot 10 Chitna Road, Neergabby in accordance with the development application dated 1 December 2016, subject to the following conditions:

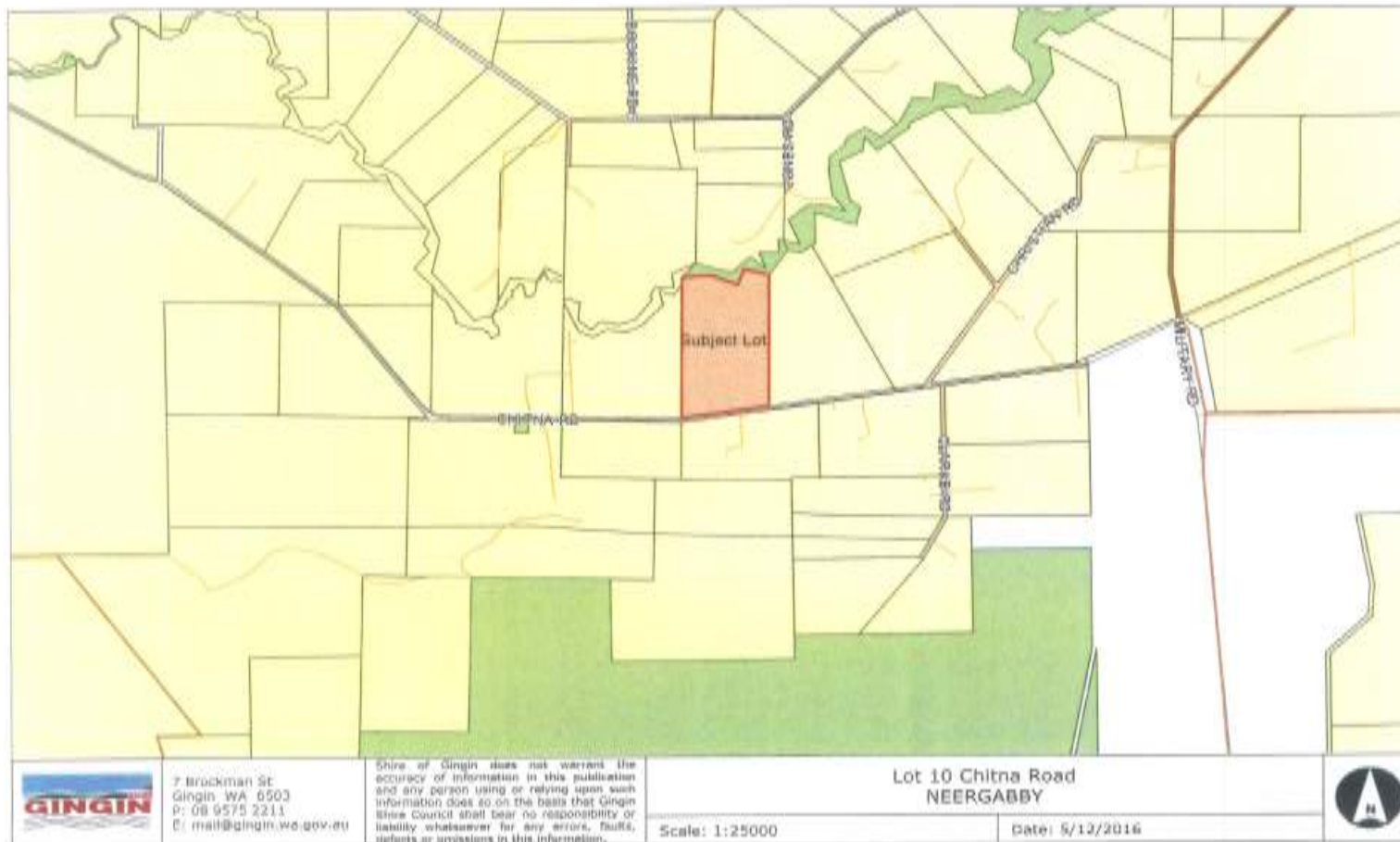
1. **The land use and development shall be in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise in this approval;**
2. **This approval relates specifically to the applicants and does not run with the land if and when the property is sold/leased.**
3. **This approval shall only permit the use of the helicopter for personal use, including commuting to places of business operation, and shall not permit any flight for commercial gain;**
4. **All helicopter flights must enter into or exit from Lot 10 on the southern boundary only and must follow the approved flight path to coastal locations unless otherwise consented to in writing by the Shire;**

5. Except in the case of emergency, a maximum of seven uses per week will be permitted from the Helicopter Landing Site. No more than two uses will be permitted on any weekend day. A use will consist of one take off and one landing. The approval holder must keep a logbook of the time and date of each flight to the satisfaction of the Shire and the logbook must be made available for inspection by the Shire on request;
6. No flights may take place before 7am on weekdays, before 8am on weekend days and holidays, or after dark on any day;
7. This Approval only permits the use of one Robinson R44 helicopter with the Aircraft Serial No. 2124 or as otherwise varied by agreement of Council;
8. Warning signs shall be erected with respect to the storage of aviation fuel in the Hangar;
9. The area surrounding the Helicopter Landing Site and Hangar shall be maintained to minimise dust emission to the satisfaction of the Shire;
10. The Applicant shall contact the Department of Defence before each flight to obtain permission to enter into restricted airspace R155;
11. The transport, storage and handling of aviation fuel must comply with AS 1940-2004;
12. Noise levels from the use of the helicopter must not exceed the levels presented in the Noise Management Plan prepared by Herring Storer Acoustics on the 4 November 2015; and
13. The Helicopter Landing Site must at all times comply, and be operated in accordance with, Civil Aviation Safety Authority Publication CAAP 92-2.

CARRIED
6-3

For: Councillors Elgin, Smiles, Peczka, Court, Roe, Ammon
Against: Councillors Collard, Aspinall, Fewster

APPENDIX 1





MICHAEL HARTE AND EMMA BROWN



Application for Planning Approval

23 November 2016

Michael Harte & Emma Brown

Lot 10 Chitna Road
NEERGABBY

Shire of Gingin,
Zoning: General Rural (GR 20)

Page 1 of 7

APPLICATION SUMMARY

Objective

Michael Harte and Emma Brown seek approval for the continued and unchanged use of the Helicopter Landing Site (HLS) situated on their rural property at Lot 10 Chitna Road, Neergabby.

Background

Michael and Emma operate a helicopter business within the Shire of Gingin as well as at numerous other locations around Western Australia. This is a small family owned business. The Helicopter is hangared on the property.

In January 2016 the Shire of Gingin approved the HLS for personal and recreational use which also included commuting to places of work. There was a maximum of 7 flights per week allowed with no more than 2 flights on any given weekend day (1 flight consisted of a take off and a landing). This approval was issued for a 'trial' period of 12 months. During this time a record of take offs and landings has been recorded and periodically submitted to the Shire when requested.

The Shire of Gingin has been provided with Michael's Commercial Pilots Licence (CPL), Medical Certificate, AOC and Insurance Certificate of Currency.

Conditions Stipulated by The Shire of Gingin in January 2016:

The following conditions have been met as follows:

- a) Land use and development has been undertaken in complete accordance with the approved plans and specifications.
- b) Use of our helicopter has been only of personal use, including commuting to places of business operation. No flights have been conducted from this location for commercial gain.
- c) All flights have entered and exited the property from the southern boundary.
- d) There has been no more than 7 flights per week (1 flight consists of one take off and one landing) No more than 2 flights on any weekend day. All flights to and from the property have been recorded and submitted to the Shire when requested.
- e) No flights have taken place prior to 7am on weekdays or before 8am on weekend days or public holidays.
- f) Only the R44 Helicopter with serial number 2124 has been used at this location.
- g) Warning signs are located on internal and external walls alerting of the containment of flammable liquid within.
- h) The area surrounding the HLS is lawned and reticulated preventing dust emissions.
- i) Before each flight during RAAF Active times permission has been gained prior to flight. During non active times alerts are checked via the National Aeronautical Information Processing System (NAIPS) as per CASA regs.
- j) All Transport and storage of aviation fuels comply with AS 1940-2004.
- k) Noise levels have remained unchanged as per NMP provided by Herring Storer Acoustics
- l) The HLS complies with CASA HLS requirements.
- m) New development application applied for prior to expiry of initial 12 month approval.

Application Outline

During the past 10 months the helicopter has taken off and landed at Lot 10 Chitna Rd well under their permitted number of flights. Flights consisted of flying to outside venues and for private use. The designated Flight Path has been followed at all times and no complaints have been received by M.Harte or E Brown from any residents, members of the public or from the Shire.

During this time, at other venues, Michael has conducted several hundred scenic flights as well as flights for photographic shoots, fire risk assessments, feral animal surveys, wedding transport and prospecting surveys. The business is also licensed and approved for feral animal control which normally occurs over broad-acre farms in the outer lying wheatbelt areas.

Whilst it is expected that the many aspects of the business will increase there is no request to have the maximum number of flights from the property changed as it is believed that 7 flights, in and out, sufficiently allows for this growth without adversely affecting the amenity of the surrounding area.

Aircraft

Our Helicopter is a Robinson R44 Raven 1. It was manufactured in 2011 by the Robinson Helicopter Company in the USA.

The engine is a Lycoming, 6 cylinder, piston powered, single engine. The engine is clean, It does not leak oils or other fluids and is serviced by a Licensed Aircraft Maintenance Engineer (LAME) in Jandakot every 100hrs. The following is an excerpt of a formal letter provided by Michael and Emma's LAME:

"I hereby advise that West Coast Heli Scene's helicopter Robinson model R44, call-sign VH-YBM, has no significant environmental impacts both ground and air-based. This can be attributed to the fact that VH-YBM is maintained by [REDACTED] to the highest standards and exhibits no leakage of any of its operating fluids. I would also like to advise further that R44 helicopter VH-YBM has significantly less environmental impact than any ground-based vehicles such as cars, tractors and earth-moving equipment which are generally maintained to a lower standard."

(*This letter in its entirety has been provided to the Shire Planners for their reference)

RAAF Airspace

Lot 10 Chitna Rd is situated to the western edge of RAAF Airspace. RAAF is usually active between the hours of 8am and 5pm Monday - Thursday and 8am and 3pm on Fridays. During RAAF active times M.Harte is required to contact RAAF by phone and request permission to fly in or out. When RAAF is inactive no calls are necessary, however as per CASA regulations all possible Airspace activities are monitored prior to every flight via the usual Aviation methods.

Whilst flying within controlled airspace altitudes are maintained as directed by the air traffic control relative to the area.

Flights and Flight Paths

Flight path's have been carefully selected so as not to overfly any dwellings during take off and landing. However such flight paths can and will be adjusted if necessary so as to continue to "fly neighbourly" and avoid new dwellings that may be erected in the future. There are several properties in the locality of Neergabby that we avoid overflying altogether. These include Intensive Poultry and Pig farms as well as a Quail farm a Meditation Retreat the Gravity Discovery Ctr / AIGO and a small number of sensitive neighbouring properties.

The approved flight path remains to the south. By the time the aircraft has crossed Chitna road it has gained sufficient height so as to be above the CASA minimum altitude of 500ft above and 300mt away, horizontally, from any inhabited dwelling. Altitude of 1000ft is attained shortly after crossing Chitna Road.

(*Minimum altitude is 1000ft directly above an inhabited dwelling or 500ft above and 300mt to the side of an inhabited dwelling)

There will NEVER be any night flights. Michael's pilots licence is for Visual Flight Rules (VFR) only. VFR rules stipulate that all flights must fall between First Light and Last Light (not to be confused with sun rise and sunset).



Number of Flights and Times

Except in the instance of an emergency, there will be no more than 7 flights per week (1 flight consisting of one departure and one landing) No more than 2 flights on any weekend day or public holiday day.

No flights will take place prior to 7am on weekdays or 8am on weekend days and public holiday days. No flights will take place after last light on any day.

The HLS

The HLS is located toward the centre of the property and is approximately 157mt from its closest boundary to the west.

The Hangar is a solidly built limestone machinery shed that is fully lockable with 24 hour CCTV in place. It has a concrete floor and concrete landing pad adjacent to it which serves as the Helicopter Landing Pad. AvGas is stored within the building in 44 gallon drums with no more than 1000lt being on the premises at any time.

Danger Signs are placed inside and outside the building alerting of the containment of Aviation Fuel within. A Spill kit and fire extinguishers are placed at key points within the hangar.

The landing pad itself is surrounded by irrigated lawn to prevent dust.

A farm fence separates the landing pad from the horse paddocks that surround it.

A Building Approval Certificate was received for the building during 2016.



Neighbouring Houses (Dwellings)

The following inhabited dwellings are within 1000mt of our HLS (*these measurements are approximate, measured from Google Earth Imagery)

House A	652mt to the west,	House B	951mt to the north,
House C	786mt to the north east,	House D	932mt to the north east,
House E	990mt to the east north east,	House F	373mt to the east,
House G	716mt to the south east,	House H	647mt to the south east,
House I	566mt to the south,	House J	746mt to the west,



Noise Management Plan

A Noise Management Plan was provided in November 2015 by Herring Storer Acoustics. This has been attached with this application.

Please note that when this NMP was prepared, M Harte and E Brown were applying for commercial use from their property. Commercial use was not approved by the Shire and as such all references to Commercial usage within the NMP have been edited with a 'strikethrough line' as they are no longer relevant.

Relevant Documentation

The following documentation has been submitted to the Shire for their reference.

Noise Management Plan (NMP),
Insurance Policy, (*Not for publication or public viewing*)
Michael Harte's Commercial Pilots Licence (CPL), (*Not for publication or public viewing*)
Michael Harte's Class 1 Medical Certificate, (*Not for publication or public viewing*)
Letter from Licensed Aviation Mechanical Engineer (LAME) (*Not for publication or public viewing*)
Flight movements record to and from Lot 10 China Road (*Not for publication or public viewing*)
Airsafe Transport Training- Dangerous goods certificate (*Not for publication or public viewing*)
Aviation Security Identification Card (ASIC) (*Not for publication or public viewing*)

APPENDIX 2

SCHEDULE OF SUBMISSIONS AND RECOMMENDED RESPONSES

APPLICATION FOR DEVELOPMENT APPROVAL PROPOSED HELICOPTER LANDING SITE AND HANGAR (PERSONAL AND RECREATION USE) ON LOT 10 CHITNA ROAD, NEERGABBY

No.	Submitter	Submission Detail	Recommended Response
1.	Airservices Australia	<p>The Submitter makes the following comments regarding the proposal:</p> <p><i>On the basis of the application summary objective – 'the applicant's seek approval for the continued and unchanged use of the Helicopter Landing Site (HLS) situated on their rural property at Lot 10 Chitna Road, Neergabby'; which relates to a time extension only and with no change in site infrastructure or operations, Airservices previous advice from 9 November 2015 is still applicable.</i></p>	1. Noted.
2.	Ratepayer	<p>The Submitter supports the proposal and makes the following comments:</p> <p><i>All encouragement should be given to anyone wishing to operate a viable business within the shire. Since the applicant only requests to commute from his private Hangar and landing site to other flight locations provided he does so in accordance of CASA and Department of Defence regulation. I see no reason for the shire to not approve an operation certificate of a minimum of 5 years as the applicant has already completed 12 months' probation.</i></p>	2. Noted.
3.	Ratepayer	<p>The Submitter makes the following comments regarding the proposal:</p> <p><i>1. I have no objection to the proposal for an extension to the existing approval – as long as the parameters are unchanged from the existing and that the extension has a finite term of a maximum five-year period and that the permission is for a named individual only.</i></p> <p><i>2. I feel it is imperative for the Shire to keep strict control of all developments and permissions which are generally incompatible</i></p>	<p>3.1 Noted. The officer recommendation includes conditions limiting the approval period to 3 years and relates specifically to the applicant(s).</p> <p>3.2 Noted. Refer to response 3.1.</p>

		<i>with an area, or have unusual, or far reaching impacts that may well cause future problems as land use requirements develop over time. I do not support any form of permanent approval, I feel a maximum of five years is sufficient.</i>	
4.	Ratepayer	<p>The Submitter makes the following comments regarding the proposal:</p> <p><i>Following the council's approval for this development we have not experienced any problems with this, however I feel it is MOST important that the Shire Council maintain a governing hand and control to ensure that the activity does not increase to cause annoyance to the local population and animals. I suggest an expiry (review) period of NO MORE than 5 years.</i></p>	4. Noted. Refer to response 3.1.
5.	Ratepayer	<p>The Submitter does not support the proposal and makes the following comments:</p> <ol style="list-style-type: none"> <i>1. We would not want to see helicopters flying to often over our property, as it is considered a health retreat;</i> <i>2. We would support an extension of the existing approval up to 2 years but would not support 'no expiry time' because we believe the Shire would still need to enforce the approval conditions, without which the situation might change into something else; and</i> <i>3. We would not support commercial flight over our property.</i> 	<p>5.1 Noted. Officer recommended restricting the number of flights as per the previous approval.</p> <p>5.2 Noted. The Shire is able to enforce planning conditions regardless of the timeframe between the approval being issued and an alleged breach occurring.</p> <p>5.3 Noted. Commercial flights are not proposed.</p>
6.	Ratepayer	<p>The Submitter does not support the proposal and makes the following comments:</p> <ol style="list-style-type: none"> <i>1. We received the Shire letter of 14/12/2016 regarding above application on 21/12/2016 with the Christmas/New Year holiday break following and submissions closing 6/1/2017.</i> <i>2. This advertising period (for any application) is unfair to those who</i> 	<p>6.1 Noted.</p> <p>6.2 Noted.</p>

		<i>wish to comment and to the community in general. Technically if may be legal but not in the spirit of open governance.</i>	
7.	Ratepayer	<p>The Submitter does not support the proposal and makes the following comments:</p> <p><i>If Council approves must be for 12 months then reviewed with same conditions applying.</i></p>	7. Noted. Refer to response 3.1.
8.	Ratepayer	<p>The Submitter does not support the proposal and makes the following comments:</p> <p><i>We support another 12 months' extension, however, we have had no impact over our property this year (2016). Therefore we approve another 12 months ONLY, as we would not like this to change in the future years.</i></p>	8. Noted. Refer to response 3.1.
9.	Ratepayer	<p>The Submitter does not support the proposal and makes the following comments:</p> <p><i>1.We oppose any relaxation of the existing conditions of approval. If Council approves this application, there should be no change to the conditions applied previously; this will encourage compliance as a further development application will be required in another 12 months' times. Shire records will show, prior to the retrospective development approval given on 19 January 2016, the applicant gave little or no consideration to the Shire of Gingin Planning Approval processes, neighbours or the surrounding community. The conditions set by Council on 19 January 2016 are appropriate and remain so for the current application.</i></p> <p><i>2.In the proponents Application Summary there is no name of the applicant under Objective, Background, Application Outline, Flights and Flight Paths, Noise Management Plan, all relevant areas are whitened out, therefore it is not possible for the public to see who is making the application or the name of the person who will be flying the helicopter from Lot 10 Chitna Road, Neergabby. The previous approval was given to Mr Michael Harte. The Shire of Gingin letter</i></p>	<p>9.1 Noted. Officer recommends the same conditions as the previous approval with the exception being a limitation on the timeframe for three years in lieu of the original one year condition.</p> <p>9.2 Disregard. The applicants name, the pilot and information of the like are of no consequence to the advertising process.</p>

		<p>14 December 2016 advising of the Development Application also has no indication who the applicant is or who the pilot of the helicopter is proposed to be. This needs to be clarified.</p> <p>3. Mr Michael Harte has been advertising for "Aerial Culling of Feral Pigs", he had previously denied using his helicopter for this purpose. Will there be any flights from Lot 10 Chitna Road, Neergabby with firearms on board and if so what safety measures are in place to ensure there is no risk to the community as a result, assuming all the appropriate authorities have given approval to allow aerial shooting from this helicopter.</p> <p>4. We ask that Councillors and Officers are mindful of the background associated with this application and request when Council is considering this matter the residents and community's welfare be the highest priority. A limited approval period is a strong incentive to be compliant.</p> <p>5. We request this submission be passed on to Councillors in full (this is the complete submission provided by the submitter dated 4 January 2017).</p>	<p>9.3 Disregard. The Shire has no jurisdiction to prevent certain items being taken on board the helicopter. Furthermore, any negligence with a firearm is a matter for the Western Australian Police.</p> <p>9.4 Noted.</p> <p>9.5 Noted</p>
10.	Ratepayer	<p>The Submitter does not support the proposal and makes the following comments:</p> <p>1. Should council approve this application the same conditions need to apply as before.</p> <p>2. I think it absurd that Council send out submission over Christmas and New Year Holidays as many people are away on Holidays.</p> <p>We may not collect our mail for a week or two. I think Council should change this policy.</p>	<p>10.1 Noted.</p> <p>10.2 Noted. Development Applications are required to be determined within 60 days from the submission date as per the <i>Planning and Development Act 2005</i>. The assessment process does not stop given some landowners may or may not be on holidays.</p>
11.	Ratepayer	The Submitter does not support the proposal and makes the	

		<p>following comments: <i>I have concerns in regards to the above application on the following grounds:</i></p> <ol style="list-style-type: none"> <i>The applicant over the past 12 months has used less than 15% of allocated take-offs thus a full impact of his activities cannot be effectively evaluated, to this end it would be prudent if the shire decides to renew the renewal be for a period no greater than 12 to 24 months and retaining all the conditions imposed by the shire in 2016.</i> <i>Helicopter Operations of any type conflict with the Gingin Town Planning Scheme No. 9 General Rural Zone, the Rural Zone was established to promote agricultural activities and to maintain the natural environment of the area as much as possible.</i> <i>I am of the firm belief that helicopter flight operations and hangers should be centralized at an established Airport or located in Tourist Zones where activities are to be conducted. Going to work by helicopter may be justified on distance properties with thousands of acres however this does not make sense for a small holding as surrounding population density will only increase over time.</i> <i>As a stock owner the noise / stress to my stock and Privacy would be of Great Concern if the flight plan were to be changed.</i> <i>The noise management plan presented states that all equipment used was NATA calibrated, however the engineers name/signature who performed the procedure is not listed. Also the calibration schedule and equipment list with calibration certificates per unit should be sought from the company to confirm the accuracy of readings.</i> 	<p>11.1 Noted. Refer to response 3.1 and 9.1.</p> <p>11.2. Noted. Local Planning Scheme No. 9 also provides Council with discretion to approve uses not listed.</p> <p>11.3 Noted.</p> <p>11.4 Noted. No change in flight path is proposed.</p> <p>11.5 Noted. The Noise management Plan has been reviewed by the Shire's Environmental Health Officer and is considered to be valid.</p>
12.	Ratepayer	The Submitter makes general comments regarding the proposal:	

	<p>1. He is proven he does not need an extension of flights from the property. I still have concerns about 'feral' culling – in his application it was stated this practice 'normally' takes place in the wheatbelt and broad acre – which is acceptable – not within the Shire over small acreage. I do not object to the proposal, but still have reservations. I would not like to see unconditional timeline for approval – may be 2 – 3 years then reapplication</p> <p>2. I would like to make a comment on the approval procedure of the Gingin Shire while it may be legal requirement to advertise a proposal for anything just before the Holiday Break at Christmas/New Year, but it certainly is not ethical and shows absolute contempt – perhaps Councillors could take this on board and add a clause to the application rules that an extra 3 week period for reply be added over this time – to allow for Councillors and Shire members to be contacted out of their holiday time.</p> <p>3. Firstly, I would like to thank the Shire for the notification of the application for this project being over the 'silly' season of Christmas/New Year. This could have slipped under the radar like was tried in the last application.</p> <p>4. In the past 12 months the movement of the helicopter has been minimal not using his allotted allocation of flights. "Feral Culling" was the original problem of noise and disturbance.</p> <p>5. I trust the Shire will take this into the factor when considering the timeline of approval, preferably 2 – 3 years, but definitely not permanently. In the past 12 months, Mr Harte has proven to be the 'gentleman' that was suggested he be by one of the Councillors – let's hope this continues.</p> <p>6. I wish him well with his venture of scenic flights – but not pig culling in Gingin Shire or should I say 'Feral Culling' – I would also like to know if weapons can be fired from an aircraft. I know they can be</p>	<p>12.1 Noted. The applicant has not applied for 'feral' culling. The Officer has recommended conditions restricting approved flight paths to the coastline; therefore any departure from these is a breach of approval.</p> <p>12.2 Noted. Refer to response 10.2 above.</p> <p>12.3 Disregard.</p> <p>12.4 Noted. Refer to response 12.1 above.</p> <p>12.5 Noted.</p> <p>12.6 Noted. The discharge of firearms from an aircraft is not within the Shires jurisdiction.</p>
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	<p>1.He is proven he does not need an extension of flights from the property. I still have concerns about 'ferrel' culling – in his application it was stated this practice 'normally' takes place in the wheatbelt and broad acre – which is acceptable – not within the Shire over small acreage. I do not object to the proposal, but still have reservations. I would not like to see unconditional timeline for approval – may be 2 – 3 years then reapplication</p> <p>2.I would like to make a comment on the approval procedure of the Gingin Shire while it may be legal requirement to advertise a proposal for anything just before the Holiday Break at Christmas/New Year, but it certainly is not ethical and shows absolute contempt – perhaps Councillors could take this on board and add a clause to the application rules that an extra 3 week period for reply be added over this time – to allow for Councillors and Shire members to be contacted out of their holiday time.</p> <p>3.Firstly, I would like to thank the Shire for the notification of the application for this project being over the 'silly' season of Christmas/New Year. This could have slipped under the radar like was tried in the last application.</p> <p>4.In the past 12 months the movement of the helicopter has been minimal not using his allotted allocation of flights. "Feral Culling" was the original problem of noise and disturbance.</p> <p>5.I trust the Shire will take this into the factor when considering the timeline of approval, preferably 2 – 3 years, but definitely not permanently. In the past 12 months, Mr Harte has proven to be the 'gentleman' that was suggested he be by one of the Councillors – let's hope this continues.</p> <p>6.I wish him well with his venture of scenic flights – but not pig culling in Gingin Shire or should I say 'Feral Culling' – I would also like to know if weapons can be fired from an aircraft. I know they can be</p>	<p>12.1 Noted. The applicant has not applied for 'feral' culling. The Officer has recommended conditions restricting approved flight paths to the coastline; therefore any departure from these is a breach of approval.</p> <p>12.2 Noted. Refer to response 10.2 above.</p> <p>12.3 Disregard.</p> <p>12.4 Noted. Refer to response 12.1 above.</p> <p>12.5 Noted.</p> <p>12.6 Noted. The discharge of firearms from an aircraft is not within the Shires jurisdiction.</p>
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		<i>carried on especially in small acreage.</i>	
13.	Department of Water (DoW)	The Submitter has considered the proposal and has no comments to provide.	Noted.

APPENDIX 3

Rochdale Holdings Pty Ltd A.B.N. 85 009 049 067 trading as

HERRING STORER ACOUSTICS

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**HELICOPTER OPERATIONS
194 CHITNA ROAD, NEERGABBY**

NOISE MANAGEMENT PLAN

FOR

MICHAEL HARTE and EMMA BROWN

NOVEMBER 2015

REFERENCE: 19818-3-15284



Herring Storer Acoustics

DOCUMENT CONTROL PAGE

**NOISE MANAGEMENT PLAN
FOR HELICOPTER OPERATIONS
NEERGABBY**

Job No: 15284

Document Reference: 19818-3-15284

FOR

MICHAEL HARTE and EMMA BROWN

DOCUMENT INFORMATION

Author:	Paul Daly	Checked By:	Tim Reynolds
Date of Issue :	4 November 2015		

REVISION HISTORY

Revision	Description	Date	Author	Checked
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2	Review Noise Sensitive Receivers	5/11/2015	PLD	

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Herring Storer Acoustics

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APPENDICIES

A	Location Plan
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Herring Storer Acoustics
Our ref: 19818-3-15284

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1. INTRODUCTION

Herring Storer Acoustics (HSA) has been commissioned by Michael Harte and Emma Brown to prepare a Noise Management Plan (NMP) for noise associated with a Robinson R44 helicopter. The helicopter will operate from a hangar and landing pad located at Lot 10 (#194) Chitna Road, Neergabby, ~~with the intent to operate scenic flights in a commercial capacity.~~

The *Environmental Protection (Noise) Regulations 1997 (EP(N)R)*, *Regulation 3, part 1(c)*, states, "Nothing in these regulations applies to the following noise emissions – noise emissions from trains or aircraft." Therefore noise associated with the operations of the helicopter are not assessable under the EP(N)R 1997.

The purpose of this NMP is to establish operating parameters and procedures for the helicopter use. This report contains operations hours, noise levels, procedures for a complaint process and other management tools which will provide a level of certainty to neighbouring residence and the council.

2. BACKGROUND

Michael Harte is an accomplished and licensed Commercial Helicopter Pilot. To obtain this, he has passed the required written and practical examinations, covering every aspect of Air Law, Aerodynamics, Navigation, Human Factors, Meteorology, Aircraft General Knowledge, Performance and Flight Planning. He also undertook many hours of flight training. He has to undergo a Class 1 medical examination every 12 months and also keep an Aircraft Security Identification Card (ASIC) current at all times. This took several years to achieve together.

~~Michael is a pilot for Rotovation Helicopters, in Jandakot, and operates under their AOC (Air Operators Certificate). Any commercial flights and flight paths must be pre-approved by the Chief Pilot Mr Newton Pallet. A map showing proposed Commercial Flight Paths is available for perusal and will be given to the Shire.~~

As per CASA regulations every flight is entered into a Log Book.

~~As per Rotovation Helicopters regulations every commercial flight, complete with passenger manifest is to be submitted to the Chief Pilot for each month of operation.~~

As the proposal is situated at the western edge of controlled airspace it must liaise with the Air Operations Coordinator at PEARCE RAAF base. Their operational hours are between 8am and 5pm Monday to Thursday and from 8am to 4pm on Fridays. They do not operate over weekends and public holidays. Any flights made during their active times require prior contact with the AIR OPSCORD and a 'window' for movement is given. Correspondence from the AIR OPSCORD has been provided to the Shire.

3. EQUIPMENT

The Helicopter proposed for use is a Robinson R44. This is classified as a small helicopter and seats 4 people including the pilot.

It is powered by a Lycoming O-540, six cylinder, carbureted single engine. It is 205-225 horsepower. Its empty weight is 652kg it has a Cruise speed of 113knts (209.27 kph) and a range of 300 nautical miles (555.6km). Identification reference is VH-YBM with the unit shown in Figure 1 below.



FIGURE 1 – HELICOPTER USED FOR THE SCENIC FLIGHTS

4. OPERATION HOURS

~~Scenic flights will be operated from the property out west to the coast and then north or south along the coast. The flights will depart the hangar in a south westerly direction so that there are no overfly for any neighbours (houses). There will be no flying after nightfall or before sunrise. It is anticipated that no more than 10 Commercial flights per week, with no more than 3 Commercial flights on any weekend day will operate from the property. (c.g. 3 flights on Saturday and 3 flights on Sunday). Note, 1 take off and 1 landing constitutes 1 flight.~~

5. CRITERIA

The *Environmental Protection (Noise) Regulations 1997* (EP(N)R), Regulation 3, part 1(c), states, "Nothing in these regulations applies to the following noise emissions – noise emissions from trains or aircraft." Therefore noise associated with the operations of the helicopter are not assessable under the EP(N)R 1997.

Although no criteria is considered under the EP(N)R 1997, guidance has been sought from various other guidelines. Generally, with operations of this nature, where established noise criteria are not defined, a noise management plan is developed. The purpose of the NMP is to identify and implement strategies which will minimise disturbance of residents and other noise sensitive receivers.

Additionally, whilst there is no criterion noise level to achieve in Western Australia, guidance is sought from EPA Victoria, who produced Noise Control Guidelines, which reference helicopter usage. These guidelines provide the following recommended noise level criteria:

The criteria comprise three separate components, each of which should be satisfied at the nearest affected buildings:

- The measured $L_{Aeq,T}$ (measured over the entire daily operating time of the helipad) shall not exceed 55 dB(A) for a residence.
- The measured maximum noise level L_{Amax} shall not exceed 82 dB(A) at the nearest residential premises (See Note below).

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Operation outside the hours between 7 am and 10 pm shall not be permitted except for emergency flights. Note: These levels will generally be met by a separation between the landing site and the residential premises of 150 m for helicopters of less than two tonnes all-up-weight, and 250 m for helicopters of less than 15 tonnes all-up-weight.

CASA regulations stipulate that the minimum height for any aircraft to fly over a populated dwelling is 1000ft. The only exceptions being on approach or departure where there is no other option or in adverse weather conditions, with the safety of the pilot and passengers being a priority in all situations. Note, a populated dwelling can be a house, caravan or shed.

6. NEAREST NOISE SENSITIVE PREMISES

The locality surrounding 194 Chitna Road, is zoned rural land use. Observations and information provided are that the surrounding properties are used for intensive market gardening, or livestock farming.

The nearest noise sensitive premise is located 380 metres to the east of the helicopter landing pad. Additional premises are situated 570 metres to the south, 650 metres to the west and to the south east of the helicopter landing pad. Other residential premises were noted, but are greater than 800 metres from the pad or were not frequently inhabited.

A location plan for the helicopter pad and the surrounding premises is shown in Figure 2.



FIGURE 2 – NOISE SENSITIVE PREMISES LOCATION MAP

7. MEASUREMENTS AND OBSERVATIONS

Noise level measurements were conducted at 194 Chitna Road, Neergabby on Sunday 1st November 2015 at around 08:00 hours.

Noise levels were recorded using a Svan 948 sound level meter. All equipment has current NATA calibration.

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During the measurement period, weather conditions were calm winds and a cool temperature. Advice from the helicopter pilot was that whilst winds on the ground were calm, there was a slight easterly blowing at around 2 knots at a higher altitude (100ft plus). The weather conditions were near to maximum propagation for noise levels, i.e. source to measurement point.

The noise level measurement locations was at the western boundary of 194 Chitna Road, which is approximately 150 metres from the helicopter landing pad. Noise level measures were conducted at this location for various operating parameters of the helicopter. These are as follows:

- Start-up
- Idle
- Full operation (ground level)
- Take-off (including measurements until not visible)
- Landing (from visible to ground level)

One second noise levels (time histories) were also recorded of the helicopter operations. Based on these and information provided by the pilot, the helicopter is required to run (from start-up) for three minutes prior to take-off. This allows for a sufficient warm up and all of the safety checks to be carried out. Measurement of the take-off resulted in the helicopter noise being present for approximately 87 seconds (dependant on background noise levels). Therefore, the total time the noise is likely to be present is around 260 seconds from start of the engine on the pad to diminishing on its flight.

Background noise levels were also measured for periods of no helicopter operations.

8. RESULTS

The resultant noise measurements for the various operations of the helicopter have been summarised in Table 1 below.

TABLE 1 MEASURED NOISE LEVEL RESULTS dB(A)

Measurement Location	Operating Parameter	Measured Noise Level	
		L _{Aeq} dB(A)	L _{max} dB(A)
Western Boundary	Background (No Operation)	48	53
	Start-up (ground level)	54	56
	Idle (ground level)	50	51
	Full operation (ground level)	56	60
	Take-off (including measurements until not visible)	64	73
	Landing (from visible to ground level)	64	73
20m from Pad	Idle (ground level)	71	73

Further to the above overall noise level results, analysis has been conducted on the take-off and landing operations for the helicopter. The analysis is based on the one second noise levels, showing a time history.

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FIGURE 3 – NOISE LEVEL TIME HISTORY – TAKE-OFF

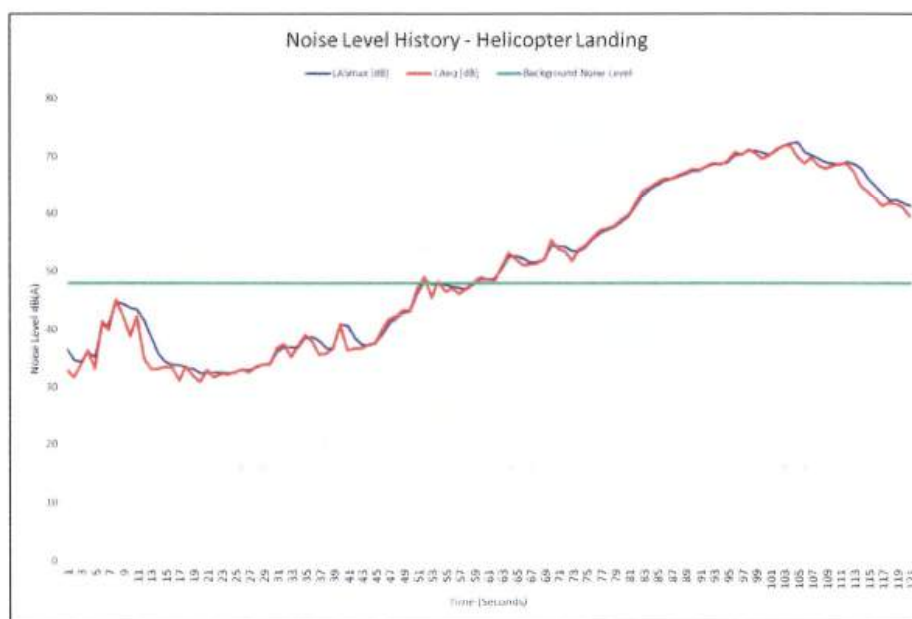


FIGURE 4 – NOISE LEVEL TIME HISTORY – LANDING

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Based on the above measured noise levels, calculations have been carried out to assess the noise levels at the residential premises surrounding the property. This is done via simple attenuation of noise levels due to distance. Table 2 contains the calculated noise level and distance for each of the neighbouring premises for the helicopter take-off.

TABLE 2 CALCULATED NOISE LEVEL RESULTS dB(A)

Location	Distance	Calculated Noise Level,	
		L _{Aeq} dB(A)	L _{max} dB(A)
A	650 metres	51	60
B	750 metres	50	59
C	380 metres	55	64
D	570 metres	52	61
E	650 metres	51	60
F	1000 metres	47	56
G	800 metres	49	58
H	1000 metres	47	56

9. OPERATING PARAMETERS

As per the previous sections, the operating parameters for the proposed scenic flight service have been summarised as follows:

- ~~A maximum of 10 commercial flights will occur per week (based on the busiest period) with no more than 3 on a Saturday and / or 3 on a Sunday;~~
- ~~Flights will only occur between the hours of 08:00 and 18:00 weekdays and Saturdays and 09:00 to 18:00 Sundays and Public Holidays;~~
- Where possible, start-up operations (on the pad) will be kept to the minimum time period possible to allow for safety checks;
- Take-off will occur as quickly as possible after start up procedures are completed; and
- Weather permitting, take-offs and landing will be via the south east direction, where there are the lease residential locations.

Note: 1 take off and 1 landing constitutes 1 flight.

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10. COMPLAINTS

~~We understand that Michael and Emma plan to provide an information leaflet / letter to their neighbours. This will explain the activities to be carried out, reasons for the work and a contact number.~~

The complaint response procedure will also be adopted and will be generally be as follows:

Any complaints will be registered in a log book stating:

- Where the complaint was from.
- Time and duration of noise
- If a verbal response was given to the resident, what was it and was the resident satisfied with the response.

11. CONCLUSION

Measured noise levels for the helicopter operations at 194 Chitna Road, Neergabby have been undertaken. These noise levels have been used to calculate the noise levels at the surrounding neighbouring premises.

Whilst no criteria is available for helicopter noise emissions in Western Australia, guidance has been sought from EPA Victoria, who produced Noise Control Guidelines. These guidelines recommend a noise level not to exceed L_{AeqT} 55 dB(A) or an L_{Amax} 82 dB(A) at any neighbouring noise sensitive premise (residence). Noise level assessed for this NMP result in the highest noise level at the nearest residence of L_{AeqT} 55 dB(A) and an L_{Amax} 82 dB(A), hence noise levels are below those recommended.

Given the operating conditions imposed by the NMP and the noise levels being below those recommended for this type of operation, we believe the helicopter use is considered justified and reasonable.

**11.3.3 RETROSPECTIVE APPLICATION FOR DEVELOPMENT APPROVAL -
DEVELOPMENT OF AN ADDITIONAL USE (NOXIOUS INDUSTRY -
COMPOSTING FACILITY) ON LOT 51 (431) CULLALLA ROAD, MOONDAH**

FILE:	BLD/54
APPLICANT:	INTERNATIONAL LIVESTOCK EXPORT PTY LTD
LOCATION:	LOT 51 (431) CULLALLA ROAD, MOONDAH
OWNER:	WILDCROSS PTY LTD
ZONING:	GENERAL RURAL
WAPC NO:	N/A
AUTHOR:	JAMES BAYLISS – STATUTORY PLANNER
REPORTING OFFICER:	SEBASTIAN CAMILLO – EXECUTIVE MANAGER REGULATORY SERVICES
REPORT DATE:	17 JANUARY 2017
REFER:	7 MARCH 2006 ITEM 11.3.1

Councillor Fewster declared a financial interest in item 11.3.3 on the grounds that he has business interests via stock agents and livestock exporters and left Council Chambers at 4:00pm.

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider an Application for Development Approval for an additional use (Noxious Industry - Composting Facility) on Lot 51 (No. 431) Cullalla Road, Moondah. Local Planning Scheme No. 9 (LPS9) outlines a Noxious Industry is an 'A' use within the 'General Rural' zone and therefore Council consideration is required.

BACKGROUND

It has recently been brought to the Shires attention that the Noxious Industry (Composting Facility) component of the original application was never formalised with Development Approval. On 10 October 2016 the Department of Environment and Regulation (DER) referred the works approval (license) renewal to Shire for comment. Upon a review of the existing development approval it was identified the Noxious Industry (Composting Facility) had not received development approval.

Council, at its Ordinary Meeting on 7 March 2006, considered an application for Development Approval for a proposed Feedlot (Intensive Stock Holding Facility) and Composting Facility at the subject property. The reporting officer recommended to Council that the Noxious Industry (Composting Facility) component of the application be subject to further public advertising prior to Council determination and therefore, the composting component of the application did not form part of the approval granted by Council in 2006. In perusing the file on this matter, it is evident that further public advertising for the proposed composting facility was never progressed.

The Cullalla Feedlot is currently producing approximately 5,000 tonnes of composted manure annually. The manure is removed from the adjacent feedlot as required and carted to eight compost rows immediately to the south of the feedlot. Throughout the winter months, straw is added to the manure and in dryer months water is added as required to achieve the necessary consistency. Each compost row is turned 2-3 times per week with a compost turner and the manure is fully composted within 6-8 weeks, subject to weather conditions.

The finished product is sold to horticultural businesses, local farms and spread annually on the paddocks of the Cullalla property.

The dimensions of the compost area are approximately 90m x 150m. Water run-off from the compost area flows first into a sediment pond and then into a large evaporation pond. Both ponds have been built on hardstands according to the conditions described in the Department of Environment and Regulation (DER) Works Approval (W4537/2009/1) to ensure no contaminated water enters the ground.

A Location plan and the proposal are attached as **Appendix 1**.

COMMENT

Community Consultation

The application was advertised via a 'Public Notice' for a period of 35 days in accordance with *Local Planning Policy Statement No. 4.2 – Noxious Industries* and Clause 64 of the *Planning and Development (Local Planning Scheme Regulations) 2015 Deemed Provisions for Local Planning Schemes* (the Regulations).

The Shire received no submission in support of or objecting to the application for development approval. It should be noted that the Shire has received no complaints with respect to the composting facility that has been in operation since approximately 2010.

PLANNING FRAMEWORK

Local Planning Scheme No. 9 (LPS 9)

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

- a) *Manage land use changes so that the specific local rural character of the zone is maintained or enhanced;*
- b) *Encourage and protect broad acre agricultural activities such as grazing and more intensive agricultural activities such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use;*
- c) *Maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and water course 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 Composting Facility is considered a Noxious Industry under the Scheme, which is defined as follows:

“...an industry in which the processes involved constitute an offensive trade with the meaning of the Health Act, 1911 (as amended), but does not include a fish shop, dry cleaning premises, marine collectors yard, Laundromat, piggery or poultry farm.”

The *Health Act 1911* references Manure Works (Composting Facility) as an offensive trade, hence the land use category under LPS No. 9.

Noxious industry is an ‘A’ use in the General Rural zone, meaning that the land use is not permitted unless Council has exercised its discretion to approve subject to advertising.

Council Policies

Local Planning Policy Statement No 4.2 – Noxious Industries (LPP 4.2)

The objective of LPP 4.2 is:

‘To provide guidelines for public input on noxious industry proposals.’

The relevant Policy Statement is:

‘Advertising by way of a notice in a locally circulated newspaper and a sign, easy to read and visible to the general public, shall be erected on or near to the proposed development allowing submissions to be made to the Shire Council with regard to that proposal, over a 35 day period. The Department of Environment and Conservation (Department of Parks And Wildlife), the Western Australian Water Authority and other relevant government departments will be requested to evaluate and comment on the proposal if deemed necessary.’

The advertising process followed was outlined under the ‘Community Consultation’ section above. In this instance it was not considered necessary to advertise to any State Government agencies, given the matter has previously been dealt with by the Department of Environment and Conservation (now Department of Environment and Regulation (DER)). Further comment with respect to the DER is provided under the ‘Environmental Impact’ section.

Land Capability

The subject lot is 465.3 ha with the majority of the land cleared. The composting facility is relatively central to the site to mitigate any potential impacts to adjoining properties. The nearest sensitive land use (dwelling) is 1.5km away, therefore demonstrating that the land is capable of accommodating the noxious industry.

Servicing

As part of the feedlot approval issued by Council in March 2006, the landowner was required to upgrade the existing crossover to accommodate access and egress of B-Double vehicles. No further upgrades are considered necessary as a result of formalising the land use currently in operation.

Environmental Impact

The Environmental Protection Authority's (EPA) *Guidance Statement No. 3 - Separation Distances between Industrial Land and Sensitive Land Uses* stipulates a 1000m buffer between an outdoor uncovered composting facility and sensitive land uses. The distance outlined in the EPA's guidelines are not intended to be absolute separation distances, rather a guide to avoid conflicts between land uses. As previously mentioned, the nearest sensitive land use is 1.5km away. It is not anticipated that any land use conflicts will occur as a result of formalising the composting facility.

On 30 April 2009 the DER issued the composting facility with a Works Approval (license) W4537/2009/1 and environmental considerations were considered by the relevant authority at the time of assessment. Further, the Shire has issued a Certificate of Registration of Premises for an Offensive Trade (Composting Facility) under the Shire of Gingin Health Local Law 2004 and the *Health Act 1911*.

It is considered that the above processes adequately addressed the environmental and health impacts of the composting facility and no further assessment is required.

Summary

In summary, the composting facility on Lot 51 Cullalla Road, Moondah has been in operation for a number of years, has received the relevant DER license and has been acknowledged as an Offensive Trade (Composting Facility) land use with the Shire issuing a Certificate of Registration. No concerns have been raised by surrounding landowners and the site is capable of accommodating the Noxious Industry (Composting Facility) with the appropriate setbacks provided.

In view of the above, it is suggested that Council approve the existing Noxious Industry (Composting Facility) at the site subject to conditions.

Advice Notes

In the event that Council approves the proposal, the following advice notes will be included within the approval:

- A. The Applicant is advised that under the Fly Eradication Regulations pursuant to the *Health Act 1911* (as amended) restrictions apply to prevent the attraction and/or breeding of flies.
- B. This approval is to be read in conjunction with the approval issued by Council in March 2006, as all conditions previously imposed are still required to be complied with.

- C. This is a planning approval only. Responsibility to comply with additional licensing from State agencies is that of the operator/landowner(s).

STATUTORY ENVIRONMENT

Local Planning Scheme No. 9

Part 3 – Zones and the Use of Land

3.2 Objectives of the Zones

Part 4 – General Development Requirements

4.7 General Development Standards

4.8.6 – General Rural Zones

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015 – 2025

<i>Focus Area</i>	<i>Built Environment</i>
<i>Objective</i>	<i>3. to effectively manage growth and provide for community</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council grant Retrospective Development Approval for a Noxious Industry (Composting Facility) on Lot 51 Cullalla Road, Moondah subject to the following conditions:

1. The land use and development shall be undertaken in accordance with the approved plans, in a manner that is deemed to comply to the satisfaction of the Chief Executive Officer;
2. The development and use of the land is not to interfere with the rural amenity of the locality or cause nuisance by way of emission of odour, dust, waste water, waste products or otherwise;
3. This approval is for a Composting Facility only and is not to be construed as an approval or support of any kind for any other planning related application on the subject land;

4. This approval is valid for a maximum of 5000 tonnes of compost per year. A new Development Application will be required to be lodged with the Shire for further assessment in the event that production increases; and
5. No truck parking is to occur on the Cullalla Road reserve, but shall be accommodated entirely on the subject lot to the satisfaction of the Shire of Gingin.

RESOLUTION

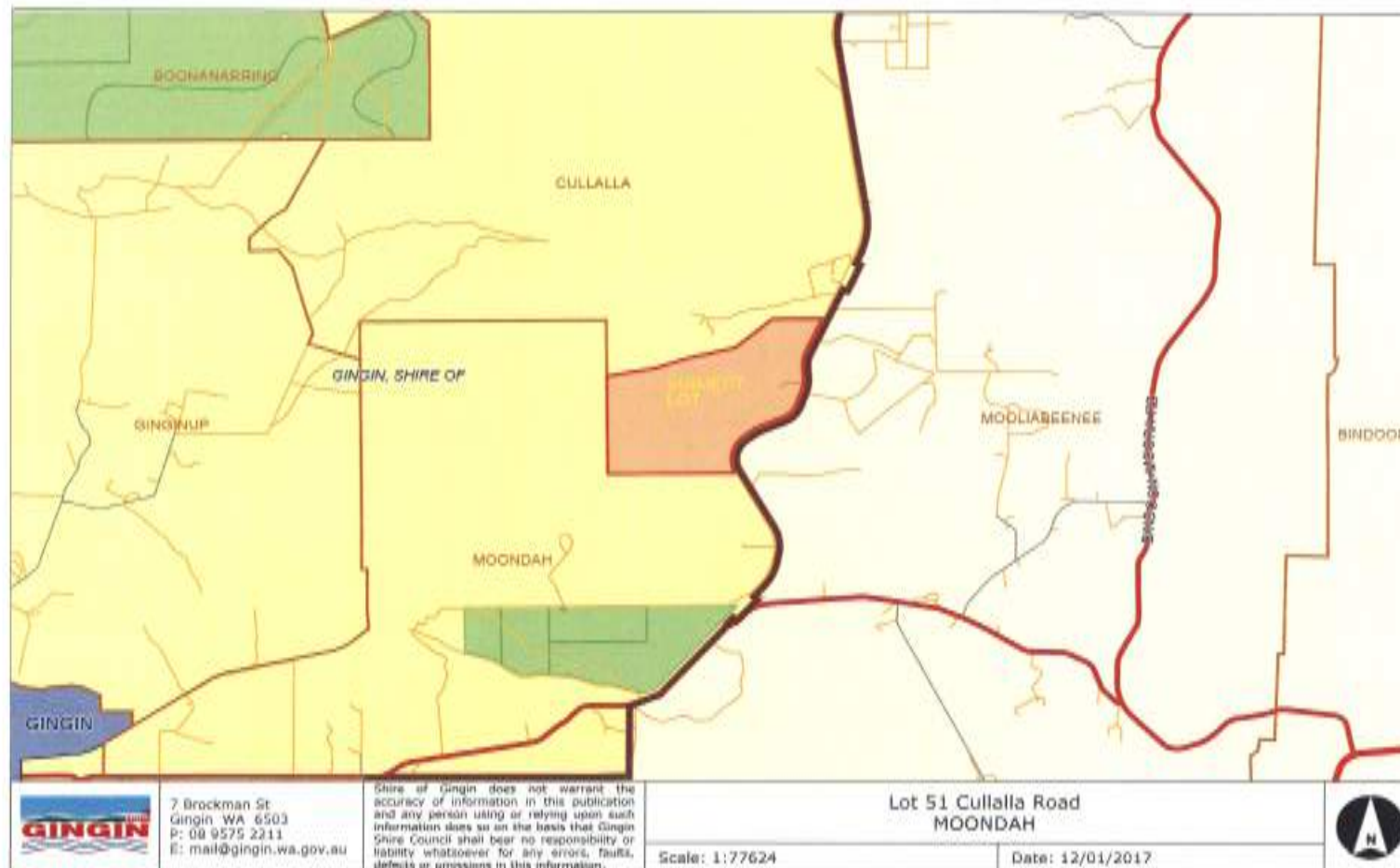
Moved Councillor Collard, seconded Councillor Elgin that Council grant Retrospective Development Approval for a Noxious Industry (Composting Facility) on Lot 51 Cullalla Road, Moondah subject to the following conditions:

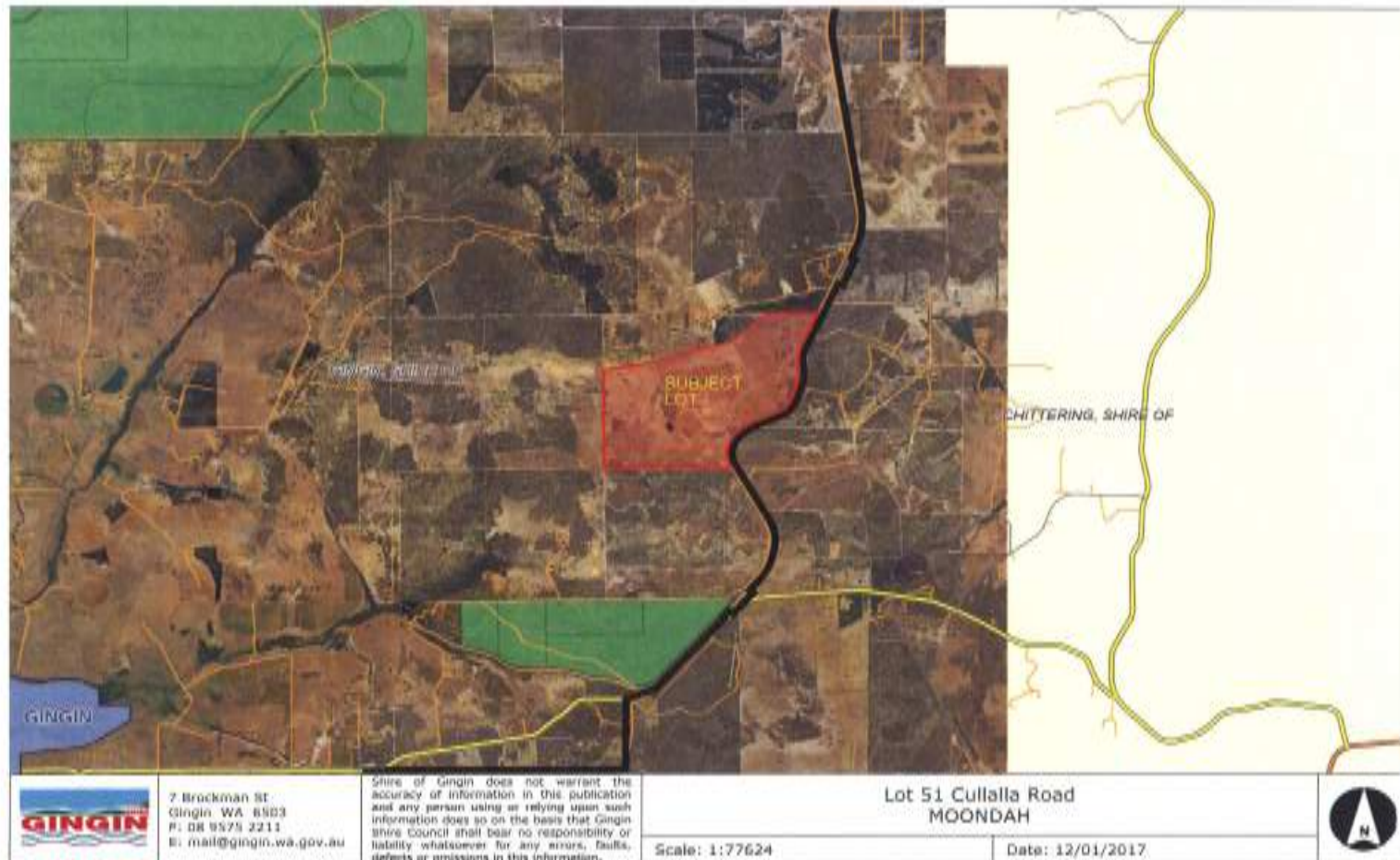
1. **The land use and development shall be undertaken in accordance with the approved plans, in a manner that is deemed to comply to the satisfaction of the Chief Executive Officer;**
2. **The development and use of the land is not to interfere with the rural amenity of the locality or cause nuisance by way of emission of odour, dust, waste water, waste products or otherwise;**
3. **This approval is for a Composting Facility only and is not to be construed as an approval or support of any kind for any other planning related application on the subject land;**
4. **This approval is valid for a maximum of 5000 tonnes of compost per year. A new Development Application will be required to be lodged with the Shire for further assessment in the event that production increases; and**
5. **No truck parking is to occur on the Cullalla Road reserve, but shall be accommodated entirely on the subject lot to the satisfaction of the Shire of Gingin.**

CARRIED UNANIMOUSLY

Councillor Fewster returned to the meeting at 4:03pm.

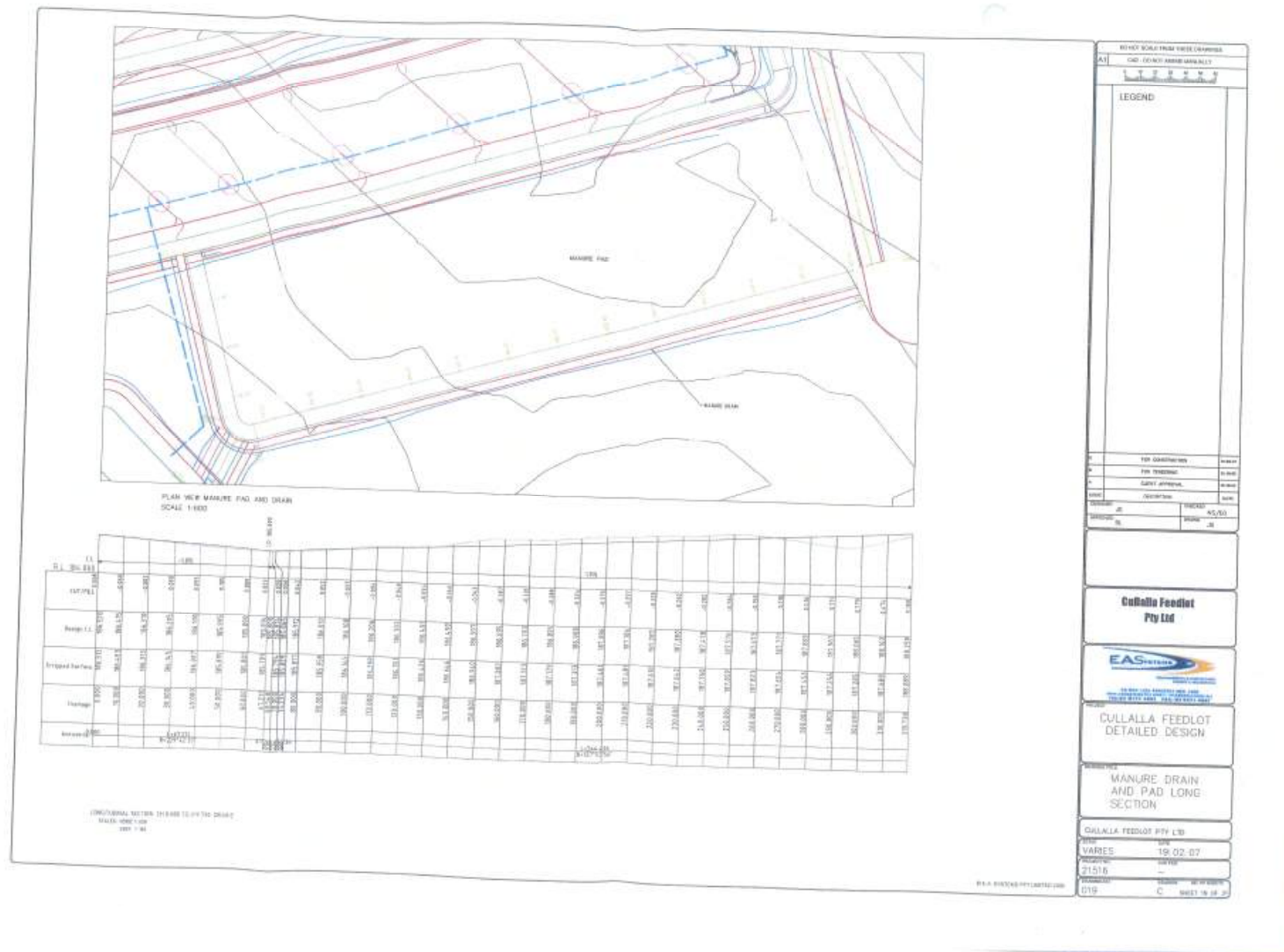
APPENDIX 1

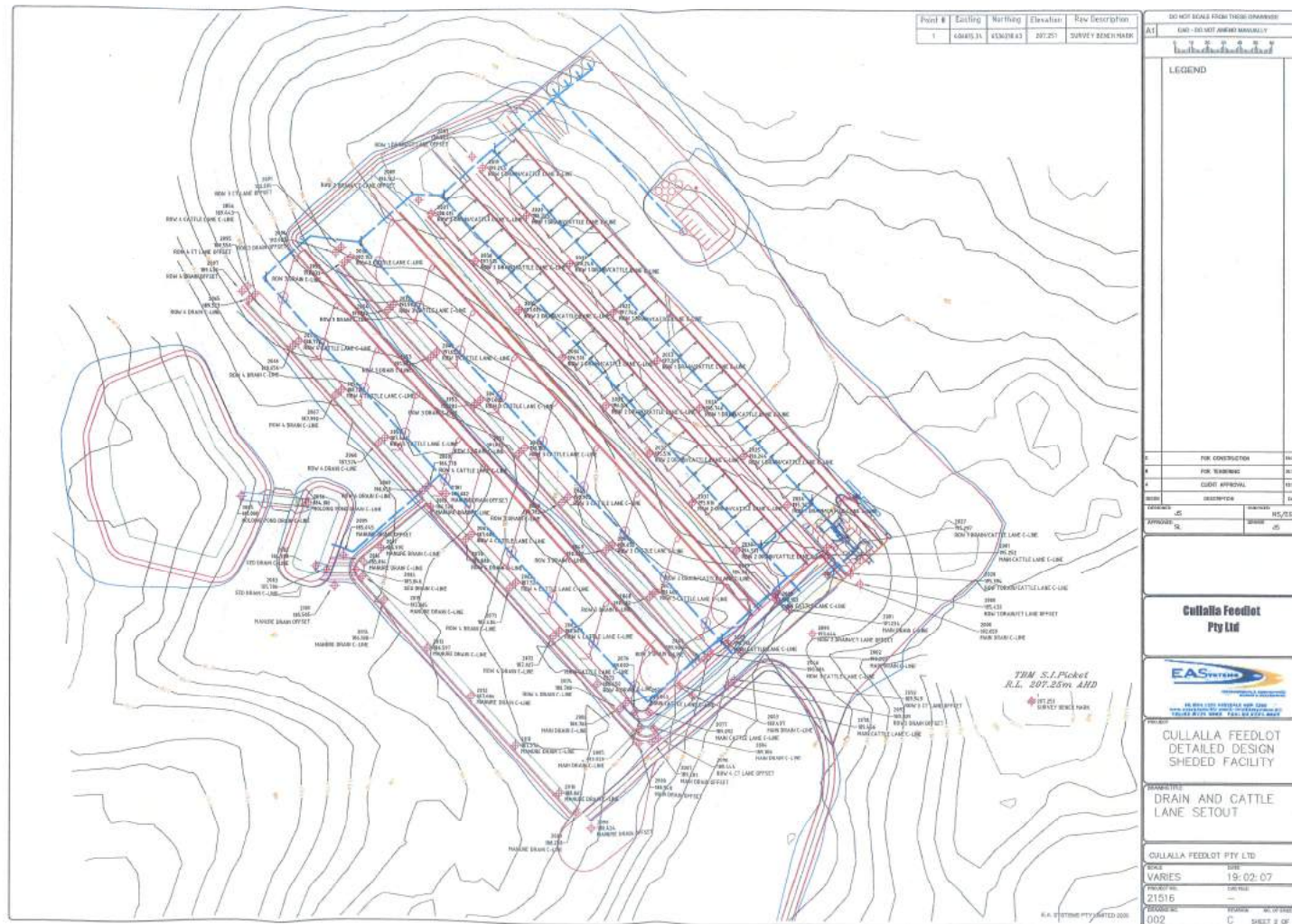














11.3.4 EVALUATION OF QUOTATIONS FOR THE PROVISION OF WASTE AND RECYCLING COLLECTION SERVICES TO THE SHIRE OF GINGIN

LOCATION:	SHIRE OF GINGIN	
APPLICANT:	N/A	
FILE:	WST/3	
AUTHOR:	SEBASTIAN CAMILLO - EXECUTIVE MANAGER REGULATORY SERVICES	
REPORT DATE:	17 JANUARY 2017	
REFER:	17 NOVEMBER 2015	ITEM 11.1.3

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the Evaluation Report provided in relation to quotations received for the provision of waste and recycling collection services to the Shire of Gingin.

BACKGROUND

In 2010 the Shire of Gingin entered into a contract with Avon Waste for the provision of a kerbside waste collection service. The original contract was for a five year period, with an option for a further two years. The initial contract period ended on 28 February 2015.

The Shire of Dandaragan also uses Avon Waste for the provision of waste and recycling services, as well as collection of street litter and other commercial services. At the time that the Shire of Gingin's initial contract with Avon Waste expired, the Shire of Dandaragan's contract had also expired and they were operating on a short term arrangement with the service supplier.

As both the Shires of Gingin and Dandaragan use the same contractor it was deemed prudent to undertake a joint Request for Tender (RFQ) process for the provision of rubbish and recycling collection services to both local governments be undertaken. A RFQ was issued in July 2015 for this purpose, and in the interim the Shire of Gingin negotiated a seven month extension to the contract with Avon Waste, terminating on 30 September 2015.

The responses received to the RFQ were considered at the Ordinary Council Meeting of 17 November 2015, at which time Council resolved to reject all quotations received.

This decision was based on the recommendation of Officers that it would be opportune to revisit the Shire of Gingin's existing and future waste requirements and strategy before deciding to enter into a new contract or contracts with respect to rubbish and recycling collection services. Subsequently, Council resolved to authorise the Chief Executive Officer to negotiate an agreement with the existing facility managers for the continuation of their management arrangements until 30 September 2016.

In the intervening period, discussions took place with the Shire of Dandaragan with respect to the potential to enter into a joint arrangement for the provision of waste collection services to both Shires and to appoint a Consultant to undertake the RFQ process on behalf of both local governments.

This proposal was discussed by Council at its Concept Forum on 20 June 2016, and subsequently Talis Consultancy (the consultant) was appointed to proceed with the calling of a RFQ on behalf of both the Shires of Gingin and Dandaragan using the Western Australian Local Government Association's (WALGA) preferred supplier panel.

In order to ensure the continued provision of waste collection services during the RFQ process, the contract with Avon Waste was again extended for a further five months, terminating on 28 February 2017.

The current Refuse Collection Contract requires the contractor to undertake the collection of rubbish bins in the townsites and rural/residential areas within the Shire. Residents living on rural properties which front onto a collection route (i.e. Gingin Brook Road etc) have the option to also pay for a weekly collection service. However, residents in rural areas generally do not receive a collection service.

In accordance with the current contractor's statistics, there are currently 3585 household, rural and commercial services bins and 204 street bins being collected each week, generating 2,415 tonnes of MSW for the 2015/16 financial year.

COMMENT

The RFQ was released on 19 October 2016 with a mandatory briefing session required by interested contractor to be held on the 25 October 2016 and the RFQ closing on the 23 November 2016.

The RFQ was for the provision of waste and recycling services to the Shires of Gingin and Dandaragan for an initial term of seven years with a further option of three one year terms. It is noted that previous waste collection contracts have been for a period of five years. However, the consultant has advised that, in their experience, a longer contract term is likely to result in a more competitive and beneficial procurement process as it gives contractors a greater level of certainty that capital investments (such as vehicles and plant) can be recovered over the life of the Contract, as well as generating a greater level of commitment by Contractors.

The Shire of Gingin Waste Collection Service Model (WCSM) included in the RFQ is based on the following services:

- **Weekly kerbside MSW service:**

This is the provision of a 240 litre MGB (green bin) collected from the verge of townsites and rural residential properties on a weekly basis.

- **Fortnightly kerbside recycling service:**

This is the provision of a 240 litre recycling MGB (yellow top bin) collected from the verge of townsite and rural residential properties on a fortnightly basis. All recyclables collected are to be taken to a Material Recovery Facility (MRF) in the metropolitan area by the contractor.

- **Bulk Co-mingled Recycling Bin:**

This is the provision of bulk bins at the Shire's existing landfill sites and the Lancelin Lions Club Recycling Centre, where patrons throughout the Shire who do not have a kerbside collection service can dispose of their co-mingled recyclables.

A co-mingled bin means a receptacle in which all types of recyclable materials (i.e. paper, cardboard, plastic, glass, aluminium and metal) may be placed in a bin together and the contents are separated at a MRF, negating the need for any source separation.

The number of bulk co-mingled recycling bins will need to be determined, however, it is estimated that initially two bulk bins of a minimum 4.5 cubic metre capacity per bin at each landfill and the Lancelin Lions Club Recycling Centre, serviced on a weekly basis, may suffice with a view to increasing the number of bins as required.

The co-mingled bulk bins could operate separately to the kerbside recycling service.

Additionally, the co-mingled bulk bins would negate the need for separate contractors that currently transport packaged recyclables to metropolitan markets. There would be a significant cost saving to the Shire and an increased customer service to our rural/commercial residents.

- **Bulk bins for Events and Public Holidays:**

The Shire has traditionally appointed local contractors to place open bulk bins at coastal towns during festive and public holiday periods. This has had limited success in that generally, the bins tend to be filled with furniture, lawnmowers, white goods and other household items rather than general MSW. Also, local accommodation managers have tended to fill the bins with numerous bags of rubbish, rather than taking the rubbish direct to landfill.

The option of providing bulk bins secured with lids could be included as an additional scheduled service by a future contractor.

- **Supply, Delivery and Maintenance of Mobile Garbage Bins (MGBs):**

The Shire currently does not provide MGBs to its residents. A tender specification could include this option, requiring the successful tenderer to provide both MSW and recyclable MGBs to all residents on the service run and to repair/maintain them as required. The cost of the bins would be built into the weekly collection service charge by the contractor. The bins will become the property of the Shire at the end of the first term. The benefit of this option is that the Shire would not need to purchase, assemble and deliver bins to all properties at the commencement of the new contract period.

The bins may be coded and assigned to a property, and registered so that missing/found MGBs could be returned to the issued property. The contractor would be required to provide a list of bin registration numbers registered against properties for all new and replacement bins on a weekly or regular basis.

- **Optional Radio Frequency Identification (RFID):**

These are small electronic devices that are capable of carrying up to 2,000 bytes of data. The RFID device serves the same purpose as a bar code or a magnetic strip and is capable of providing information for bin to which it is attached. Each time the bin is lifted it is scanned to get service and location information which can easily be retrieved.

Information retrieved is important for future planning in determining where waste is being generated, how often services are being provided, missed services, retrieving/returning stolen bins and seasonal fluctuations.

At the close of the RFQ process, three submissions were received from the following companies:

- Avon Waste;
- Cleanaway; and
- Suez

Note: The submission from Suez was for a waste and recycling collection service for Gingin only and also provided an alternative submission which was considered by the evaluation panel.

Quotation Evaluation Panel

The Quotation Evaluation Panel consisted of one member from each local government and one representative from the consultant. The evaluation panel met on 7 December 2016 to process the quotation received and progress an evaluation report.

In determining the most advantageous quotation, the Evaluation Panel considered each submission against the qualitative criteria as detailed in the following table:

Description of Criteria	Weighting
Demonstrated experience in completing similar projects	50%
Skills and experience of key personnel	15%
A demonstrated understanding of the required tasks	15%
Respondent's resources	20%

The consultants considered the evaluation panel comments and proceeded to finalise an Evaluation Report for both local governments. The price score was calculated using an average based scoring method as approved through the Western Australian Local Government Association's (WALGA) Procurement division.

A copy of the Evaluation Report is included as **Appendix 1**.

Compliance Evaluation

The compliance evaluation was carried out by the evaluation panel to determine if all respondents provided the information requested within the RFQ. The compliance criteria checked the potential risk associated with the various respondents to assist in the determination of the preferred respondent. The evaluation panel allowed the conforming response from Suez to continue to the qualitative assessment stage so that it could be compared against compliant responses in the Value for Money Assessment.

In determining the compliance evaluation, the evaluation panel scored the responses as follows:

Respondent	Score
Avon Waste	84.49
Cleanaway	80.30
Suez	74.83

Price Schedule Evaluation

The 'Price Schedule Evaluation' was used to determine the annual cost of each respondent and identify any anomalous rates. The evaluation was completed on a 'Collective' and 'Individual' basis to determine the best 'Value for Money' service based on the evaluation process.

The Collective Price Schedule Summary is detailed in the following tables:

Mandatory Price Schedule Summary for each Submission for Collective Services

	Amount (\$)		
Company	Shire of Dandaragan	Shire of Gingin	Total
Avon Waste	\$288,801.66	\$405,434.38	\$694,236.04
Cleanaway	\$426,835.71	\$486,632.57	\$913,468.28

Discretionary Price Schedule Summary for each Submission for Collective Services

	Amount (\$)		
Company	Shire of Dandaragan	Shire of Gingin	Total
Avon Waste	\$27,892.40	\$21,272.16	\$49,164.56
Cleanaway	\$38,601.21	\$20,124.00	\$58,725.21

Combined Price Schedule Summary for each Submission for Collective Services

	Amount (\$)		
Company	Shire of Dandaragan	Shire of Gingin	Total
Avon Waste	\$316,694.06	\$426,706.54	\$743,400.60
Cleanaway	\$465,436.91	\$506,756.57	\$972,193.48

Price Schedule Summary for each Submission for Shire of Gingin Individual Services

	Amount (\$)		
Company	Mandatory Services	Discretionary Services	Combined Cost
Avon Waste	\$430,409.27	\$22,336.08	\$452,745.35
Cleanaway	\$619,977.70	\$25,155.00	\$645,132.70

A comparison of the Annual Costs for Collective and Individual Pricing in the above tables shows that there are significant savings if the Collective Pricing applies.

The potential savings are summarised in the following table:

Potential Savings for Collective Services

Local Government	Cheapest Individual Price	Avon Collective Price	Savings
Shire of Dandaragan	\$386,026.97 (Avon)	\$316,694.06	\$69,332.91
Shire of Gingin	\$452,745.35 (Avon)	\$426,706.54	\$26,038.80
TOTAL		\$95,371.7	

Following the evaluation process of all submissions for the provision of a variety of Waste and Recycling Collection and Bin Services, the Evaluation Panel considers that there is a clear financial advantage in the combined RFQ process and the company that represents the best value for money for the Shire of Gingin is Avon Waste.

STATUTORY ENVIRONMENT

Local Government (Function and General) Regulations 1996

Part (4) – Provision of goods and services

Division 2 – Tenders for providing goods or services (s.3.57)

POLICY IMPLICATIONS

The RFQ was called, opened, assessed, in accordance with the provisions of Clause 1.7 of Council's Policy 3.10 – Purchasing.

BUDGET IMPLICATIONS

Council's 2016/2017 Budget includes a provision of \$1,066,466 for household refuse (incorporating refuse collection services).

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015 – 2025

Focus Area	<i>Natural Environment</i>
Objective	<i>2. To support a healthy natural environment</i>
Outcome	<i>2.2 Reduce energy and water use and waste management</i>
Strategy	<i>2.2.3 Plan for continuous improvement in waste management</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council resolve to:

1. Accept the quotation submitted by Avon Waste (\$426,706.54 pa excluding GST) for the provision of waste and recycling collection services to the Shire of Gingin;
2. Agree to enter into a contract with Avon Waste for the provision of waste and recycling collection services to the Shire of Gingin for an initial period of seven years with further three options of one year; and
3. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to the resulting contract document.

RESOLUTION

Moved Councillor Aspinall, seconded Councillor Elgin that Council resolve to:

- 1. Accept the quotation submitted by Avon Waste (\$426,706.54 pa excluding GST) for the provision of waste and recycling collection services to the Shire of Gingin;**
- 2. Agree to enter into a contract with Avon Waste for the provision of waste and recycling collection services to the Shire of Gingin for an initial period of seven years with further three options of one year; and**
- 3. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to the resulting contract document.**

CARRIED UNANIMOUSLY

APPENDIX 1



Assets | Engineering | Environment | Noise | Spatial | Waste

Evaluation Report

RFQ Waste Collections and Bin Services



Prepared for Shire of Dandaragan and Gingin

December 2016

Project Number: TW16044



Evaluation Report
RFQ Waste Collections and Bin Services
Shire of Dandaragan and Gingin



Version	Description	Date	Author	Reviewer
0a	Internal Review	21/12/16	RPC	RMC
1a	Released to Client (Shires of Dandaragan and Gingin)	21/12/16	RPC	RMC

Approval for Release

Name	Position	File Reference
Ronan Cullen	Director and Waste Section Leader	TW16044 - RFQ Evaluation Report.0a
Signature		

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Evaluation Report
RFQ Waste Collections and Bin Services
Shire of Dandaragan and Gingin



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RFQ Waste Collections and Bin Services
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Diagrams

Diagram 1-1: RFQ and Contract Structure

Diagram 5-1: Collective Value for Money Assessment



Evaluation Report
RFQ Waste Collections and Bin Services
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1 Introduction

The Shires of Dandaragan and Gingin (the Principals) released a Request for Quotation (RFQ) on 19 October 2016 for the provision of a variety of Waste Collection and Bin Services including:

- Refuse and Commingled Recycling Collections and Recyclables Processing for a 7 year term; and
- A one off service for Bin Supply and Roll-Out for the Shire of Gingin.

The Principals engaged Talis Consultants Pty Ltd (Talis) to assist with the drafting of the Contracts, development of the RFQ and to assist in evaluating the Submissions received in response to the RFQ. This Evaluation Report outlines the key findings of the Evaluation of the Submissions received and recommends a Preferred Respondent moving forward.

1.1 RFQ and Contract Structure

The Contract developed for the RFQ was based on Western Australian Local Government Association's (WALGA's) template *Draft Conditions of Contract for the Supply of Waste Disposal Goods and Undertaking of Various Services in Respect of Waste Collection and Disposal*. The RFQ Documentation was created with two Separable Portions being:

- A. Shire of Dandaragan: Refuse and Commingled Recycling Collections and Recyclables Processing; and
- B. Shire of Gingin: Refuse and Commingled Recycling Collections, Recyclables Processing and Bin Roll-Out.

Each Separable Portion had two Price Schedules:

- An Individual price schedule in the event that separate Contractors are engaged for each Separable Portion; and
- A Collective price schedule in the event that the two (2) Separable Portions are awarded to the same Contractor.

A key objective of the RFQ Process was that by awarding the two Contracts to one Contractor, economies of scale will result in lower overall costs for the Principals. However, the RFQ was devised so that the two separate contracts could be awarded to different Contractors. This offers both Shire's complete flexibility from the procurement process.

The structure of the RFQ and Contract is summarised in Diagram 1-1.



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Shire of Dandaragan and Gingin

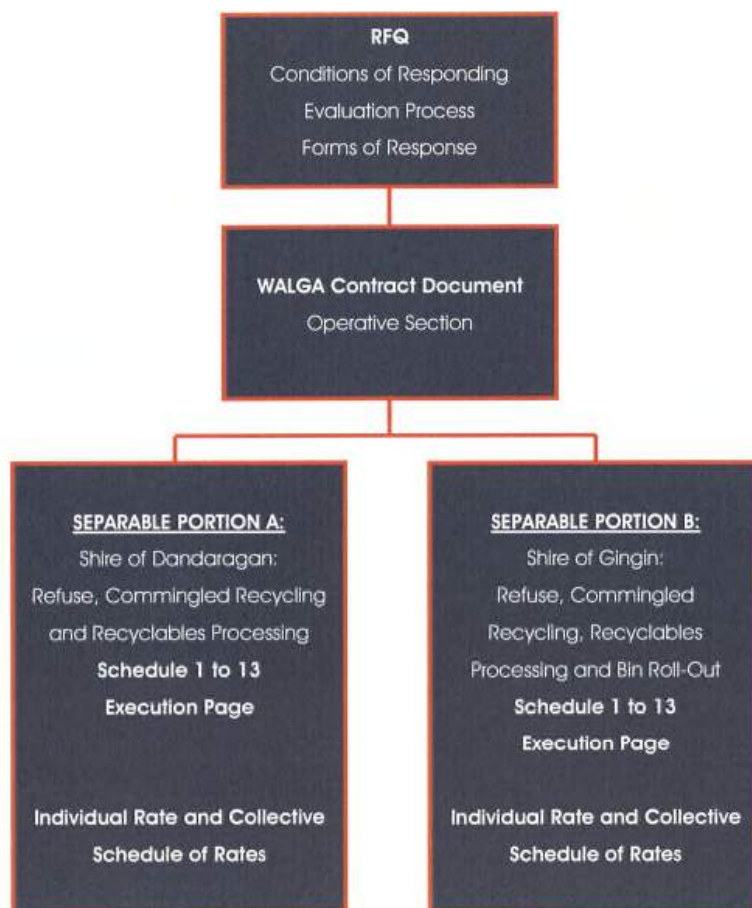


Diagram 1-1: RFQ and Contract Structure

Services listed in Separable Portion A and B were split into the two following categories as shown in Table 1-1:

- Mandatory; and
- Discretionary.

Mandatory Services will be included in any Contract offered to the Preferred Respondent(s) and is programmed with an estimated service number and frequency.

Discretionary Service may be included in the Contract at the sole discretion of the Principals. These services are generally not currently offered by the Principals, but may be considered if the Preferred Respondent(s) can provide these services at a cost effective rate.



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RFQ Waste Collections and Bin Services
Shire of Dandaragan and Gingin



Table 1-1: List of services for each Separable Portion

Service Description	Service Type	
	Mandatory	Discretionary
Separable Portion A - Shire of Dandaragan: Refuse and Commingled Recycling Collections and Recyclables Processing		
Kerbside Refuse Weekly Collection	X	
Kerbside Commingled Fortnightly Collection and Recycling Services	X	
Kerbside Commingled Weekly Collection and Recyclable Sorting Services		X
Public Place Refuse Collection	X	
Retro fitting bin tracking RFID chips to MGBs		X
Special Event provision and collection of Receptacles	X	
Provision of Collection of refuse receptacles from the Principals Badgingarra and Cervantes Waste Facilities	X	
Provision, Collection and Sorting Services for Commingled Recyclable receptacles from the Principals Badgingarra, Cervantes, Dandaragan and Jurlen Bay Waste Facilities		X
Waste Education Services	X	
Call Centre Services	X	
Separable Portion B - Shire of Gingin: Refuse and Commingled Recycling Collections, Recyclables Processing and Bin Roll-Out		
Kerbside Refuse Weekly Collection	X	
Kerbside Commingled Fortnightly Collection and Recyclable Sorting Services	X	
Public Place Refuse Collection	X	
Special Event provision and collection of Receptacles	X	
Provision and weekly Collection and Sorting Services for Commingled Recyclable receptacles from the Principals Lancelin, Seabird and Gingin Waste Facilities	X	
Provision and On Demand Collection and Sorting Services for Commingled Recyclable receptacles from the Principals Lancelin, Seabird and Gingin Waste Facilities		X
Waste Education Services	X	
Call Centre Services	X	
240L Refuse and Commingled MGB Supply, Assembly and Roll-out	X	
Bin tracking RFID chips to MGBs		X



Evaluation Report
RFQ Waste Collections and Bin Services
Shire of Dandaragan and Gingin



1.2 RFQ Process

To facilitate the procurement, the Principals opted to use an RFQ process through WALGA's Preferred Supplier Panel for Waste Collection Goods and Services. WALGA established this panel to assist Local Governments in procuring waste collection and associated services from pre-qualified Preferred Service Providers. Local Governments can request quotations from the WALGA Panel Members by releasing RFQs through the E-Quotes Portal (the Portal).

The Principals released the RFQ via the Portal on 19 October 2016, with the initial deadline for Responses closing at 2:00PM 16 November 2016. However, Respondents requested an extension of one week, which the Principals granted with a new closing date of 2:00PM 23 November 2016.

An Evaluation Panel consisting of one member from each Local Government and a representative from Talis was established to evaluate the Responses. The Evaluation Panel scored the Responses based on the Qualitative Criteria listed in **Table 1-2** below.

Table 1-2: Qualitative Criteria

Criteria	Weighting
Demonstrated experience in completing similar projects	50%
Skills and experience of key personnel	15%
A demonstrated understanding of the required tasks	15%
Respondent resources	20%
Total	100%

The evaluation of Responses was based on determining a sole Respondent or multiple Respondents that the Evaluation Panel believed best demonstrated the ability to complete the works as described in the RFQ at a competitive price. The quoted prices were assessed together with Qualitative and Compliance Criteria to determine the most advantageous outcome to the Principals.

The Principals adopted a best value for money approach to this Request. This means that, although price is considered, the Respondent quoting the lowest price will not necessarily be accepted, nor will the Respondent ranked the highest on the Qualitative Criteria.

1.3 Respondent Briefing

A Mandatory Respondent Briefing was held on 25 October 2016 at WALGA's offices. The Briefing was held to give attendees an overview of the RFQ process, explain the structure of the RFQ Contract and to give an opportunity for questions to be asked. The Briefing was attended by:

- Avon Waste;
- Cleanaway;
- Toxfree; and
- Suez.



Evaluation Report
RFQ Waste Collections and Bin Services
Shire of Dandaragan and Gingin



2 Responses

Three Responses were received by the Principals prior to the closing time from the following organisations:

Service Description	Respondents
Separable Portion A Shire of Dandaragan: Refuse and Commingled Recycling Collections and Recyclables Processing	<ul style="list-style-type: none"> • Avon Waste; and • Cleanaway;
Separable Portion B Shire of Gingin: Refuse and Commingled Recycling Collections, Recyclables Processing and Bin Roll-Out	<ul style="list-style-type: none"> • Avon Waste; • Cleanaway; • Suez: <ul style="list-style-type: none"> ◦ Confirming Response; and ◦ Alternative Response.

As listed above, Suez only submitted an offer for the Shire of Gingin's services. The following section provides an outline of each Response received.

2.1 Avon Waste

Trading as: Avon Waste
 Address: 34 Crawford Court, York, WA 6302
 Contact: Ashley Fisher, Director

Avon Waste is the incumbent for both Shires, and has been operating throughout Western Australian in waste management for over 35 years. They bring together expertise in managing operations across a wide geographic area, serving local and state governments, as well as the commercial & industrial sectors across Western Australia. They have significant experience providing waste services in the Wheatbelt and rural areas surrounding the Perth metropolitan area.

2.2 Cleanaway

Trading as: Cleanaway Waste Management Ltd
 Address: Level 4, 441 St Kilda Road, Melbourne, VIC, 3004
 Contact: Daniel Le Provost, Business Development Manager

Cleanaway is the largest Australian owned waste management service provider in Australia and have been operating in WA for over 35 years. They have long standing municipal operations in a number of regional locations in WA including Albany, Esperance, Bunbury, Kalgoorlie and Mandurah. Cleanaway operates a Bayswater Materials Recovery Facility (MRF) but will be operating a "Super MRF" in May 2017.

2.3 Suez Recycling & Recovery Ltd

Trading as: Suez Recycling & Recovery Ltd (Suez)
 Address: Level 3, 3 Rider Boulevard, Rhodes, NSW 2138



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Contact: Ken Cowl, State Collections Manager

Suez operates in over one hundred locations across Australia and currently provides waste collection and processing services to 24 Local Governments within the Perth Metropolitan and South West areas of WA. Suez recently acquired Perth Waste and is in the process of re-branding and integrating Perth Waste into Suez's current business operations.

Suez provided two Responses to the RFQ which included a Conforming and an Alternative Response. The Alternative Response proposed the utilisation of hook lift bins (instead of skip bins) at the landfill sites as well as requesting a number of amendments to the Conditions of Contract.



Evaluation Report
RFQ Waste Collections and Bin Services
Shire of Dandaragan and Gingin



3 Evaluation Methodology

The evaluation of Responses as outlined within the Principals' RFQ was based on the WALGA Method to determine which response provided the best value for money for the Principals. The Evaluation Panel evaluated all Responses for each Separable Portion in accordance with the evaluation methodology specified in the RFQ. The methodology involved the assessment of the Responses in three stages:

- Assessment against Compliance Criteria;
- Assessment against Qualitative Criteria; and
- Price Schedule Evaluation.

The following sections outline each stage in the assessment process.

3.1 Compliance Criteria

Responses received in response to the RFQ were firstly assessed for the following Compliance Criteria:

- **Respondent Briefing**
 - Did the Respondent attend the Mandatory Respondent Briefing on the 25th October 2016.
- **Lodgement of Quotes and Delivery Methods**
 - Did the Respondent submit their Quote by the RFQ deadline of 2:00pm, 23rd November 2016
- **Alternative Response**
 - Did the Respondent appropriately submit an Alternative Response.
- **Alterations**
 - Did the Respondent alter the RFQ documents outside of the changes issued in the Addendums by the Principals.
- **Compliance with the Conditions of this RFQ**
 - Respondents were to provide acknowledgment that their organisation had submitted in accordance with the Conditions of Responding including completion of the Offer Form and provision of their pricing submitted in the format required by the Principals.
- **References**
 - Respondents were required to provide a minimum of three (3) references and give examples of work provided for the referees, where possible.
- **Complete Respondents Offer**
- **Complete Pricing Schedule**
- **Respondents to submit organisation profile. Advise if agent for another party, include name and address of Principals**
- **Financial Position**
 - a) Respondents to confirm ability to pay all debts in full as and when they fall due; and
 - b) Advise of any current litigation as a result of which the Respondent may be liable for \$50,000 or more.
- **Conflict of Interest.**
 - Respondents to advise of any actual or potential conflict of interest in the performance of their obligations under the Contract, or if any such conflict of interest was likely to arise during the Contract.
- **Insurance**



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- Provide details of the insurance coverage that meets the insurance requirements for the RFQ. A copy of the Certificate of Currency to be provided to the Principals within seven days of acceptance.
- **Health and Safety Management**
 - Respondents must provide the Principals with details and evidence of their approach to managing safety including:
 - a) for each hazardous operation/significant task to be undertaken by the Respondent under the scope of work, a safe work method statement (SWMS)/job safety analysis (JSA) that identifies potential hazards, risks and control measures;
 - b) copies of all permits, licences and qualifications required by applicable laws to perform the scope of work; and
 - c) specifications for all plant and equipment to be used by the Respondent to perform the scope of work.
- **Community Waste Education Plan (Separable Portion A and B)**
 - Respondents were to submit a Community Waste Education Plan outlining the community educational programmes that will be implemented prior to and during the Kerbside Collection Services.
- **Project Plan**
 - Respondents to submit a project plan for Separable Portions A and B detailing the following:
 - a) Key tasks and procurement activities;
 - b) Lead times for plant and materials;
 - c) Project Schedule illustrated in a Gantt Chart;
 - d) Commencement dates and completions dates; and
 - e) Risk assessment of mitigation strategies to minimise time delays.
- **Site visit to Call Centre and Processing Facilities**
 - Provide confirmation that the Respondent can facilitate a site visit to its call centre and Processing Facility.

The RFQ specified that Responses not complying with the Compliance Criteria may be rejected at the sole discretion of the Principals. It should be noted that Talis completed the Compliance Assessment on behalf of the Evaluation Panel as this is a non-subjective process.

3.2 Qualitative Criteria

Responses that were not rejected during the Compliance Evaluation were then assessed against the weighted Qualitative Criteria and sub-criteria to measure the relative strength of the Responses as listed in Table 3-1.

Table 3-1: Qualitative Criteria and sub-criteria maximum points and weighting

Qualitative Criteria	Sub-Criteria	Weighting
Relevant Experience	Describe your experience in completing/supplying similar Requirements. Respondents must, as a minimum, address the following information in an attachment and label it "Relevant Experience":	50%
	Provide details of similar work	
	Provide scope of the Respondent's involvement including details of outcomes	



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Qualitative Criteria	Sub-Criteria	Weighting
	Provide details of issues that arose during the project and how these were managed	
	Demonstrate competency and proven track record of achieving outcomes	
	Demonstrate sound judgement and discretion	
Skills and Experience of Key Personnel	Respondents should provide as a minimum, information of proposed personnel to be allocated to this project, such as:	15%
	Their role in the performance of the Contract	
	Curriculum vitae	
	Membership to any professional or business association	
	Qualifications, with particular emphasis on experience of personnel in projects of a similar requirement	
	Any additional information	
	Supply details in an attachment and label it "Key Personnel Skills and Experience"	
Respondent's Resources	Respondents should demonstrate their ability to supply and sustain the necessary:	20%
	Plant, equipment and materials	
	Any contingency measures or backups of resources including personnel (where applicable)	
	As a minimum, Respondents should provide a current commitment schedule and plant/equipment schedule in an attachment and label it "Respondent's Resources"	
Demonstrated Understanding	Respondents should detail the process they intend to use to achieve the Requirements of the Specification. Areas you may wish to cover include:	15%
	A project schedule/timeline (where applicable)	
	The process for the delivery of the goods/services	
	Training processes (if required)	
	A demonstrated understanding of the scope of work	
	Community Waste Education Plan	
	Call Centre Management Plan	
	Supply details and provide an outline of your proposed methodology in an attachment labelled "Demonstrated Understanding"	

It can be seen from **Table 3-1** that different weightings were applied to each Qualitative Criterion. These different weightings were determined from what the Principals deemed most significant in the delivery of these services.



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Each sub-criterion was awarded a score out of five in accordance with the scoring system in **Table 3-2** below. A Response that met the sub-criterion with no deficiencies was given an awarded score of 4. A Response that had deficiencies and/or did not meet the sub-criterion was given a lower score ranging from 0-3. Responses that exceeded the sub-criterion received an awarded score of 5.

Table 3-2: Awarded Scoring System

Score	Description
0	Inadequate or non-appropriate offer, many deficiencies, does not meet sub-criterion
1	Marginal offer, some deficiencies, partly meets sub-criterion
2	Fair offer, few deficiencies, almost meets sub-criterion
3	Good offer, minor deficiencies, meets sub-criterion
4	Very good offer, meets sub-criterion
5	Outstanding offer, exceeds sub-criterion

The allocated points of each sub-criteria were summed to produce the total allocated points for each Qualitative Criterion. The percentage of the total allocated points compared to the total maximum possible score (5 times the number of sub-criteria) was used to produce the weighted score for each Qualitative Criterion, as per the RFQ. Each weighted score was added together to give the Respondents' final score. For example, for Criteria 1 (Relevant Experience) the sum of the awarded score for each sub-criteria was divided by 25 (i.e. 5 times 5) and multiplied by 50 (i.e. the weighting).

3.3 Price Schedule Evaluation

Responses that successfully passed the Compliance Evaluation and were assessed in the Qualitative Evaluation also underwent a Price Schedule Evaluation.

The Price Schedule Evaluation had the following objectives:

- Assess the annual cost of services for each Response; and
- To identify any significant rates that were considered abnormally low or high in respect to the average rate of all Responses.

Prices submitted in the Responses were entered into a financial model which calculated the annual cost of the services for each Response. The annual cost was allocated into Mandatory Services and Discretionary Services to facilitate assessment of these services separately. The annual cost is based on the actual number of services and an estimation of the frequency which 'as required' will be utilised throughout the year.

The average rate and average calculated cost for the three Responses was also determined. Any rate that was significantly higher or lower than the average was flagged by the Evaluation Panel as outliers. Any flagged rates may need to be queried with the Preferred Respondent, prior to the execution of a Contract. It is important to note that the RFQ process facilitated by the WALGA Preferred Supplier Panel allows for such negotiations with the Respondents.

3.4 Value for Money Evaluation

Responses that were assessed against the weighted Qualitative Criteria then underwent a Value for Money Assessment to determine the most advantageous Offer to the Principals. The Evaluation Panel



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made a series of value judgements based on the capability of the Respondents to complete the requirements and a number of factors were considered including:

- The qualitative score and ranking of each Response;
- The pricing submitted in each Response; and
- The commercial risk associated with each Response.

A strong Response was considered to be one that scored highly on the Qualitative Evaluation whilst offering a fair and attractive annual estimated fee. In contrast, a weak Response was considered one that quoted an above average annual estimated fee and received a low final score in the Qualitative Evaluation.

A Score Index for each Response was calculated to demonstrate how much a Response is better than the basic Response within the bounds of the maximum possible score. The score index is calculated as follows:

$$\text{Score Index} = \frac{\text{Evaluation Score} + \text{Maximum Possible Score}}{\text{Lowest Score} + \text{Maximum Possible Score}}$$

The annual cost of each Response is then divided by its Score Index to obtain a measure of its total cost relative to its evaluation score, which is its Relative Value for Money (RVM).

The Score Index and RVM show which Response offers the best value for money for the services being offered.

The results from the Score Index and RVM were used to assist the Evaluation Panel in their determination of a Preferred Respondent.

It was noted that the Principals were not bound to accept any or all Responses received during the RFQ process and that the acceptance of a Response did not constitute the establishment of a contract between the Principals and that Respondent.



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4 Evaluation of Responses

The evaluation of Responses was undertaken by the Evaluation Panel in accordance with the RFQ and the process outlined within **Section 3** of this document. The evaluation of Responses is outlined within the following sections.

4.1 Compliance Evaluation

The Compliance Evaluation was carried out to determine if all (or any) Respondents provided the information requested within the RFQ and as outlined in **Section 3** of this document. The Compliance Criteria checked the potential risk that was associated with the various Respondents to assist in the determination of a preferred Respondent.

The RFQ specified that Responses not complying with the Compliance Criteria may be rejected at the sole discretion of the Principals. Responses that were not rejected were then assessed against the weighted Qualitative Criteria and subsequently the Value for Money Evaluation to measure the relative strength of the Responses.

As outlined previously, Talis completed the Compliance Evaluation on behalf of the Evaluation Panel as this was a non-subjective process. The results of the Compliance Evaluation is shown within **Table 4-1** and discussed in **Section 4.1.1** to **4.1.4**.



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Table 4-1: Results of the Compliance Evaluation against the Compliance Criteria

Compliance Criteria	Avon Waste	Cleanaway	Suez (Conforming)	Suez (Alternative)
Respondent Briefing Did the Respondent attend the Mandatory Respondent Briefing on the 26th October 2016.	YES	YES	YES	YES
Respondent Briefing Did the Respondent attend the Mandatory Respondent Briefing on the 26th October 2016.	YES	YES	YES	YES
Lodgement of Quotes and Delivery Methods Did the Respondent submit their Quote by the RFQ deadline of 2:00pm, 23rd November 2016.	YES	YES	YES	YES
Alternative Response Did the Respondent appropriately submit an Alternative Response.	N/A	N/A	N/A	YES
Alterations Did the Respondent alter the RFQ documents outside of the changes issued in the Addendums by the Principals.	YES	YES*	YES*	YES*
Compliance with the Conditions of this RFQ. Respondents are to provide acknowledgment that your organisation has submitted in accordance with the Conditions of Responding including completion of the Offer Form and provision of your pricing submitted in the format required by the Principals.	YES	YES	YES	YES
References. Provide a minimum of three (3) references. You should give examples of work provided for your referees where possible.	YES	YES	YES	YES
Complete Respondents Offer.	YES	YES	YES	YES
Complete Pricing Schedule.	YES	YES	YES	YES
Respondents to submit organisation profile. Advise if agent for another party, include name and address of Principals.*	YES	YES	YES	YES
Financial Position.	YES	YES	YES	YES



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Compliance Criteria	Avon Waste	Cleanaway	Suez (Conforming)	Suez (Alternative)
<ul style="list-style-type: none"> a) Respondent to confirm ability to pay all debts in full as and when they fall due; and b) Advise of any current litigation as a result of which you may be liable for \$50,000 or more.* 				
Conflict of Interest. Advise of any actual or potential conflict of interest in the performance of your obligations under the Contract, or if any such conflict of interest likely to arise during the Contract.	YES	YES	YES	YES
Insurance. Provide details of the insurance coverage that meets the insurance requirements for this RFQ. A copy of the Certificate of Currency is to be provided to the Principals within seven days of acceptance.	YES	YES	YES	YES
Health and Safety Management. Respondents must provide the Principals with details and evidence of their approach to managing safety including: <ul style="list-style-type: none"> a) for each hazardous operation/significant task to be undertaken by the Respondent under the scope of work, a safe work method statement (SWMS)/job safety analysis (JSA) that identifies potential hazards, risks and control measures; b) copies of all permits, licences and qualifications required by applicable laws to perform the scope of work; and c) specifications for all plant and equipment to be used by the Respondent to perform the scope of work. 	YES	YES	YES	YES
Community Waste Education Plan (Separable Portion A and B). Respondents are to submit a Community Waste Education Plan outlining the community educational programmes that will be implemented prior to and during the Kerbside Collection Services.	YES	YES	YES	YES



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Compliance Criteria	Avon Waste	Cleanaway	Suez (Conforming)	Suez (Alternative)
Project Plan. Respondents are to submit a project plan For Separable Portions A and B detailing the following: <ul style="list-style-type: none"> a) Key tasks and procurement activities; b) Lead times for plant and materials; c) Project Schedule illustrated in a Gantt Chart; d) Commencement dates and completions dates; and e) Risk assessment of mitigation strategies to minimise time delays. 	YES	YES	YES	YES
Site visit to Call Centre and Processing Facilities Provide confirmation that the Respondent can facilitate a site visit to its call centre and Processing Facility.	YES	YES	YES	YES

**Note: Response requested changes to the General Conditions of Contract*



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4.1.1 Avon Waste

Avon Waste's Response was fully compliant however, it was subject to four Clarification Requests during the RFQ process. The Clarification Requests invited Avon Waste to clarify a number of items within the Price Schedule tables for both Separable Portions and qualitative items, which are listed in **Section 5.1**.

Avon Waste submitted clarification to all requests which contained the required information. The Avon Waste Response progressed to the Qualitative Evaluation stage.

4.1.2 Cleanaway

Cleanaway submitted a comprehensive Response which addressed the majority of the Compliance Criteria. However, Cleanaway's Response requests many changes to the Conditions of Contract including changes to the following items:

- Environmental Management;
- Intellectual Property;
- Extension of Contract;
- Suspension of the Contract;
- Step-In Clause;
- Change of Law Clause;
- Consequential Loss;
- Liability;
- Force Majeure Event;
- Termination;
- Insurances; and
- Price Adjustment.

Talis is of the opinion that these changes are material to the Conditions of Contract. Cleanaway's Response could be rejected on the grounds that it does not meet the Compliance Criteria. The Evaluation Panel decided to allow Cleanaway's Response to continue to the Qualitative Assessment stage so that it can be compared against the Compliant Responses in the Value for Money Assessment. In the event that Cleanaway's Response is determined to be the best Value for Money, then the Principals may negotiate the requested changes before selecting a Preferred Respondent.

4.1.3 Suez (Conforming)

Suez submitted a "Conforming" Response to Separable Portion B and requests a small number of changes to the Conditions of Contract which includes a request to self-insure and to introduce a Change of Law Clause into the Contract.

The General Conditions of Contract stated that Contractors were not permitted to self-insure and therefore the Response could be rejected on the grounds that it does not meet the Compliance Criteria. The Evaluation Panel decided to allow Suez's Response to continue to the Qualitative Assessment stage so that it can be compared against the Compliant Responses in the Value for Money Assessment. In the event that Suez's Conforming Response is determined to be the best Value for Money, then the Principals may negotiate the requested changes before selecting a Preferred Respondent.



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4.1.4 Suez (Alternative)

Suez submitted a "Alternative" Response to Separable Portion B which proposed the use of hook lift bins at the landfill sites, as well as a number of changes to the Conditions of Contract which includes the following items:

- Indemnity
- Step-In Clause;
- Price Adjustment Level;
- Consequential Loss;
- Limits on Liability;
- Insurances; and
- Recyclables Revenue.

As outlined within the RFQ, "the Principals may in their absolute discretion reject any Alternative Response as invalid". As the Alternative Response contained differing rates to Suez's Conforming Response, the Evaluation Panel decided to allow the Alternative Response to continue to the Qualitative Assessment stage so that it can be evaluated against the Compliant Responses in the Value for Money Assessment. In the event that Suez's Alternative Response is determined to be the best Value for Money, then the Principals may negotiate the requested changes before selecting a Preferred Respondent.

4.2 Qualitative Evaluation

The Qualitative Evaluation was undertaken by the Evaluation Panel to determine a final score for each Respondent. The methodology of scoring the Responses against each Qualitative Criteria and sub-criteria entailed a detailed analysis of the Response provided by each of the Respondents and is discussed in **Section 3.2**.

Each member of the Evaluation Panel marked each Respondent in accordance with the same Qualitative Criteria, using the same scoring template and system.

The following sections discuss the Qualitative Evaluation for each Respondent including justification and comments given by Talis.

4.2.1 Avon Waste

Avon Waste submitted a well organised and easy to follow Submission. This is reflected in their high marks across every Qualitative Criterion. Avon Waste provided an abundance of information that demonstrated their understanding of the scope and their capability to provide the services as requested by the Principals.

The weighted scores awarded to Avon Waste are shown in **Table 4-2**.

Table 4-2: Qualitative Scoring for Avon Waste

Relevant Experience (50%)	Key Personnel Skills and Experience (15%)	Respondent's Resources (20%)	Demonstrated Understanding (15%)	Total Score
46	9.6	16.44	12.42	84.49

Avon Waste received the highest total score of **84.49**.



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As the Incumbent for the Principals, Avon Waste was able to demonstrate it possessed a significant amount of relevant experience for the services across both Shires. This was further emphasised by Avon Waste's strong presence in the region, with a number of long standing waste service contracts existing with surrounding Local Governments.

Avon is heavily invested in the region, and has demonstrated a willingness to further commit additional resources to the Shire's by establishing a new depot facility in the Gingin Industrial area and expanding this facilities operations into the future.

4.2.2 Cleanaway

Cleanaway submitted a comprehensive and extensive Response, which included significant information on its resources and processes. Cleanaway's Response scored well across all areas with the exception of relevant experience.

The weighted scores awarded to Cleanaway are shown in **Table 4-2**.

Table 4-3: Qualitative Scoring for Cleanaway

Relevant Experience (50%)	Key Personnel Skills and Experience (15%)	Respondent's Resources (20%)	Demonstrated Understanding (15%)	Total Score
41.33	10.80	16.00	12.17	80.30

Cleanaway received the second highest total score of **80.30**.

Cleanaway provided significant amounts of detail concerning each of the Qualitative Criteria. While Cleanaway was able to demonstrate it had significant experience in managing waste service Contracts, the majority of these Contracts were located in the Perth Metropolitan area and major Regional Centres, rather than rural Local Governments such as the Principals. Cleanaway also made suggestions that the current collection schedule would need to be amended.

4.2.3 Suez (Conforming)

The Conforming Response submitted by Suez was an easy to follow and complete Response which addressed all of the Qualitative Criteria. Suez submission resulted in significant changes to the current collection schedule and had a strong focus on ensuring a smooth Bin supply and Roll-out.

The weighted scores awarded to Suez's Conforming Response are shown in **Table 4-2**.

Table 4-4: Qualitative Scoring for Suez Conforming Response

Relevant Experience (50%)	Key Personnel Skills and Experience (15%)	Respondent's Resources (20%)	Demonstrated Understanding (15%)	Total Score
37.50	10.20	16.00	11.13	74.83

Suez received the equal third highest total score of **74.83**.

Suez has considerable experience with providing waste services across Western Australia however the majority of these services are within the Perth Metropolitan area, with only a small number of rural Local Government waste service Contracts. In addition, Suez also requested significant changes to the current collection schedule.



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4.2.4 Suez (Alternative)

The Alternative Response submitted by Suez was identical to its Conforming Response, with the exception of the use of hook lift bins at the landfill sites, as well as a number of changes to the Conditions of Contract. As stated previously, the Alternative Response was allowed to continue to the Qualitative Assessment stage so that it can be contrasted against the Compliant Responses in the Value for Money Assessment.

Based on the Alternative Response being identical to the Conforming Response outside of the requested alterations, the qualitative scoring remained unchanged for the Response.

The weighted scores awarded to Suez's Alternative Response are shown in **Table 4-2**.

Table 4-5: Qualitative Scoring for Suez Alternative Response

Relevant Experience (50%)	Key Personnel Skills and Experience (15%)	Respondent's Resources (20%)	Demonstrated Understanding (15%)	Total Score
37.50	10.20	16.00	11.13	74.83



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5 Price Schedule Evaluation

The Evaluation Panel used the Price Schedule Evaluation to determine the annual cost of each Response and identify any anomalous Rates. The exact methodology for determining the outcome of these objectives is discussed in **Section 3.3**. The Evaluation was completed for the following Price Schedules:

- Collective;
- Individual:
 - Shire of Dandaragan; and
 - Shire of Gingin;

As outlined in **Section 1.1**, services were categorised into two categories in the RFQ. This was continued in the Evaluation of Price Schedules with the addition of Combined Services which is the total of the Mandatory and Discretionary Services.

5.1 Clarification Requests

The Evaluation Panel sought clarification in regards to a number of anomalous Quoted Rates in Avon's Individual and Collective Pricing. These Quoted Rates were flagged by the Evaluation Panel as they were significantly higher or lower in comparison to the alternative Shire. In addition, the Evaluation Panel also requested clarification on a number of qualitative items in Avon's Response. It should be noted, that the WALGA Preferred Supplier Panel allows LGAs to negotiate and clarify Responses throughout the Evaluation.

Following Evaluation Panel discussion, Avon was issued with three clarification requests. The Clarification Request invited Avon to clarify the following items:

1. Per Drive By Rate Clarification;
2. Combination of Collection and Bin Supply Rate for Gingin;
3. Bin Supply and Roll-Out pricing for Dandaragan;
4. Separation of Collection and Bin Supply Rate for Gingin;
5. Expanding of what Personnel will be provided for the Contract:
 - a. Specific Driver Details;
 - b. Future Staff with new Operations Centre in Gingin;
 - c. Contract Manager;
6. Respondent Resources:
 - a. Specific Vehicles;
 - b. Age of Vehicles;
 - c. Replacement Strategy for Vehicles;
7. RFID Retrofitting Methodology and Pricing; and
8. Haulage Rates to waste facilities.

Avon provided a response to each Clarification Request which included corrections to and/or explanation for their original Quoted Rates. Avon's Revised Rates were then used in the Price Schedule Evaluation.



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5.2 Collective

Firstly, Collective annual costs were calculated from the Collective Price Schedules by inputting the submitted amounts into a model which calculates the annual Collective costs. It should be noted that only Avon and Cleanaway submitted Collective pricing.

The Collective Price Schedule Summary is detailed below in **Table 5-1**, **Table 5-2** and **Table 5-3**.

Table 5-1: Mandatory Price Schedule Summary for each Submission for Collective Services

Company	Amount (\$)		
	Shire of Dandaragan	Shire of Gingin	Total
Avon Waste	\$288,801.66	\$405,434.38	\$694,236.04
Cleanaway	\$426,835.71	\$486,632.57	\$913,468.28

Table 5-2: Discretionary Price Schedule Summary for each Submission for Collective Services

Company	Amount (\$)		
	Shire of Dandaragan	Shire of Gingin	Total
Avon Waste	\$27,892.40	\$21,272.16	\$49,164.56
Cleanaway	\$38,601.21	\$20,124.00	\$58,725.21

Table 5-3: Combined Price Schedule Summary for each Submission for Collective Services

Company	Amount (\$)		
	Shire of Dandaragan	Shire of Gingin	Total
Avon Waste	\$316,694.06	\$426,706.54	\$743,400.60
Cleanaway	\$465,436.91	\$506,756.57	\$972,193.48

From the Collective Price Schedule Evaluation, Avon has provided the lowest Collective price for the Combined Services of **\$743,400.60**. The Avon Offer is **\$228,792.88** lower than the next best offer of Cleanaway. In addition, if the Principals were chose to only adopt the Mandatory Services, Avon still represents the lowest cost of **\$694,236.04** which is **\$219,232.23** lower than the next best offer from Cleanaway.

5.3 Individual

Following the Collective Price Schedule Evaluation, Talis then conducted Price Schedule Evaluations on Individual Price Schedules for each of the Principals.



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5.3.1 Shire of Dandaragan

The Individual Price Schedule Summary for the Shire of Dandaragan is detailed below in **Table 5-4**.

Table 5-4: Price Schedule Summary for each Submission for Shire of Dandaragan Individual Services

Company	Amount (\$)		
	Mandatory Services	Discretionary Services	Combined Cost
Avon Waste	\$304,051.37	\$81,975.60	\$386,026.97
Cleanaway	\$481,416.18	\$144,198.51	\$625,614.69

From the Individual Price Schedule Evaluation for the Shire of Dandaragan, Avon has provided the lowest price for the Mandatory Services and Combined Services of **\$304,051.37** and **\$386,026.97** respectively. The total cost difference between the Avon Waste Submission and the Cleanaway Submission is **\$239,587.72**. Therefore, Avon's Offer is the cheapest to the Shire of Dandaragan.

5.3.2 Shire of Gingin

The Individual Price Schedule Summary for the Shire of Gingin is detailed below in **Table 5-5**.

Table 5-5: Price Schedule Summary for each Submission for Shire of Gingin Individual Services

Company	Amount (\$)		
	Mandatory Services	Discretionary Services	Combined Cost
Avon Waste	\$430,409.27	\$22,336.08	\$452,745.35
Cleanaway	\$619,977.70	\$25,155.00	\$645,132.70
SUEZ (Conforming)	\$596,213.72	\$93,600.00	\$689,813.72
SUEZ (Alternative)	\$413,576.36	\$74,880.00	\$488,456.36

From the Individual Price Schedule Evaluation for the Shire of Gingin, Avon has provided the lowest price for the Mandatory Services and Combined Services of **\$430,409.27** and **\$452,745.35** respectively.

In addition, Avon's Offer includes the cost of the 1st year bin supply and roll out within the above Mandatory Services Pricing. The Mandatory Services Pricing for Cleanaway and Suez excludes an additional 1st year bin supply and roll out costs of **\$467,801** or **\$345,463** respectively, which demonstrates a significant cost saving to the Shire. Therefore, Avon's Offer is the cheapest to the Shire of Gingin.



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5.4 Collective or Individual Pricing

Comparing the Annual Costs for Collective and Individual Pricing in **Sections 5.2** and **5.3** shows that there are significant savings if the Collective Pricing applies. The Potential Savings are summarised in **Table 5-6**.

Table 5-6: Potential Savings for Collective Services

Local Government	Cheapest Individual Price	Avon Collective Price	Savings
Shire of Dandaragan	\$386,026.97 (Avon)	\$316,694.06	\$69,332.91
Shire of Gingin	\$452,745.35 (Avon)	\$426,706.54	\$26,038.80
TOTAL			\$95,371.71

As shown in Table 5-6, Avon's Collective Pricing saves **\$95,371.71** for the two Shire combined when compared to the cheapest Individual Pricing for each Shire.

Collective Pricing submitted by all Respondents is significantly cheaper than the Individual Pricing submitted demonstrating the financial savings for the Shires involved if the two Contracts are awarded to a common Contractor.

In addition to the savings, having a common Contractor provides additional benefits such as ensuring uniform services across the region and providing a central contact for waste management services across the Region.

5.5 Value for Money Evaluation

Value for Money Evaluation was then undertaken on all Submissions as discussed in **Section 3.4**. Value for Money Evaluations are undertaken to differentiate Submissions using both the Price Schedule Evaluation and the Qualitative Evaluation to produce a Score Index and RVM. The Score Index and RVM were then used to rank the Submissions.

5.5.1 Collective Value for Money

Table 5-7 and **Diagram 4-1** shows the outcome of the Collective Value for Money Evaluation.

Table 5-7: Collective Value for Money Evaluation

Service Type	Avon Waste	Cleanaway
Score Index	1.02	1.00
Relative Value for Money – Mandatory Services	\$678,575.33	\$913,468.28
Relative Value for Money – Mandatory and Discretionary Services	\$726,630.82	\$972,193.48
Total Annual Cost	\$743,400.60	\$972,193.48
Rank	1	2



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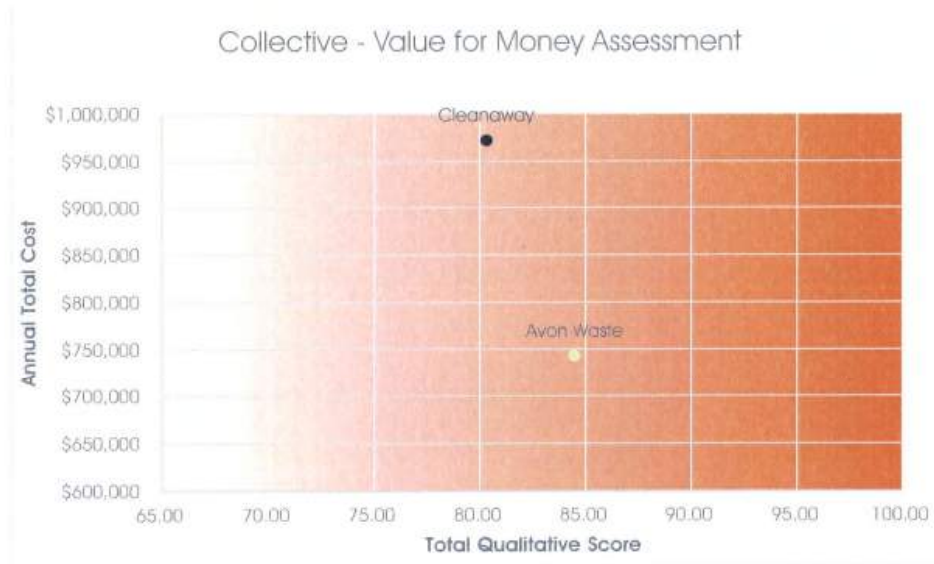


Diagram 5-1: Collective Value for Money Assessment

As shown in **Table 5-7** and **Diagram 4-1**, the Avon Submission has the lowest Collective Annual Contract Cost and highest Total Qualitative Score giving the best RVM for both the Mandatory and Combined Services. This makes the Avon Submission the best value for money Submission.



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6 Finalise Contracts

The following works are required to be undertaken to finalise the Contract documents prior to signing by the Principals and Preferred Respondent:

- Determine Services;
- Carry across Separable Portions for each Shire; and
- Insert Quoted Rates and Preferred Respondent Details.

Firstly, each Shire involved should give consideration to which of the Discretionary Services they wish to be included in their respective Contract with the Preferred Respondent. Shires will need to determine if the Quoted Rate for the Discretionary Services is cost effective and whether this service is to be included in the Contract.

The Shires involved should also assess their waste management service requirements with a view of maximising service efficiencies. Changes to the collection methodology and/or service levels could result in further savings for the Shires based on the Preferred Respondent's Rates.

Following the assessment of Services by the Shires, the Separable Portions Contract will be divided into individual Contracts for each Shire involved. Then the Quoted Rates and Preferred Respondents details will be inserted into each individual Contract Document.

Once the above works are completed the Contracts will be ready for signing by the Principals and Preferred Respondent.



Evaluation Report
RFQ Waste Collections and Bin Services
Shire of Dandaragan and Gingin



7 Recommendations

Arising from the Evaluation process of all Submissions to RFQ released on 19 October 2016 for the provision of a variety of Waste Collection and Bin Services, the Evaluation Panel recommends as follows:

1. Avon is selected as the Collective Preferred Respondent;
2. Councils assess their waste management service requirements with a view of maximising service efficiencies;
3. Proceed with obtaining Council resolution on the Preferred Respondent; and
4. The Contracts are finalised prior to signing.



Evaluation Report
RFQ Waste Collections and Bin Services
Shire of Dandaragan and Gingin



11.4. OPERATIONS

11.4.1 UNBUDGETED EXPENDITURE FOR CHANGE-OVER OF ISUZU D-MAX UTILITY GG070

APPLICANT: SHIRE OF GINGIN
FILE: PLT/9
AUTHOR: ALLISTER BUTCHER - EXECUTIVE MANAGER
OPERATIONS
REPORT DATE: 17 JANUARY 2017
REFER: NIL

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider the unbudgeted expenditure for the purchase of a new utility for the Rangers (GG070) with a trade-in utility.

BACKGROUND

The current Shire's Ranger vehicle GG070 has not been budgeted for change-over in the 2016/17 Plant Replacement Program. However, the vehicle was purchased in June 2015 and has currently travelled approximately 120,000 kilometres, which equates to 80,000 kilometres per annum.

The standard change-over period for Rangers' vehicles is every 18 months or 100,000 kilometres.

COMMENT

In reviewing the 2016/17 Plant Replacement Program, the Gingin Maintenance Officer's vehicle, GG013, has been identified as not requiring replacing at this point in time due to the low kilometres currently travelled (currently 25,000km approximately). The low kilometres can be attributed to the following reasons:

- The vehicle was purchased late in the 2015/16 fiscal year; and
- The need for the Gingin Maintenance Officer to travel to the upper coastal area of the Shire has decreased as the Upper Coastal Maintenance staff have been undertaking a lot of building maintenance themselves.

The 2016/17 Plant Replacement allocation for the purchase of a new Isuzu D-Max 4x4 utility for GG013 is \$41,000 (excluding GST) with a trade-in of \$25,000 (excluding GST) for a net change-over of \$16,000 (excluding GST). Based on previous purchases of similar vehicles, the purchase price for a new Isuzu D-Max 4x4 space cab utility has been quoted at \$37,000 (excluding GST) and the trade-in value is \$21,000 (excluding GST) for a net change-over of \$16,000 (excluding GST).

This would mean that there is nil net effect from the original budgeted net change over for GG013 (and therefore the change-over of GG070) on the 2016/17 Plant Replacement Program.

Account	Description	Current Budget	Revised Budget	Surplus Deficit
1123599260	Purchase of Isuzu D-Max space cab utility GG013	\$41,000	\$0	-\$41,000
1123189260	Sale of Isuzu D-Max space cab utility GG013	-\$25,000	\$0	\$25,000
1053590700	Ranger Utility Purchase GG070	\$0	\$36,983	-\$36,983
NEW ACCOUNT	Sale of Ranger Utility GG070	\$0	-\$20,455	\$20,455
			Net Effect	-\$528

The trade-in of the current Gingin Maintenance Officer utility GG013 could be pushed out to the 2017/18 Plant Replacement Program when the kilometres travelled are expected to be higher and closer to the proposed replacement period (two years/ 100,000km).

This matter was considered by the Plant Committee at its meeting on 20 December 2016, and the Committee resolved to recommend that Council:

1. Amend its Budget for the 2016/17 Financial Year in accordance with the following table:

Account	Description	Current Budget \$	Revised Budget \$	Surplus Deficit \$
1123599260	Purchase of Isuzu D-Max space cab utility GG013	\$41,000	\$0	-\$41,000
1123189260	Sale of Isuzu D-Max space cab utility GG013	-\$25,000	\$0	\$25,000
1053590700	Ranger Utility Purchase GG070	\$0	\$36,983	-\$36,983
	Sale of Ranger Utility GG070	\$0	-\$20,455	\$20,455
			Net Effect	-\$528

and

2. Endorse and note that the replacement of GG013 will be included in the 2017/18 Plant Replacement Program.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

It is proposed to reallocate the funds for the purchase and trade-in of GG013 to the purchase and trade-in of GG070 as per the table below:

Account	Description	Current Budget	Revised Budget	Surplus Deficit
1123599260	Purchase of Isuzu D-Max space cab utility GG013	\$41,000	\$0	-\$41,000
1123189260	Sale of Isuzu D-Max space cab utility GG013	-\$25,000	\$0	\$25,000
1053590700	Ranger Utility Purchase GG070	\$0	\$36,983	-\$36,983
NEW ACCOUNT	Sale of Ranger Utility GG070	\$0	-\$20,455	\$20,455
			Net Effect	-\$528

It is proposed that the outstanding amount of \$528 will be funded from Council's 2016/17 Budget under Account 14404320 (PGG070) – Plant Parts and Repairs.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – ABSOLUTE MAJORITY**RECOMMENDATION**

It is recommended that Council:

1. Amend its Budget for the 2016/17 Financial Year in accordance with the following table:

Account	Description	Current Budget	Revised Budget	Surplus Deficit
1123599260	Purchase of Isuzu D-Max space cab utility GG013	\$41,000	\$0	-\$41,000
1123189260	Sale of Isuzu D-Max space cab utility GG013	-\$25,000	\$0	\$25,000
1053590700	Ranger Utility Purchase GG070	\$0	\$36,983	-\$36,983
NEW ACCOUNT	Sale of Ranger Utility GG070	\$0	-\$20,455	\$20,455
			Net Effect	-\$528

and

2. Note that the outstanding amount of \$528 will be funded from Council's 2016/17 Budget under Account 14404320 (PGG070) – Plant Parts and Repairs.

RESOLUTION

Moved Councillor Fewster, seconded Councillor Peczka that Council:

1. Amend its Budget for the 2016/17 Financial Year in accordance with the following table:

Account	Description	Current Budget	Revised Budget	Surplus Deficit
1123599260	Purchase of Isuzu D-Max space cab utility GG013	\$41,000	\$0	-\$41,000
1123189260	Sale of Isuzu D-Max space cab utility GG013	-\$25,000	\$0	\$25,000
1053590700	Ranger Utility Purchase GG070	\$0	\$36,983	-\$36,983
NEW ACCOUNT	Sale of Ranger Utility GG070	\$0	-\$20,455	\$20,455
			Net Effect	-\$528

and

2. Note that the outstanding amount of \$528 will be funded from Council's 2016/17 Budget under Account 14404320 (PGG070) – Plant Parts and Repairs.

CARRIED BY ABSOLUTE MAJORITY
9-0

11.4.2 CAPITAL ROADWORKS - UNDER BUDGET EXPENDITURE FOR BENNIES ROAD, CULLALLA ROAD AND MURRAY ROAD BRIDGE WORKS

LOCATION: SHIRE OF GINGIN
FILE:
REPORTING OFFICER: ALLISTER BUTCHER – EXECUTIVE MANAGER
OPERATIONS
REPORT DATE: 17 JANUARY 2017

OFFICER INTEREST DECLARATION

The Executive Manager Operations has disclosed a Proximity Interest in this matter as he owns property and resides on Red Gully Road.

PURPOSE

To consider the under expenditure for the capital road works on Bennies Road and the over budget variance quoted to complete the Murray Road bridge works.

BACKGROUND

Capital road works have been budgeted in 2016/17 for resheeting of Bennies Road and Cullalla Road and bridge works to replace the entire bridge at Murray Road. Both Bennies and Cullalla Road are part of the Federally-funded Roads to Recovery works for 2016/17, and Murray Road Bridge has been listed and funded as a municipal project. The resheeting works have been programmed as the existing gravel has reached the end of its life and is required to be renewed in the form of a resheet. Both Bennies and Cullalla Road are currently gravel paved.

The section of Bennies Road that has been budgeted for resheeting in 2016/17 commences 200m east of the Garbanup Road intersection (SLK 11.87) and finishes 3.83 kilometres further east (SLK 8.04), approximately 3.8 kilometres west of Kooiana Road. A locality plan is provided as **Appendix 1**.

The section of Cullalla Road that has been budgeted for resheeting in 2016/17 commences at the end of the seal at the Cullalla Feedlot (SLK 2.25; approximately 2.5 kilometres from Mooliabeenee Road) and continues for 2.41 kilometres to the north (SLK 5.91; approximately 600m north of Barn Road). The resheeting works on Cullalla Road are currently in progress and it is anticipated that these works will be completed under budget. At the time of writing this report the actual costs for completion were still not known, and this matter will come back to a future Council meeting to be dealt with once the works are complete and the exact project cost is known.

The bridge at Murray Road has reached the end of its life and requires replacement. The existing bridge has a wooden deck with in-situ cast concrete walls and wings. The existing bridge is very dangerous, with the deck, walls and wings having reached the end of their life. The bridge provides the only access to properties to the north of Gingin Brook Road in the vicinity and at this point time provides extremely limited access to those lots (light vehicles only) for landowners (a locality plan is provided as **Appendix 2**).

In consultation with Main Roads WA (MRWA) structural engineers it has been advised that the preferred solution is to replace the existing bridge with a concrete bridge/culvert to reduce ongoing maintenance, and this course of action has been included in the 2016/17 Budget.

Each project is made up of direct costs (contractor or material costs) and indirect costs (wages, overheads and plant allocations). Direct costs are restricted and need to be managed within projects to ensure that projects remain on target. Indirect costs are spread throughout the budget and variances occur within budgets (some under and some over) and they balance out at the end of the year as these are the total fixed wages and plant operating costs that are allocated to the entire budget.

The 2016/17 budget allocations (all excluding GST) for the Bennies Road resheet and Murray Road bridge are as follows:

Account No.	Road Name	Project Description	Indirect Costs	Direct Costs	TOTAL
12259221	Bennies Road	Resheet formation SLK 8.04-11.87	\$257,430	\$267,448	\$524,878
12259993	Murray Road	Replace existing wooden bridge with concrete.	\$0	\$137,777	\$137,777
TOTAL			\$257,430	\$405,225	\$662,655

The resheeting works for Bennies Road have been completed and it is apparent that this project has come in under budget, with the actual cost being \$253,198 (excluding GST) with the following variances:

12259221 Bennies Road	2016/17 Budget	2016/17 Actuals	Variance
Indirect Costs	\$257,430	\$67,315	\$190,115
Direct Costs	\$267,448	\$185,883	\$81,565
TOTAL	\$524,878	\$253,198	\$271,680

The reasons for being under budget for the Bennies Road resheeting works are as follows:

1. The budget allocation allowed for the use of gravel sourced from the Shire's own gravel supply on its Wannamal Road West property (Lot 5450). However, after the adoption of the budget it was realised that using material out of the Shire-owned gravel pit on Mogumber Road West would provide efficiencies in travel time due to the reduced amount of unsealed road encountered by carting out of the Mogumber Road West pit.
2. Even taking into account that the gravel at Mogumber Road West is more expensive to exhumate as it requires crushing as well as screening (the gravel at Wannamal Road West only requires screening), it was cheaper and more efficient to use the Mogumber Road West pit. The length of the project was reduced from 28 days down to 15 days to complete the length of works, hence the marked variance in indirect costs (staff time).

The identified improved efficiencies for this project in work methods will be tested and carried forward to other projects if appropriate.

The resheeting works for Bennies Road have been allocated in the 2016/17 Budget as being funded federally by Roads to Recovery.

The works on the Murray Road bridge have not yet commenced. The design works were completed in 2015/16, with the installation works scheduled to be undertaken in 2016/17. The following five companies were approached to submit a quote for the works:

- Central Earthmoving Company Pty Ltd;
- Direct Contracting Pty Ltd;
- Downer Infrastructure;
- Neo Infrastructure; and
- Roadswest Engineering Group WA Pty Ltd.

Of the five companies approached, the following two submitted quotes:

- Neo Infrastructure Pty Ltd; and
- Central Earthmoving Company Pty Ltd.

Both quotes received are over the budgeted allocation of \$137,777 (excluding GST). The lowest quote received for the Murray Road bridge works is from Neo Infrastructure at a total cost of \$159,000 (excluding GST) which is \$21,223 over the allocated budget for this project in 2016/17.

COMMENT

With regards to the Bennies Road resheeting project the following options are available to Council in dealing with the under expenditure:

1. Extend the existing works so as to fully expend the budgeted amount on that road over a greater distance (additional one kilometre), essentially renewing a greater length of unsealed asset than programmed, and use some of the direct cost variance for the under budgeted amount for the Murray Road bridge works;
2. Reallocate the variance to the next project/s that were unable to obtain funding in the 2016/17 Capital Roadworks Program as they were 'below the line' of funding, and use some of the direct cost variance for the under budgeted amount for the Murray Road bridge works; or
3. Reallocate the variance to the next project/s that were unable to obtain funding in the 2016/17 Capital Roadworks Program as they were 'below the line' of funding, including the Murray Road bridge allocation and reprogramme these works for a future budget allocation.

It is Administration's view that Option 1 is the preferred option to deal with the unbudgeted expenditure for the following reasons:

Bennies Road is a busy road providing an integral link for east-west traffic between Cowalla Road (and essentially Brand Highway) and Indian Ocean Drive. Extending the resheet works on Bennies Road by any amount would greatly reduce maintenance costs by reducing the amount of time Shire staff would spend maintenance grading and patching pavement failures (the Shire has spent \$104,000 on maintaining the unsealed surface of Bennies Road from 2012/13 to 2015/16). Additional resheeting works are urgently required on Bennies Road and the works urgently need to be extended further eastwards towards Kooiana Road;

- The Murray Road bridge is in urgent need of replacement so that the affected landowners to the north of this bridge can safely access their properties and undertake farming operations such as moving agricultural machinery, heavy machinery and livestock off and on to their properties. They are currently unable to undertake these activities due to the restricted load carrying capacity of the bridge; and
- These projects were deemed by Council to be of the highest need for works and were therefore given funding to have works undertaken on them. Bennies Road is one the highest trafficked unsealed roads in the Shire.

If the first option was approved then the allocations would be:

Account No.	Road Name	Budgeted Length of Works	Proposed Additional Length of Works	Indirect Costs	Direct Costs	Total
12259221	Bennies Road	3.83	1.00	\$106,890	\$246,225	\$353,115
12259993	Murray Road	N/A		\$0	\$159,000	\$159,000
TOTAL				\$106,890	\$405,225	\$512,115

There is an under expenditure of \$150,540 for indirect costs for option 1 and this amount will be dealt with as part of the Budget Review to be presented at the February 2017 Ordinary Council Meeting. There is nil net effect on the budget for the direct costs.

It is Administration's view that Option 2 is the second preferred option for the following reasons:

- It allows other road assets around the Shire to receive much needed works. However the projects above the funding line (Bennies Road and Murray Road bridge) were deemed to be of higher priority than projects 'below the funding line';
- Bennies Road has received the resheeting works allocated for this asset and as required at this point in time;

- In this instance the next road to obtain funding would be Red Gully Road. The proposed works are resheeting works from 150m east of Fynes Road intersection eastwards for a length of 7.49km. As per the comments on the 2016/17 Capital Roadworks Program, this section of Red Gully Road has a pavement that is very thin and the existing unsealed surface is extremely slippery and dangerous when wet. The Red Gully Road resheeting works have been budgeted with indirect costs of \$184,298 and direct costs of \$272,907, giving a grand total of \$457,205 (all excluding GST). The extent of the works could be reduced to reflect the under budget variance for the Murray Road bridge works (\$21,223 excluding GST) and available direct variance funds (\$60,342 excluding GST), which would reduce the length of works to 1.66 kilometres for a total project cost of \$101,187 (excluding GST). A locality plan is provided as **Appendix 3**.

If Option 2 was approved then the allocations would be:

Account No.	Road Name	Budgeted Length of Works	Proposed Additional Length of Works	Indirect Costs	Direct Costs	Total
12259221	Bennies Road	3.83	Nil	\$67,315	\$185,883	\$253,198
12259993	Murray Road	N/A		\$0	\$159,000	\$159,000
NEW	Red Gully Road	7.49	1.66	\$40,845	\$60,342	\$101,187
TOTAL				\$108,160	\$405,225	\$513,385

There is an under expenditure of \$149,270 for indirect costs for Option 2 and this amount will be dealt with as part of the Budget Review to be presented at the February 2017 Ordinary Council Meeting. There is nil net effect on the Budget for the direct costs.

If Council wished to consider Option 3, then a greater length of Red Gully Road could be resheeted (6.03km).

It is Administration's view that Option 3 is the least preferred option because, although it allows an extra two roads to receive much needed asset renewal works, this would be at the expense of the Murray Road bridge works (thereby denying adequate access to the owners of land north of the bridge) and of urgently required extended resheeting works on Bennies Road.

If Option 3 was approved then the allocations would be:

Account No.	Road Name	Budgeted Length of Works	Proposed Additional Length of Works	Indirect Costs	Direct Costs	Total
12259221	Bennies Road	3.83	Nil	\$67,315	\$185,883	\$253,198
12259993	Murray Road	N/A		\$0	\$0	\$0
NEW	Red Gully Road	7.49	6.03	\$148,370	\$219,342	\$367,712
TOTAL				\$215,685	\$405,225	\$620,910

The under expenditure of \$41,745 of indirect costs which will be dealt with as part of the Budget Review to be presented at the February 2017 Ordinary Council Meeting. There is nil net effect on the budget for the direct costs.

For all options, it is proposed that, as the Bennies Road resheet is funded through the Roads to Recovery funding program, the Murray Road bridge (for Options One and Two) or Red Gully Road resheet (for Option 3) should be allocated as Roads to Recovery funded projects to ensure that the full Roads to Recovery allocation for 2016/17 is spent.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Should Option 1 be adopted then the budget implications would be:

Account	Description	Current Budget	Revised Budget	Surplus/ Deficit
12259221	Bennies Road (RTR)	\$524,878	\$353,115	\$161,763
12259993	Murray Road	\$137,777	\$159,000	-\$21,223
			Net Effect	\$140,540

Should Option 2 be adopted then the budget implications would be:

Account	Description	Current Budget	Revised Budget	Surplus/ Deficit
12259221	Bennies Road (RTR)	\$524,878	\$253,198	\$271,680
12259993	Murray Road	\$137,777	\$159,000	-\$21,223
NEW	Red Gully Road	\$0	\$101,187	-\$101,187
			Net Effect	\$149,270

Should Option 3 be adopted then the budget implications would be:

Account	Description	Current Budget	Revised Budget	Surplus/ Deficit
12259221	Bennies Road	\$524,878	\$253,198	\$271,680
12259993	Murray Road	\$137,777	\$0	\$137,777
NEW	Red Gully Road	\$0	\$367,712	-\$367,712
			Net Effect	\$40,746

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015-2025

Focus Area	<i>3. Built Environment</i>
Objective	<i>3. To effectively manage growth and provide for community</i>
Outcome	<i>3.1 Meet transport infrastructure and service needs</i>
Strategy	<i>3.1.1 Effective integrated transport planning and implementation in partnership with State and Federal Government Agencies.</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

It is recommended that Council:

1. Extend the existing works for Bennies Road for one kilometre eastwards from the current end point at Standard Longitudinal Kilometre (SLK) 8.04 to SLK 7.04 with an adjusted budget allocation as per the table in Part 4 (below);
2. Undertake the Murray Road bridge replacement works with an adjusted budget allocation as per the table in Part 4 (below) with this project to be funded through the Roads to Recovery (RTR) program;
3. Deal with variance as per the table in Part 4 (below) as part of the Budget Review to be presented at the February 2017 Ordinary Council Meeting; and
4. Amend its adopted 2016/17 Budget as per the table below:

Account	Description	Current Budget	Revised Budget	Surplus/ Deficit
12259221	Bennies Road (RTR)	\$524,878	\$363,115	\$161,763
12259993	Murray Road (RTR)	\$137,777	\$159,000	-\$21,223
			Net Effect	\$140,540

RESOLUTION

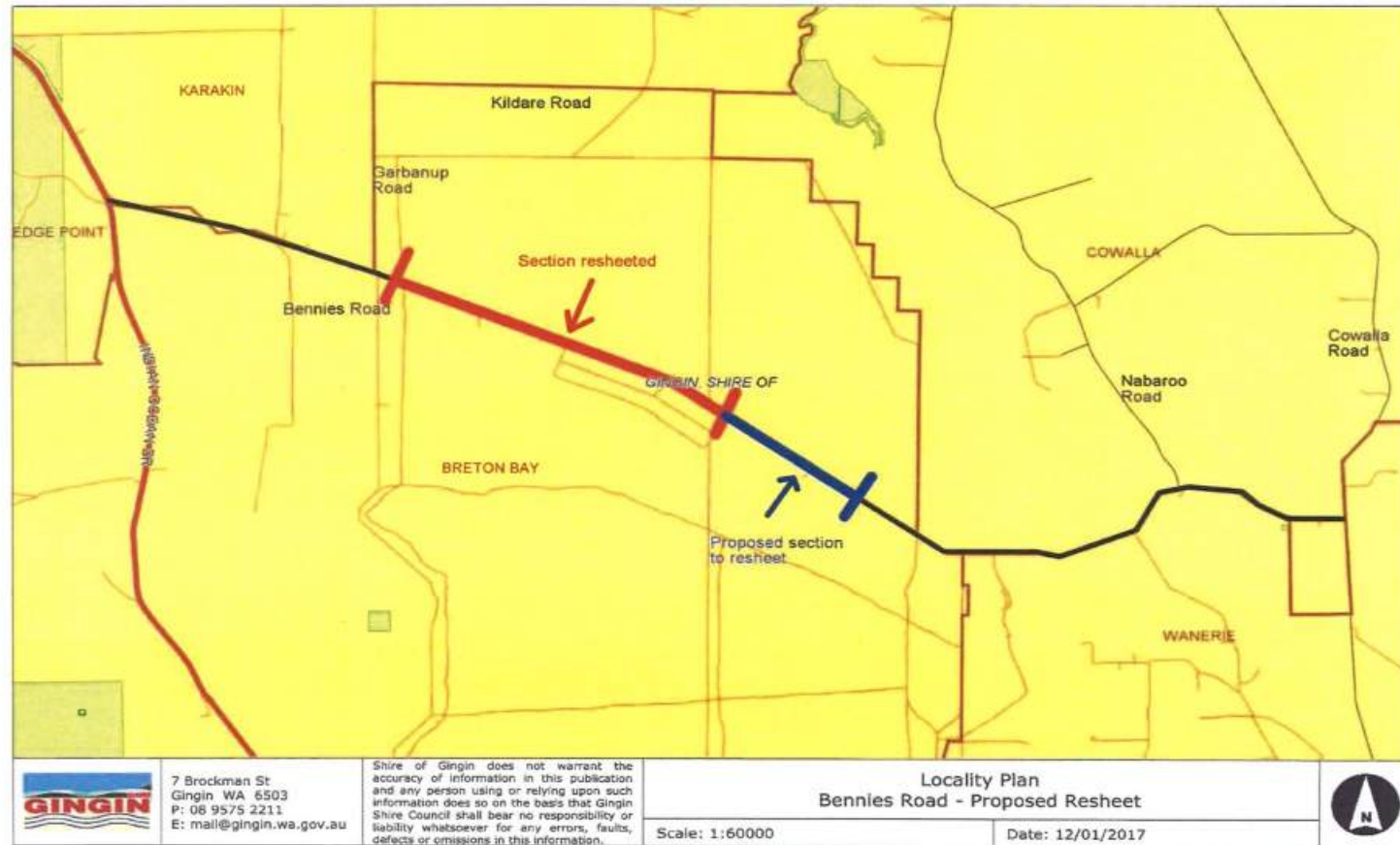
Moved Councillor Elgin, seconded Councillor Smiles that Council:

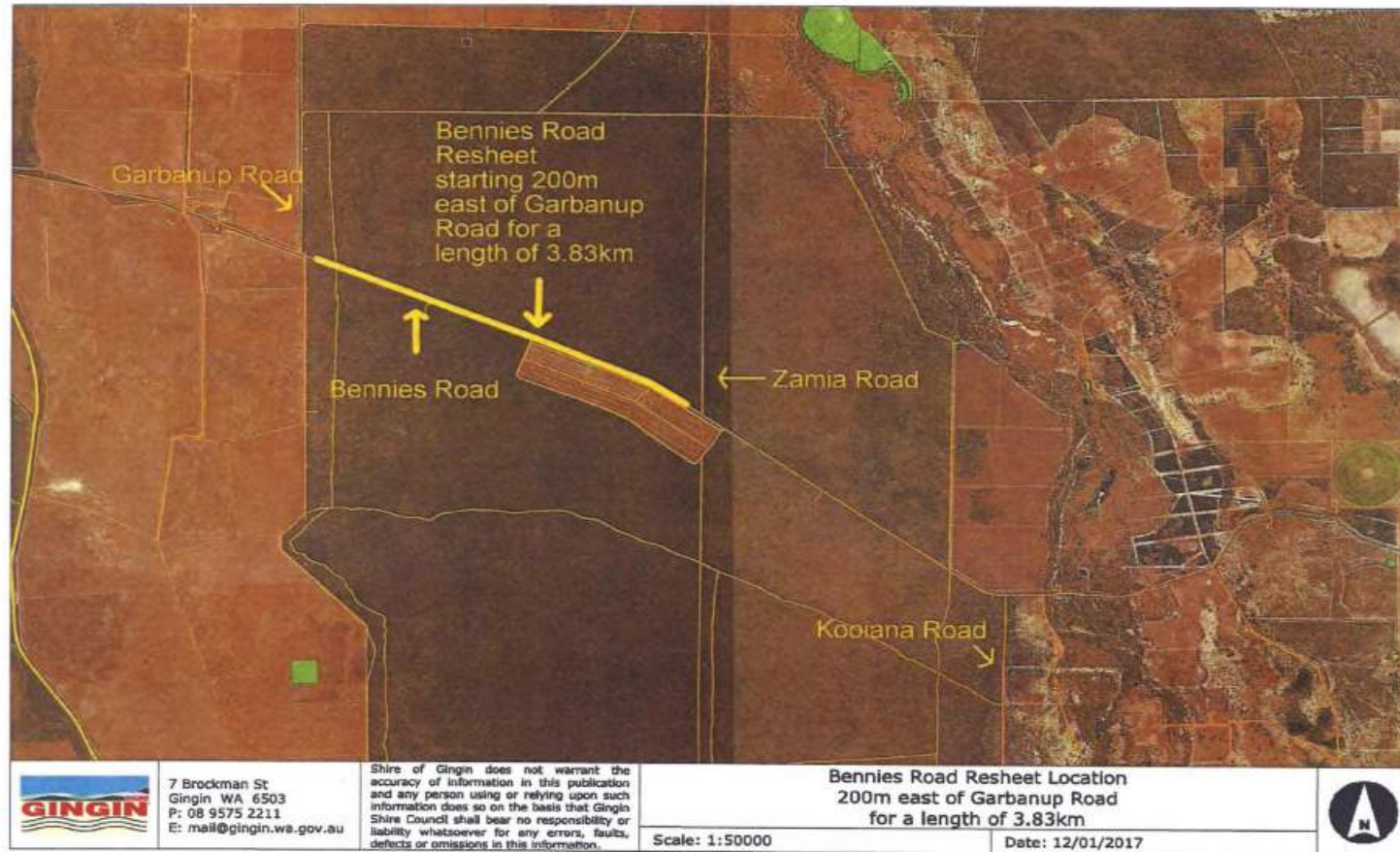
- 1. Extend the existing works for Bennies Road for one kilometre eastwards from the current end point at Standard Longitudinal Kilometre (SLK) 8.04 to SLK 7.04 with an adjusted budget allocation as per the table in Part 4 (below);**
- 2. Undertake the Murray Road bridge replacement works with an adjusted budget allocation as per the table in Part 4 (below) with this project to be funded through the Roads to Recovery (RTR) program;**
- 3. Deal with variance as per the table in Part 4 (below) as part of the Budget Review to be presented at the February 2017 Ordinary Council Meeting; and**
- 4. Amend its adopted 2016/17 Budget as per the table below:**

Account	Description	Current Budget	Revised Budget	Surplus/ Deficit
12259221	Bennies Road (RTR)	\$524,878	\$363,115	\$161,763
12259993	Murray Road (RTR)	\$137,777	\$159,000	-\$21,223
			Net Effect	\$140,540

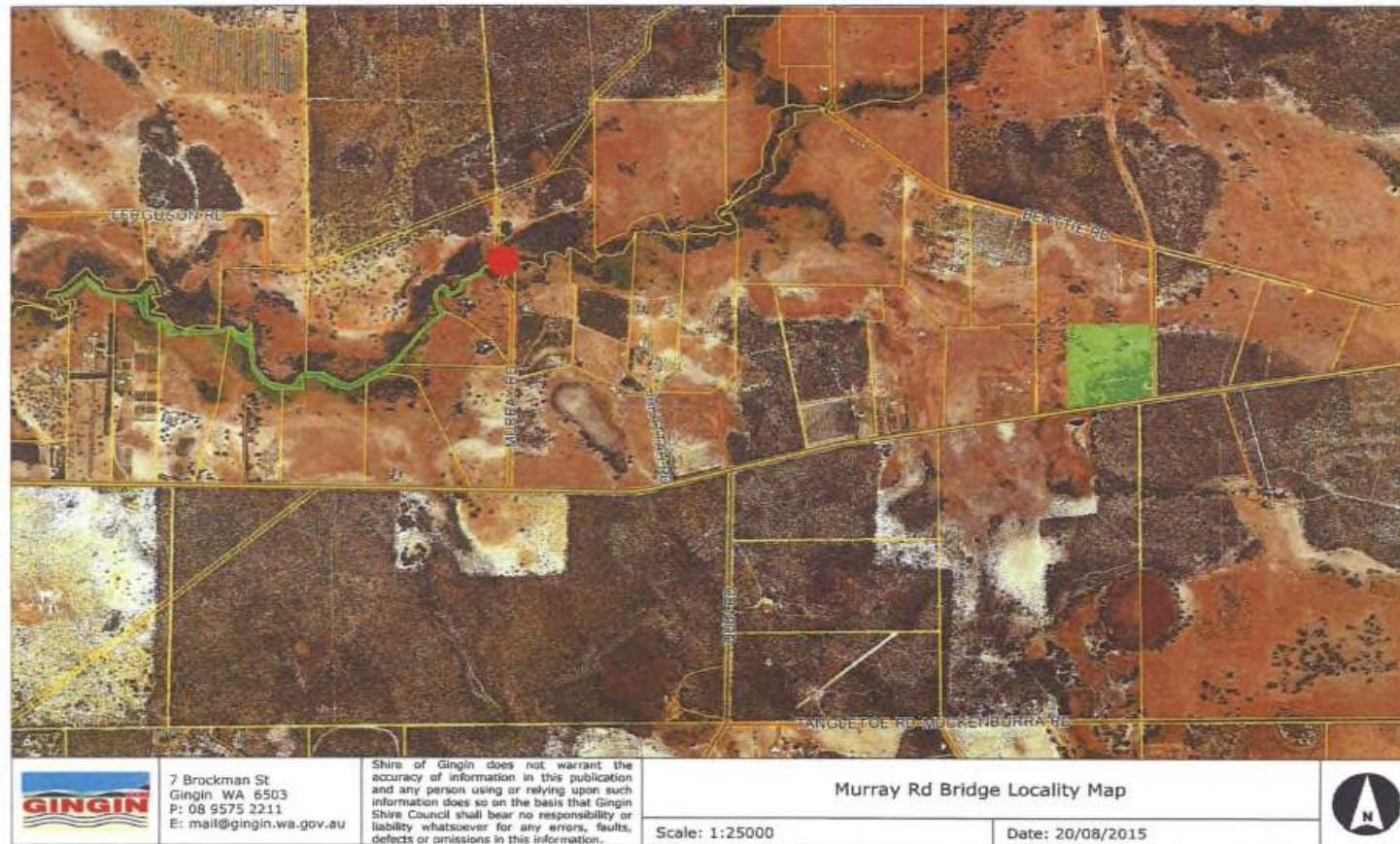
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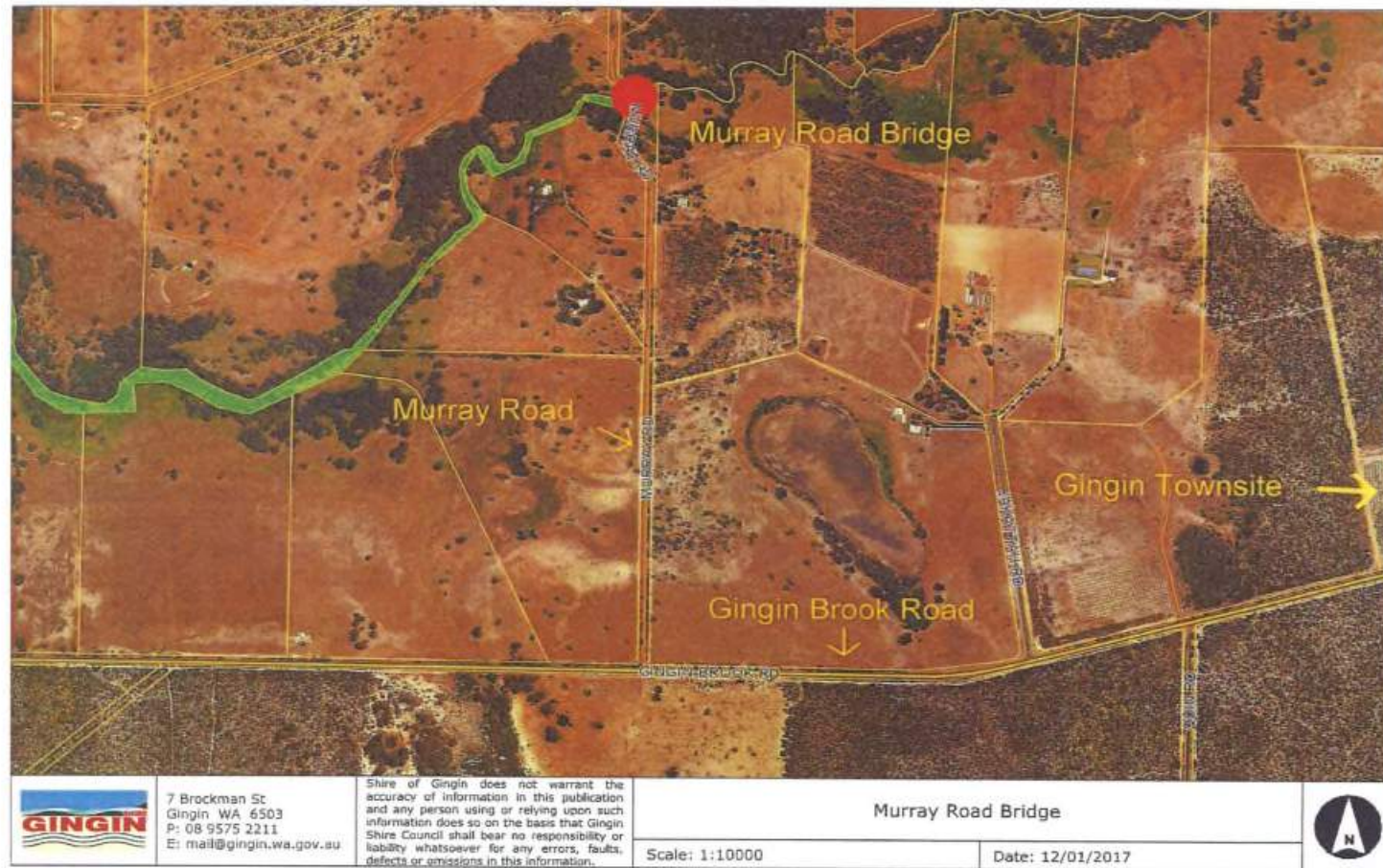
APPENDIX 1



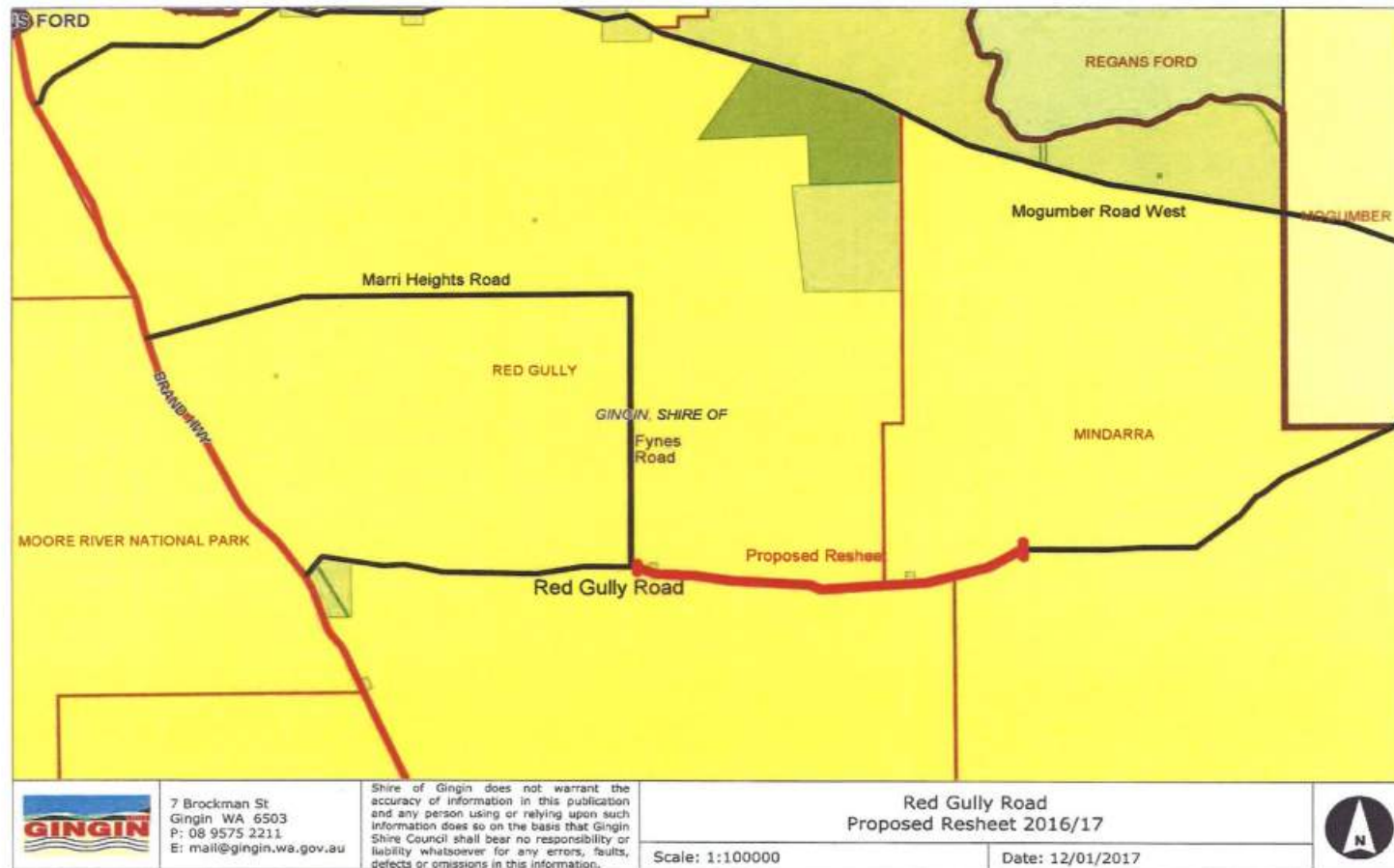


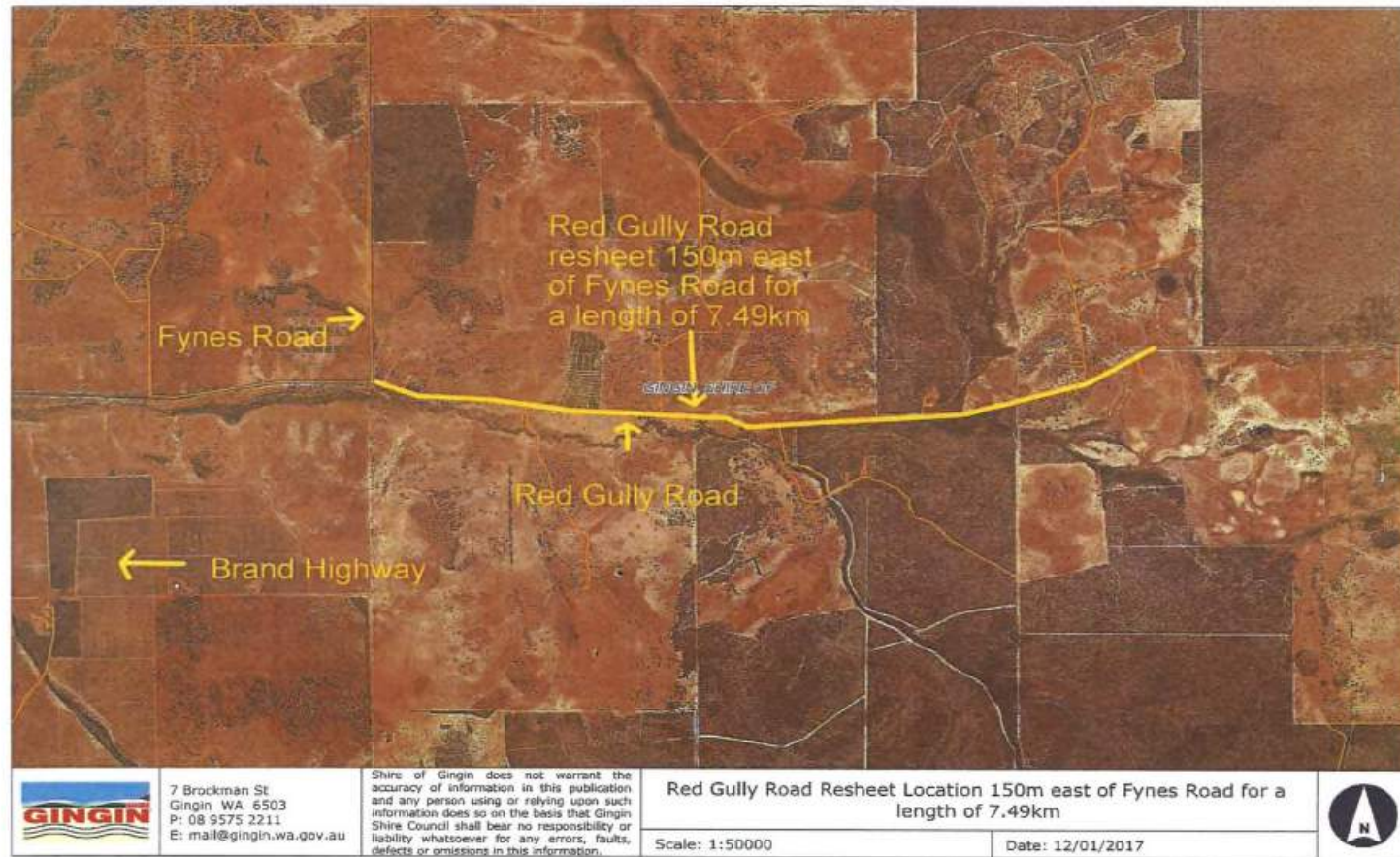
APPENDIX 2





APPENDIX 3





12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 REVIEW OF MAJOR COASTAL PROTECTION AND TOURISM INFRASTRUCTURE DEVELOPMENT PROJECTS IN LANCELIN

FILE: GOV/8
COUNCILLOR: FRANK PECZKA
REPORT DATE: 17 JANUARY 2017
REFER: NIL

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To aggregate much needed and planned Coastal Protection and Development Projects and related Tourism Infrastructure Projects in Lancelin.

BACKGROUND

There is a current and immediate need to aggregate the following projects for purpose, efficiency, realization, responsibility and timeliness;

1. Cunliffe Street Foreshore and Carpark redevelopment Lancelin
2. Grace Darling Park Coastal Protection Lancelin
3. Boat Launching Facility Lancelin; and
4. Hinchcliffe Street Foreshore redevelopment

It is proposed to aggregate desired coastal protection works at Grace Darling Park along with Cunliffe Street foreshore redevelopment and enhancement with provision of a low level boat ramp as a whole of coastline foreshore and development project that is worthy and required, to provide improved amenity along the foreshores of Lancelin for all to enjoy and experience. The economies and efficiencies far outweighs individual projects that are delayed and become costly through no fault of the ratepayers of Lancelin in particular.

COMMENT

In summary the following comments are made against the major listed projects:

1. Cunliffe Street Foreshore and Carpark redevelopment Lancelin – since becoming a new Councillor I am broadly aware that various designs have been made for this project with a number of amendments that I have not seen to date. Notwithstanding this I understand that this project is now in its fourth budget cycle with an annual allocation of around \$150,000.00 of estimated project costs.

With this in mind there appears to be a \$600,000 (x 4 years at \$150k) “opportunity cost” not realized for this long awaited project. Again with increasing tourist visitation and an international event being held we currently unable to provide an “acceptable standard” of foreshore infrastructure and amenity for our community, visitors and tourists to access and enjoy.

2. Grace Darling Park Coastal Protection Lancelin – this now becoming a real issue in terms of what the Council will do in its responsibility for coastal protection. If “year to year” of “sand replenishment” is sustained not only will this action will create further issues down the track and if Council continues to expend at least around \$25K per annum (plus state monies of \$25k) for say ten years the estimated cost of ratepayer funds could amount to \$250,000 or higher that could be turned around and invested into a preferred and obvious soft and hard coastal protection structure options in order to protect Grace Darling Park’s as a Cultural, Historical and Community asset on this coastline.

On a larger scale we currently observe the successful seawall project at Seabird, we observe foreshore protection and development works at Guilderton, we observe foreshore protection and development at Jurien, we learn of the Government building an open air swimming pool on Scarborough Beach Front and the list goes on - this project warrants Council attention and for Council to be responsible for foreshore protection on the coastline.

3. Boat Launching Facility Lancelin – acknowledging that Council is backing the Government for a major Marina Project including a high level Boat Launching Facility in Ledge Point, Council is now requested to provide a low level boat launching ramp in Lancelin for launch and retrieval of water craft from within Lancelin Bay. This Boat Ramp is that a “low level non-intrusive” and “low cost” ramp to provide comfort to boat owners of improved launch and retrieval capabilities of their boats. Yes we appear to have car/trailer parking issues now so a boat ramp facility will not increase this issue other than to have a “hard stand” launch and retrieve area for the boating enthusiasts. Lancelin is promoted as a Tourist destination so let’s get basic Tourism Infrastructure in Place to realize this statement made by the Premier of Western Australia and the general desire of our community to achieve such.
4. Hinchcliffe Street Foreshore redevelopment – this is the first year of budget allocation to my knowledge this initially involves design and then implementation a year later for around a project total of \$117,550.00 at this stage, hence this much needed project for our northern coastline and beach areas will add value to our town, to tourist and holiday makers to enjoy the town of Lancelin for longer periods with the attraction of perhaps buying real estate in the end for increased visitation and/or residency.

ADMINISTRATION COMMENT

1. Cunliffe Street Foreshore and Carpark Redevelopment Lancelin

This project has been on the capital works budget for a number of years and has been carried forward chiefly because of the interaction between the car park and the eroding coastline of Grace Darling Park.

When the car park redevelopment was first initiated there was limited knowledge on the coastal processes of our eroding coastline. Subsequently the Shire has partnered with the Shire of Dandaragan to complete a Coastal Hazard Risk Management Plan (commenced 2013), this project should be finished between June and December 2017. This CHRMAP process, along with the development of State Planning Policy 2.6 on coastal erosion, will need to be considered as part of the project proposal. It is still the intention of Administration to go out to market and seek design and construction quotes for the project within this reporting period (by end of March 2017).

It should also be noted that this area of land forms part of Crown Reserve 32037. In order for Council to undertake any works on the land, permission would be required from the State Government. When Council originally considered this matter (agenda item 11.1.2 at its meeting of 21 December 2012), the Department of Planning (DOP) commented that it had insufficient information on the proposal to provide support. It further recommended that, in order for DOP to consider a proposal, the Shire should prepare and implement a detailed management plan for Grace Darling Park and the subject area including the greater coastal foreshore area and the immediate waters.

2. Grace Darling Park Coastal Protection Lancelin

This item was subject to the commissioning of a report back in December 2015 from Seashore Engineering. The estimated cost to implement a solution is circa \$700,000 - \$900,000. When Council received this report and cost estimate at a Concept Forum it was agreed to note the findings but not proceed.

Since this time the Shire has received some funding through Coastal Adaptation Planning grants administered by the Department of Transport (DOT) for sand replenishment. This option is considered to be the most cost effective and safest whilst further studies are conducted by DOT and DOP. DOP's major concern is the continuing erosion at Grace Darling Park. They state that this is more than likely from natural coastal processes associated with the Edward Island Tombola, however their concern is around the possibility of accelerated erosion by the interference of changing the natural environment and hydrology. Funding associated with this project has not been identified within the Shire's Corporate Business Plan 2016-2020 or 10 year Forward Capital Works and Major Project 2016-2026.

It should also be noted that recently the Shire has been undertaking sand renourishment at this location and this option has been implemented in consultation with the Department of Transport. Over the last three years approximately \$96,500 has been spent on sand nourishment (\$59,000 through municipal funding and \$37,500 being grant funded).

3. Boat Launching Facility Lancelin

Council at its meeting of 15 November 2016 agreed to commission a report for a low level boat access facility in Lancelin. MP Rogers were subsequently engaged to undertake this work and are completing the report for Council. MP Rogers have indicated that wave monitoring for the site will be conducted during January and a likely report completion date will be in February – March 2017. Funding associated with this project has not been identified within the Shire's Corporate Business Plan 2016-2020 or 10 year Forward Capital Works and Major Project 2016-2026.

4. Hinchcliffe Street Foreshore Redevelopment

This project has been identified within the Shire's Corporate Business Plan 2016-2020 under the focus area of Built Environment (BE.1.1.2). An amount has been identified in the 2017/18 year of \$205,000 for the construction component. Within Council's current 2016/17 budget an amount of \$5,000 has been set aside for design.

Furthermore, this project also incorporates a coastal path on the northern section of the lookout to the car park. This component of the project has been identified within the Shire's Corporate Business Plan 2016-2020 under the focus area of Local Business (LB.1.1.3). An amount has been identified in the 2017/18 year of \$102,500 for the construction component. Within Council's current budget 2016/17 an amount of \$5,000 has been set aside for design.

When this project (BE.1.1.2) was brought to the attention of Council by the community it was suggested that community members seek some contributory funding from alternative sources to assist in delivering this project. Officers have met with community members who are currently exploring funding opportunities.

These projects are still on track and scheduled for completion over the remainder of this financial year and 2017/18. If Council wishes to change the project delivery time on these projects then a review of current capital works will need to be undertaken to identify rescheduling to create capacity along with budget reallocations.

STATUTORY ENVIRONMENT

Local Government Act 1995 and associated Regulations

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

See Administration Comments above.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015-2025

Focus Area	<i>1. Community Wellbeing</i>
Objective	<i>1: To support the Shire of Gingin community to be inclusive, vibrant and healthy.</i>
Outcome	<i>N/A</i>
Strategy	<i>N/A</i>
Focus Area	<i>2. Natural Environment</i>
Objective	<i>2: To support a healthy natural environment</i>
Outcome	<i>N/A</i>
Strategy	<i>N/A</i>

Focus Area	<i>3. Built Environment</i>
Objective	<i>3: To effectively manage growth and provide for community</i>
Outcome	<i>3.1 Meet transport infrastructure and service needs</i>
Strategy	<i>3.1.1 Effective integrated transport planning and implementation in partnership with State and Federal Government Agencies</i>
Outcome	<i>3.2 Plan for future development</i>
Strategy	<i>N/A</i>
Outcome	<i>3.3 High quality and well utilised community facilities and assets</i>
Strategy	<i>3.3.1 Plan for the future of Community Facilities and Public Open Space</i>
Focus Area	<i>4. Local Business</i>
Objective	<i>4: To facilitate local business growth</i>
Outcome	<i>4.1 Attract new enterprise</i>
Strategy	<i>4.1.1 Attract and develop a diverse range of tourism providers</i>
Strategy	<i>4.1.2 Develop and implement an Economic Development Strategy that implements the Wheatbelt Development Commission Central Coast Sub-Regional Economic Strategy at a local level.</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council:

1. Adopts and Implements a preferred hard/soft option for foreshore protection of the general Grace Darling Park area.
2. Integrates planned and proposed development and improvement works for Cunliffe Street foreshore and carpark area in association with foreshore protection works at Grace Darling Park.
3. Adopts a simple boat ramp “hard stand launch and retrieval ramp specification standard” to improve the launch and retrieval capability in Lancelin for boating enthusiasts.

4. Notes that the aforementioned projects implemented and completed and integrated will provide efficiencies and quality outcomes promoting Lancelin as a Tourist Destination by providing improved amenity.

RESOLUTION

Moved Councillor Peczka, seconded Councillor Smiles that Council:

1. **Adopts and Implements a preferred hard/soft option for foreshore protection of the general Grace Darling Park area.**
2. **Integrates planned and proposed development and improvement works for Cunliffe Street foreshore and carpark area in association with foreshore protection works at Grace Darling Park.**
3. **Adopts a simple boat ramp “hard stand launch and retrieval ramp specification standard” to improve the launch and retrieval capability in Lancelin for boating enthusiasts.**
4. **Notes that the aforementioned projects implemented and completed and integrated will provide efficiencies and quality outcomes promoting Lancelin as a Tourist Destination by providing improved amenity.**

**LOST
2-7**

For: Councillors Smiles, Peczka

Against: Councillors Elgin, Court, Roe, Collard, Aspinall, Fewster, Ammon

13. COUNCILLORS' OFFICIAL REPORTS

13.1 DADAA ART EXHIBITION AND LANCELIN OCEAN CLASSIC

LOCATION: LANCELIN
FILE: GOV/20-1
COUNCILLOR: JAN COURT
REPORT DATE: 17 JANUARY 2017

Councillor Court reported on her attendance on Friday 13 January 2017 at the DADAA Art Exhibition and the Lancelin Ocean Classic Sailors party.

On Saturday 14 January 2017 she attended the Lancelin Ocean Classic and presented the winner's trophy.

Councillor Court advised that she received very positive comments on the Shires involvement in this event and that the State Government has confirmed that funding for next year's event has been approved.

Councillor Court also advised that a local resident won the Ladies' Kite Surfing Event.

14. NEW BUSINESS OF AN URGENT NATURE

Nil

15. MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC

Nil

16. CLOSURE

There being no further business, the Shire President declared the meeting closed at 4:44pm.

The next Ordinary meeting of Council will be held in Council Chambers at the Shire of Gingin Administration Centre, 7 Brockman Street, Gingin on Tuesday, 21 February 2017 commencing at 3.00pm.

Councillor D W Roe
Shire President
21 February 2017