



MINUTES

ORDINARY MEETING

OF COUNCIL

18 JULY 2017



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FOR
ORDINARY MEETING OF
COUNCIL
HELD ON 18 JULY 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, 18 JULY 2017 AT 3.08 PM

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 3:08pm 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, C W Fewster, F J Peczka and S Smiles.

Staff – J Edwards (Chief Executive Officer), K Lowes (Executive Manager Corporate and Community Services), A Butcher (Executive Manager Operations), L Edwards (Executive Manager Planning and Development), K Bacon (Manager Statutory Planning), L Burt (Governance Officer), J Bayliss (Compliance/Planning Officer) and O Edwards (Minute Officer).

Gallery – There were 11 members of the public present in the Gallery.

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE

Councillor J Court

Leave of Absence for the Ordinary meeting of Council scheduled for 18 July 2017 was granted by Council at its meeting on 4 July 2017.

3. DISCLOSURES OF INTEREST

3.1 Councillor D W Roe

Item 11.3.7 Application for Development Approval - Amend Development Approval (P1427) Dated 18 November 2016 for the Proposed Outbuilding (Use Not Listed / Incidental Use) on Lot 328 Cockram Road, Lennard Brook

Councillor Roe declared a financial interest in this item due to the fact that his business trades with the applicant.

3.2 Councillor C W Fewster

Item 11.3.7 Application for Development Approval - Amend Development Approval (P1427) Dated 18 November 2016 for the Proposed Outbuilding (Use Not Listed / Incidental Use) on Lot 328 Cockram Road, Lennard Brook

Councillor Fewster declared a financial interest in this item due to the fact that he has business dealings with the owners/proprietors of the Gingin Abattoir/Meatworks.

4. PUBLIC QUESTION TIME

4.1 RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTIONS

Nil

5. PETITIONS, DEPUTATIONS AND PRESENTATIONS

5.1 PETITIONS

Nil

5.2 DEPUTATIONS

- 5.2.1 Item 11.3.1 Application for Development Approval and Retrospective Development Approval – Proposed Outbuilding and Retrospective Development Approval for the Permanent Use of a 20ft Sea Container, Rural Pursuit (Keeping of Ten Horses) and Recreation Private (Horse Riding School) on Lot 58 (No.25) Ashby Road, Lennard Brook.**

Speaker/s: Trevor Phillips on behalf of Paula Taylor and Jeff Coussens

- 5.2.2 Item 11.3.1 Application for Development Approval and Retrospective Development Approval – Proposed Outbuilding and Retrospective Development Approval for the Permanent Use of a 20ft Sea Container, Rural Pursuit (Keeping of Ten Horses) and Recreation Private (Horse Riding School) on Lot 58 (No.25) Ashby Road, Lennard Brook.**

Speaker/s: Trevor Phillips on behalf of Peter Haenni

- 5.2.3 Item 11.3.1 Application for Development Approval and Retrospective Development Approval – Proposed Outbuilding and Retrospective Development Approval for the Permanent Use of a 20ft Sea Container, Rural Pursuit (Keeping of Ten Horses) and Recreation Private (Horse Riding School) on Lot 58 (No.25) Ashby Road, Lennard Brook.**

Speaker/s: Jessica Bosch

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 June 2017 be confirmed.

RESOLUTION

Moved Councillor Ammon, seconded Councillor Aspinall that the Minutes of the Ordinary Meeting of Council held on 20 June 2017 be confirmed.

CARRIED UNANIMOUSLY

RECOMMENDATION

It is recommended that the Minutes of the Special Meeting of Council held on 4 July 2017 be confirmed.

RESOLUTION

Moved Councillor Ammon, seconded Councillor Aspinall that the Minutes of the Special Meeting of Council held on 4 July 2017 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

RESOLUTION

Moved Councillor Ammon, seconded Councillor Elgin that Item 11.3.1 be brought forward for consideration as the first item on the Agenda

CARRIED UNANIMOUSLY

11.3.1 APPLICATION FOR DEVELOPMENT APPROVAL AND RETROSPECTIVE DEVELOPMENT APPROVAL - PROPOSED OUTBUILDING AND RETROSPECTIVE APPROVAL FOR THE PERMANENT USE OF A 20FT SEA CONTAINER, RURAL PURSUIT (KEEPING OF TEN HORSES) AND RECREATION PRIVATE (HORSE RIDING SCHOOL) ON LOT 58 (NO. 25) ASHBY ROAD, LENNARD BROOK

FILE:	BLD/5186
APPLICANT:	JOHN PANIZZA & JESSICA BOSCH
LOCATION:	LOT 58 (NO. 25) ASHBY ROAD, LENNARD BROOK
OWNER:	JOHN PANIZZA & JESSICA BOSCH
ZONING:	RURAL LIVING
WAPC NO:	N/A
AUTHOR:	KYLIE BACON – MANAGER STATORY PLANNING
REPORTING OFFICER:	LISA EDWARDS – EXECUTIVE MANAGER PLANNING AND DEVELOPMENT
REPORT DATE:	18 JULY 2017
REFER:	12 JANUARY 2009 ITEM 11.3.4 15 DECEMBER 2009 ITEM 15.1 15

<i>ADDENDUM – ORDINARY MEETING OF COUNCIL – 18 JULY 2017</i>

Additional Information:

Subsequent to circulation of the Agenda, Administration has met with adjoining landowners who have explained their concerns in greater detail. A further inspection of the site on Monday, 17 July 2017 has resulted in Administration giving further consideration to the matter and amending the Recommendation to ensure that the amenity of adjoining landowners can be given better protection.

The Recommendation has been amended to include an additional Condition 2e, additional Conditions 3d to 3i and additional conditions 4n and 4o, together with an additional Advice Note H. The additional conditions will improve the amenity particularly in relation the dust mitigation and visual aspects, whilst having due regard for the provision of boundary setbacks and firebreak requirements.

Details of the additions are provided below:

Advice Note

- H. In respect of Condition f, the landowner(s) is required to ensure the subject lot is compliant with the Shire of Gingin Firebreak Order 2016/17,

Sea Container

- 2e. The 20ft sea container is to be removed and relocated at least 20m from the property boundary. The sea container can be abutted to the proposed outbuilding or will be required to be screened in accordance with Shire Local Planning Policy 1.9 Sea Containers.

Stocking Rates

- 3d. All water runoff from the main horse arena is not to enter the adjoining properties;
- 3e. A landscaping buffer is required to be planted along a portion of the eastern and western boundaries, to be marked in Red Ink on the approved plans, to the satisfaction of the Shire of Gingin;
- 3f. Prior to the commencement of a landscaping buffer (see Condition e), a landscaping plan is required to be submitted for approval by the Shire of Gingin within 45 days from the date of this approval. The landscaping plan, at a minimum, must address the extent of the buffer area, the location and spacing of trees and shrubs, a list of tree species and how the buffer area is to be maintained, having regard for the Shire of Gingin Firebreak Notice provision;
- 3g. The landscaping buffer is required to be undertaken within 45 days of approved landscaping plan and is to be maintained at all times to the satisfaction of the Shire of Gingin;
- 3h. The paddocks shall at all times have at least 70% ground cover to avoid land degradation as recommended by the Department of Agriculture of Western Australia Publication keeping horses on small properties; and
- 3i. All commitments and undertakings outlined within the approved Horse Management Plan are to be undertaken within 45 days from the date of this approval to the satisfaction of the Shire of Gingin;

Horse Riding School

- 4n. The use of sprinklers for dust suppression measures in the riding school main arena is required; and
- 4o. All commitments outlined within the approved Riding School Business Plan are to be undertaken within 45 days from the date of this approval to the satisfaction of the Shire of Gingin.

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider an Application for Development Approval for a proposed Outbuilding and Retrospective Approval for the Permanent Use of a 20 Foot (ft) Sea Container, Recreation – Private (Horse Riding School) and Rural Pursuit (Keeping of Ten Horses on Lot 58 (No. 25) Ashby Road, Lennard Brook.

BACKGROUND

The subject property is 4.01 Hectares in area, is zoned 'Rural Living' under the Shire of Gingin's Local Planning Scheme No. 9 (LPS9) and is located in what is formally known as the 'Lennards Brook Subdivision'. The site currently accommodates a single house, two horse arenas, a 20ft sea container and irrigated paddocks.

The subject lot was first brought to the Shire's attention as a compliance matter in February 2017 following complaints about the excessive stocking rate of horses, the riding school and the associated infrastructure (two 20ft sea containers, a humpy and flood lights).

The Shire undertook a site inspection on 28 February 2017 and subsequently wrote to the landowners in a letter dated 14 March 2017 advising of the unauthorised activities and structures being carried out on the subject lot and requiring the lodgement of a retrospective development application to enable the Shire to assess the proposal in accordance with LPS9.

The landowners duly lodged a retrospective development application in April 2017 for the keeping of ten horses and operation of a horse riding school including the proposal to construct a proposed outbuilding. Subsequently, the landowners ceased the operation of the riding school but requested, in a letter dated 17 March 2017, if seven horses could remain on the property for the purposes of upholding the horses' welfare. The Shire agreed to the horses remaining temporarily on site until such time as a resolution was made on their retrospective development application.

The unauthorised structures (one 20ft sea container, the humpy and flood lights) were removed from the site. A site inspection was undertaken on 6 July 2017 and revealed that one 20ft sea container still remained, which forms part of the retrospective development.

The application to keep ten horses has been accompanied by a Horse Management Plan. The animals are being kept within six irrigated paddocks totalling approximately 3.3Ha and the main horse arena. The riding school will be operated from the main horse arena and is setback a minimum of 20m from all the lot boundaries. It is therefore compliant with the Rural Living setbacks prescribed in LPS9. For the purposes of calculating stocking rates, Administration has calculated the stocking rate based on those five irrigated paddocks used specifically for the stabling of horses. It is considered that paddock six and the arena conflicts with the horse riding school land use and this is addressed in more detail below.

The riding school will be open to the community on a bookings basis with 90 per cent of lessons being one on one private lessons. The exception to this would be on arranged group lessons or clinic days. Group lessons will be scheduled during work hours once a fortnight and clinics once a month on a weekend. The riding school offers clients the option of using the school's own horses based permanently onsite, or bringing their own horse to classes.

A Location Plan, aerial image and photos are provided as **Appendix 1**.

The Applicant's full proposal including Site Plans, Outbuilding and 20ft Sea Container Elevation, Horse Management Plan and the Horse Riding School Business Plan are provided as **Appendix 2**.

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 surrounding landowners for a period of 14 days. The Shire received a total of 18 submissions. It could only be determined that four of the submissions were received from ratepayers with two of these objecting, one providing general comment and one supporting the proposal. The remaining 14 submissions were received from the wider community and supported the proposal.

The Schedule of Submissions and Recommended Responses has been included as **Appendix 3**.

PLANNING ASSESSMENT

Local Planning Scheme No. 9 (LPS 9)

The subject lot is zoned Rural Living under LPS 9. The objectives of the Rural Living zone are to:

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

Approval for the proposed outbuilding and retrospective approval for the permanent 20ft sea container are supported as the outbuilding is ancillary to the existing dwelling on site and neither compromise the objectives of the Rural Living zone.

The keeping of ten horses falls under the land use 'Rural Pursuit' which is defined as:

'Means any premises used for –

- a) the rearing or agistment of animals;*
- b) the stabling, agistment or training of horses;*
- c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or*
- d) the sale of produce grown solely on the lot, but does not include agriculture – extensive or agriculture intensive'.*

The horse riding school falls under the land use 'Recreation – Private', which is defined as:

'Premises used for indoor or outdoor leisure, recreation or sport which are not usually open to the public without charge'.

Rural Pursuit' is a 'Discretionary' use in the Rural Living zone. This means that the use is not permitted unless the local government has exercised its discretion by granting of development approval. In considering the proposal, the local government is to have regard to matters set out in clause 67 of the deemed provisions.

'Recreation – Private' is an 'A use in the Rural Living zone. This means the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the deemed provisions.

It is considered the original proposal for the keeping of ten horses and the riding school as submitted contravene the objectives of the Rural Living zone and therefore the proposals were not supported by Administration.

In a meeting on 12 July 2017, the Applicant agreed to reduce the stocking rate of horses to comply with the Agriculture Western Australia Stocking Rate Guidelines for Small Rural Holdings (stocking rate guidelines) and reduce the operating hours of the riding school to be on a scale that's more appropriate for the Rural Living zone. Administration has considered the revised proposals and concludes it can be supported for the reasons explained below.

Outbuilding

The proposed outbuilding is compliant with the Rural Living setbacks required under LPS9. The closest boundary is the western boundary from which the outbuilding is to be setback 21 metres. The outbuilding measures 3.5m (wall height) and 4.37m (ridge height) with a total area of 108m².

The original subdivision of Lennards Brook required the residential building envelope to be setback a 1000 metres from the abattoir located on Lot 195 Cockram Road. Other lots in the subdivision complied with this setback buffer and built dwellings and incidental buildings behind the 1000m setback area. The previous landowner of the subject lot varied the building envelope and was allowed to build forward of the 1000m setback buffer. Therefore, the current owners have built their dwelling on the established sand pad that is forward of the 1000m buffer. The proposed location of the outbuilding has been chosen for its proximity to the dwelling for the ease of access.

The Administration has no objection to the location of the proposed outbuilding.

Local Planning Policy 1.9 Sea Containers (LPP 1.9)

The Applicant is seeking retrospective approval to keep one 20ft sea container setback 9.4m from the western boundary. A 20ft sea container measures 6m in length, 2.44m in width and 2.6m in height.

The Shire adopted LPP 1.9 in 2013 to ensure a balanced approach between providing flexibility to use sea containers as temporary storage and safeguarding the visual amenity throughout the Shire.

The proposal is subject to the provisions of LPP 1.9, the objectives of which are to:

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

Clause 7 (Permanent Use of Sea Containers) of LPP 1.9 outlines instances where sea containers can be used on a permanent basis. Permanent use of a single sea container is permitted in the Rural Living zone subject to compliance with the requirements listed in Clause 5 of the LPP which states:

- a) *Approval is required for use of all Sea Containers;*
- b) *Sea Containers are not to be located in setback areas, as specified in Local Planning Scheme No. 9 Table 2 – Site Requirements and in Firebreaks as specified by the Shire of Gingin Firebreak Order (as amended);*
- c) *Sea Containers in direct view of neighbouring properties and public places must be screened with walls, fencing, landscaping or other means approved by the Chief Executive Officer;*
- d) *Sea Containers are to be painted a neutral colour that is consistent with the existing buildings and kept in good condition; and*

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

The 20ft sea container is set back 9.4m from the western boundary, not 20m as required by LPS 9 and LPP 1.9. The adjoining neighbour has objected to the location and the visual amenity of the sea container.

In accordance with Clause 2.2 of LPP 1.9, Council may exercise its discretion to approve a deviation from the specific standards set out in the Policy subject to the applicant demonstrating that the likely effect of the location, height, bulk, scale, orientation and appearance of the Sea Container(s) will not conflict with or detrimentally affect the amenity of the locality..

The current location of the 20ft sea container is considered not to detrimentally affect the amenity of the locality or the adjoining neighbour. The 20ft sea container is screened by vegetation along the western boundary and cannot be seen from the adjoining western neighbour's place of residence. Furthermore, there would be no significant improvement in the visual amenity appearance of the 20ft sea container if it were to be further set back from 9.4m to the compliant 20m given the open appearance of the subject lot.

The permanent use of the 20ft sea container with a reduced setback to the western boundary is supported.

Rural Pursuit (Keeping of Ten Horses)

The Applicant seeks to keep a maximum of ten horses on the subject lot at any one time. In their submission the applicant advises that it *'should be noted that some of these will be young horses or ponies which have less environmental impact than full grown horses'*. However, the application is seeking a ten horse stocking rate and has been assessed on this basis.

In considering of keeping of horses within the Rural Living zone the Shire must assess the proposal against Clause 4.8.5.8 of LPS9 which states:

'The keeping of horses, sheep, goats and other grazing animals, where permitted, shall not exceed the stocking rates recommended by Agriculture Western Australia for the applicable pasture types'.

The Shire has already addressed the subject of stocking rates on land within the Lennard Brook subdivision as discussed in the report presented at the 20 January 2009 Ordinary Council Meeting.

The report concluded that each property in the subdivision (estimated to be 4ha in area) could accommodate approximately 20 Dry Sheep Equivalent (DSE) on dry pastures. Therefore, using the Agriculture Western Australia Stocking Rate Guidelines for Small Rural Holdings (stocking rate guidelines) the maximum number of livestock would be approximately 20 sheep or 2.5 cows or 2 horses (based on a 450kg light horse). The report further explains if the properties were irrigated and held the relevant water licence, then the following stocking rates would apply (estimated on a 4ha area): 100 sheep, 10 horses and 12.5 cows.

The Applicant submitted an amended site plan dated 5 July 2017 increasing the area of irrigated paddocks from the four originally outlined in their Horse Management Plan dated 10 April 2017 to six. A portion of paddock six doubles as the float parking area for the horse riding school. The Applicant has also stated the main horse arena (non-irrigated) will be used to stable horses when they need to be isolated.

For the purposes of calculating the stocking rates only the five irrigated paddocks (as outlined on the amended site plan) have been used, as these paddocks will be specifically used for the purposes of the Rural Pursuit land use.

The irrigated area that also doubles as a float parking area has not been calculated because it is considered this area is designated as float parking (in conjunction with the riding school land use) and will be more intensively used compared to the other irrigated paddocks specifically being used for the stabling of horses. Furthermore, the conflict of the two land uses will affect the ability of the paddock being rotated for pasture growth compared to the paddock only being used to stable horses.

It should be noted that the float parking area identified on the site plan is considered not be a sufficient size to accommodate six floats without having to utilise the remaining irrigated paddock.

The main horse arena has also not been included in the calculation as again its primary land use is for the horse riding school and is non-irrigated (different stocking rates apply to dry pastures).

Therefore applying the stocking rate as outlined in the stocking rate guidelines, an approximate irrigated area of 2.9ha (five paddocks) could accommodate seven horses. The proposal is seeking ten horses, three horses more than what is recommended by the stocking rate guidelines.

Prior to the lodgement of the proposals, the Shire received written complaints against the keeping of horses above the stocking rate, which was causing amenity concerns with respect to the generation of dust and odour. In accordance with Schedule 2, Part 9, Clause 67 of the deemed provisions, the local government is to have due regard to submissions received if the matters are relevant to the development and the history of the site.

As the keeping of horses in numbers above the stocking rate was brought to the attention of the Shire as a compliance matter, the management of horses on the property has not demonstrated that the subject lot is sufficiently capable of accommodating more horses than what is recommended by the stocking rate guidelines without causing environmental degradation and compromising the objectives of the Rural Living zone.

The proposal for the Rural Pursuit (Keeping of Ten Horses) is not supported as it contravenes LPS 9 clause 4.8.5.8 as it exceeds the stocking rates recommended by Agriculture Western Australia Stocking Rate Guidelines for Small Rural Holdings; and

Administration had a meeting with the Applicant on 12 July 2017 to discuss the Shire's position of not supporting the application based its non-compliance with the Stocking Rate Guidelines and whether the Applicant would consider reducing the stocking rate numbers. The Applicant advised they would comply with the Stocking Rate Guidelines, however could the Shire consider limiting stocking numbers in terms of its compliance to DSE rather than limiting it to the number of horses. This provides the flexibility in the number of horses being kept onsite when different stocking rates apply to a 450kg light horse and a 250kg pony. For example, two ponies are equal to one light horse in terms of the DSE stocking rate.

The Shire considers this to be a reasonable approach as it provides the flexibility in keeping a number of different size horses but still being able to comply with the Stocking Rate Guidelines. The DSE equivalent to seven light horses (on irrigated pasture) for 2.9Ha is 72.5 DSE. Therefore, the amended proposal is considered to comply with the stocking rate guidelines and is conditionally supported.

Recreation Private (Horse Riding School)

The Applicant also seeks to undertake a horse riding school as a 'Recreation – Private' use on the subject lot. As discussed above, private lessons will be the primary bookings with the exception of group lessons or clinic days. Students can either use the horses kept on the subject lot or bring their own horse to the property.

The proposed hours of operation are:

Monday: 3.30pm – 5.30pm;

Tuesday: 3.30pm – 5.30pm;

Wednesday: Closed;

Thursday: Closed;

Friday: 9.00am – 12.00pm;

Saturday: one a month for group/clinic lessons, 12.00pm – 3.00pm, closed all other Saturdays; and

Sunday: 8.00am – 5.00pm.

The Applicant has advised that they anticipate no more than 12 clients per week with most lessons being one on one lessons, one hour in duration. The exception to this is once a month on a Saturday, when clinics will be undertaken where no more than six students will be in attendance. Clinics will run for two to three hours. The once a fortnight group bookings will have no more than four students.

Car Parking:

The Applicant has advised that approximately six floats can be accommodated in the area outlined on the amended site plan and they don't anticipate more than three to four floats on clinic days which will be once a month. Other than on clinic days, students' may bring their own horses however this will involve one float at a time no more than twice a week.

'Table 3 – Parking Requirements' under LPS 9 outlines the parking ratio for a range of land uses. No parking standard is prescribed for 'Recreation – Private' under Table 3. Clause 4.7.2.5 of LPS 9 states:

'where the use of land referred to in the Zoning Table (Table 1) for which no provision is made in respect of car parking spaces in Table 3, the car parking spaces required for that use of land shall be determined by local government'.

It is considered that the current area identified on the amended site plan as 'float parking' is not of sufficient size to be able to accommodate six floats without having to use the remainder of the irrigated paddock. Furthermore, there is a designated car parking area for those students who do not bring their own horse and float.

The Applicant has advised that the maximum number of students on site at any one time will be six (i.e. clinic days). The Applicant has also advised that it is anticipated that no more than four floats will be parked in the float parking area on clinic days. Therefore, it can only be assumed that the other students will come via a car only, with no requirement for float parking.

The proposal was advertised to the surrounding landowners with two submissions from ratepayers being received objecting to the proposal. The Shire also received written complaints about the riding school raising amenity concerns regarding the generation of traffic, noise, dust and odour. In accordance with Schedule 2, Part 9, Clause 67 of the deemed provisions, the local government is to have due regard to submissions received if the matters are relevant to the development.

Notwithstanding the two objections received, the proposal received support from one ratepayer and 14 submissions of support from the wider community acknowledging the socio-economic and community benefits it would bring to the Shire.

Schedule 2, Part 9, Clause 67 of the deemed provisions, require that the local government is to have due regard for the history of the site. The horse riding school was brought to the Shire's attention as a compliance matter and therefore the operation of the riding school in its current form has not demonstrated its ability to operate in a manner that does not cause amenity concerns to surrounding landowners' in the immediate locality.

Administration considers that the subject lot cannot accommodate the scale of enterprise that is outlined within the Applicant's submission, without causing amenity impacts to the adjoining landowners' in terms of traffic, noise, dust and odour. Furthermore, the additional horses that will visit the site will further contravene the subject lots stocking rates and compound the impacts caused from excessive stocking.

The proposal for the Recreation – Private (Horse Riding School) is not supported as:

1. It contravenes LPS 9 clause 4.8.5.8 as it exceeds the stocking rates recommended by Agriculture Western Australia Stocking Rate Guidelines for Small Rural Holdings;
2. It contravenes clause 3.2.6(a) and (d) as it compromises the objectives of the Rural Living zone as the operation of the riding school does not protect the rural environment and landscape, threatens the amenity of the zone and will have an adverse effect on the amenity of the surrounding landowners' in the immediate locality.

Administration had a meeting with the Applicant on 12 July 2017 to discuss the Shire's position of not supporting the current scale of the riding school for the reasons outlined above. However, if the scale of the riding school was reduced in terms of its operating hours, the maximum number of people being onsite at any one time to four and the area being restricted to the main horse arena (so the visiting horses do not impact upon the stocking rate densities of the irrigated paddocks) then the proposal would better demonstrate its compliance with the objectives of the Rural Living zone and its amenity impacts upon the adjoining landowners. Then administration could be in a position to recommend conditional approval for a period of twelve months.

The Applicant has agreed to this position and therefore the amended proposal is conditionally supported.

Service Amenities

In the event Council approves the horse riding school a condition of planning approval will require the installation of a uni-sex accessible toilet to the satisfaction of the Shire of Gingin.

Planning in Bushfire Prone Areas

'State Planning Policy 3.7 – Planning in Bushfire Prone Areas' (SPP 3.7) provides a foundation for land use planning to address bushfire risk management. Part of the subject lot is identified as being in a Bushfire Prone Area. The Bushfire Attack Level (BAL) Assessment that was undertaken for the dwelling in the vicinity of the riding school had a BAL Rating of Low.

The main horse arena (area of the horse riding school) is 100m from bushfire prone vegetation and therefore a BASIC BAL Assessment can be applied.

In the event that Council approves the application a condition of the planning approval will require the Horse Riding School Business Plan submitted with the application, to be amended to address Bushfire and Emergency Evacuation Management to the satisfaction of the Shire of Gingin.

Summary

In view of the above assessment, Administration is of the view that the proposed outbuilding and retrospective permanent use of the 20ft sea container is conditionally supported as the outbuilding is ancillary to the existing dwelling on site and neither compromise the objectives of the Rural Living zone.

The revised retrospective proposal for a Rural Pursuit (Keeping of Horses) and a Recreation – Private (Horse Riding School) has been reduced in scale. In this regard, it is considered acceptable to time limit the proposal so that the applicant can demonstrate that the land use will not impact on the neighbouring properties.

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 and Building Regulations 2012 and *Public Health Act 2016* which are to be approved by the Shire of Gingin;
- B. Premises are to comply with the requirements of the *Public Health Act 2016* and all relevant health legislation.
- C. In respect of Condition 4c, the installation of the uni-sex accessible toilet is required to comply with Australian Standard (AS) 1428. The Applicant is to contact the Shire of Gingin before installing the unisex toilet to determine a suitable location;
- D. In respect of Condition 4d, detailed plans of all signage are required to be submitted in accordance with the Shire of Gingin's *By-Laws Relating to Signs and Bill Posting*. The plans are to include at a minimum; the location of the signage, dimensions and illumination details.
- E. Noise emissions from the property must comply with the *Environmental Protection (Noise) Regulations 1997*.
- F. This approval is not a building permit or an approval under any law other than the *Planning and Development Act 2005*. It is the responsibility of the applicant/owner to obtain any other necessary approvals, consents and/or licences required under any other law, and to commence and carry out development in accordance with all relevant laws.
- G. It is advised that the proposal should at all times comply with the *Biosecurity and Agriculture Management (Stable Fly) Management Plan 2016* in order to minimise the effects of stable flies on the community.

STATUTORY ENVIRONMENT

Local Planning Scheme No. 9

Part 3 Zones and the use of the land

3.2 Objectives of the zones

3.2.2 Town Centre zone

3.3 Zoning Table

Part 4 General Development Requirements

4.7.2.5 Parking

4.8 Zone Specific Development Standards

4.8.5 Rural Living zone

Local Planning Policy 1.9 Sea Containers (LPP 1.9)

State Planning Policy 3.7 Planning in Bushfire Prone Areas

Agriculture Western Australia Stocking Rate Guidelines for Small Rural Holdings

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

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>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council:

1. Grant Development Approval for a proposed Outbuilding on Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:
 - a. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
 - b. This Approval is for an Outbuilding only;
 - c. The Outbuilding shall not be used for human habitation, commercial or industrial purposes; and
 - d. Stormwater from all roofed and paved areas shall be collected and contained onsite to the satisfaction of the Shire.
2. Grant Retrospective Development Approval for the Permanent Use of one 20ft Sea Container with reduced setback on Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:

- a. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
 - b. This Approval is for one 20ft Sea Container Only;
 - c. The external appearance of the sea container is to be maintained in a good condition at all times to the satisfaction of the Shire of Gingin and shall not display any form of advertising; and
 - d. The Sea Container shall not be used for human habitation.
 - e. The 20ft sea container is to be removed and relocated at least 20m from the property boundary. The sea container can be abutted to the proposed outbuilding or will be required to be screened in accordance with Shire Local Planning Policy 1.9 Sea Containers.
3. Approve the Retrospective Development Approval for Rural Pursuit (Keeping of Horses) on Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:
 - a. The number of horses onsite is not to exceed the stocking rate of 72.5 Dry Sheep Equivalent;
 - b. Within 30 days of the date of this approval, the Horse Management Plan submitted with the proposal dated 10 April 2017 is to be amended and submitted for approval to the satisfaction of the Shire of Gingin to address the management of horses not exceeding the stocking rate of 72.5 Dry Sheep Equivalent to the satisfaction of the Shire of Gingin;
 - c. The management of horses shall comply with at all times with the approved Horse Management Plan to the satisfaction of the Shire of Gingin.
 - d. All water runoff from the main horse arena is not to enter the adjoining properties;
 - e. A landscaping buffer is required to be planted along a portion of the eastern and western boundaries, to be marked in Red Ink on the approved plans, to the satisfaction of the Shire of Gingin;
 - f. Prior to the commencement of a landscaping buffer (see Condition e), a landscaping plan is required to be submitted for approval by the Shire of Gingin within 45 days from the date of this approval. The landscaping plan, at a minimum, must address the extent of the buffer area, the location and spacing of trees and shrubs, a list of tree species and how the buffer area is to be maintained, having regard for the Shire of Gingin Firebreak Notice provision;
 - g. The landscaping buffer is required to be undertaken within 45 days of approved landscaping plan and is to be maintained at all times to the satisfaction of the Shire of Gingin;

- h. The paddocks shall at all times have at least 70% ground cover to avoid land degradation as recommended by the Department of Agriculture of Western Australia Publication keeping horses on small properties;
 - i. All commitments and undertakings outlined within the approved Horse Management Plan are to be undertaken within 45 days from the date of this approval to the satisfaction of the Shire of Gingin;
- 4. Approve the Retrospective Development Approval for Recreation – Private (Horse Riding School) Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:
 - a. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
 - b. This Approval is valid for 12 months only from the date of the approval;
 - c. Prior to re-commencement of the Recreation – Private (Horse Riding School) a uni-sex accessible toilet is required to be installed to the satisfaction of the Shire of Gingin;
 - d. A separate application for a sign licence is required to be submitted and approved by the Shire of Gingin prior to the erection of any signage;
 - e. Parking is to be made available within the designated float parking area for up to four clients at any one time, to the satisfaction of the Shire of Gingin;
 - f. Operating hours are Monday to Tuesday 3.30pm – 5.30pm, Wednesday to Thursday closed, Friday 9.00am to 12.00pm, Saturday 12.00pm to 3.00pm and Sunday Closed;
 - g. The number of clients on site at any one time is not to exceed the following:

Monday: 2 clients
Tuesday: 2 clients
Friday: 4 clients
Saturday 4 clients

No more than a total of 12 clients are to visit the property per week;
 - h. The Recreation – Private (Horse Riding School) is to be undertaken within the main horse arena only;
 - i. Within 30 days from the date of this approval the Riding School Business Plan submitted with the proposal dated 10 April 2017 is to be amended and submitted for approval to the satisfaction of the Shire of Gingin to address the following:
 - i. the change in business hours;
 - ii. the maximum number of clients allowed per day the riding school is open;

- iii. the riding school being limited to the main horse arena;
- iv. the provision of toilet/service amenities; and
- v. Bushfire and Emergency Evacuation Management;
- j. The Recreation – Private (Horse Riding School) shall comply with at all times with the approved Riding School Business Plan to the satisfaction of the Shire of Gingin;
- k. The operator of the horse riding school is required to keep an up to date client/student booking register;
- l. 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
- m. No camping/overnight stays are permitted. No accommodation shall be provided to clients or horses (ie no overnight stays).
- n. The use of sprinklers for dust suppression measures in the riding school main arena is required; and
- o. All commitments outlined within the approved Riding School Business Plan are to be undertaken within 45 days from the date of this approval to the satisfaction of the Shire of Gingin.

MOTION

Moved Councillor Peczka, seconded Councillor Fewster that Council:

1. Grant Development Approval for a proposed Outbuilding on Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:
 - a. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
 - b. This Approval is for an Outbuilding only;
 - c. The Outbuilding shall not be used for human habitation, commercial or industrial purposes; and
 - d. Stormwater from all roofed and paved areas shall be collected and contained onsite to the satisfaction of the Shire.
2. Grant Retrospective Development Approval for the Permanent Use of one 20ft Sea Container with reduced setback on Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:

- a. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
 - b. This Approval is for one 20ft Sea Container Only;
 - c. The external appearance of the sea container is to be maintained in a good condition at all times to the satisfaction of the Shire of Gingin and shall not display any form of advertising; and
 - d. The Sea Container shall not be used for human habitation.
 - e. The 20ft sea container is to be removed and relocated at least 20m from the property boundary. The sea container can be abutted to the proposed outbuilding or will be required to be screened in accordance with Shire Local Planning Policy 1.9 Sea Containers.
3. Approve the Retrospective Development Approval for Rural Pursuit (Keeping of Horses) on Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:
 - a. The number of horses onsite is not to exceed the stocking rate of 72.5 Dry Sheep Equivalent;
 - b. Within 30 days of the date of this approval, the Horse Management Plan submitted with the proposal dated 10 April 2017 is to be amended and submitted for approval to the satisfaction of the Shire of Gingin to address the management of horses not exceeding the stocking rate of 72.5 Dry Sheep Equivalent to the satisfaction of the Shire of Gingin;
 - c. The management of horses shall comply with at all times with the approved Horse Management Plan to the satisfaction of the Shire of Gingin.
 - d. All water runoff from the main horse arena is not to enter the adjoining properties;
 - e. A landscaping buffer is required to be planted along a portion of the eastern and western boundaries, to be marked in Red Ink on the approved plans, to the satisfaction of the Shire of Gingin;
 - f. Prior to the commencement of a landscaping buffer (see Condition e), a landscaping plan is required to be submitted for approval by the Shire of Gingin within 45 days from the date of this approval. The landscaping plan, at a minimum, must address the extent of the buffer area, the location and spacing of trees and shrubs, a list of tree species and how the buffer area is to be maintained, having regard for the Shire of Gingin Firebreak Notice provision;
 - g. The landscaping buffer is required to be undertaken within 45 days of approved landscaping plan and is to be maintained at all times to the satisfaction of the Shire of Gingin;

- h. The paddocks shall at all times have at least 70% ground cover to avoid land degradation as recommended by the Department of Agriculture of Western Australia Publication keeping horses on small properties;
 - i. All commitments and undertakings outlined within the approved Horse Management Plan are to be undertaken within 45 days from the date of this approval to the satisfaction of the Shire of Gingin;
- 4. Approve the Retrospective Development Approval for Recreation – Private (Horse Riding School) Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:
 - a. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
 - b. This Approval is valid for 12 months only from the date of the approval;
 - c. Prior to re-commencement of the Recreation – Private (Horse Riding School) a uni-sex accessible toilet is required to be installed to the satisfaction of the Shire of Gingin;
 - d. A separate application for a sign licence is required to be submitted and approved by the Shire of Gingin prior to the erection of any signage;
 - e. Parking is to be made available within the designated float parking area for up to four clients at any one time, to the satisfaction of the Shire of Gingin;
 - f. Operating hours are Monday to Tuesday 3.30pm – 5.30pm, Wednesday to Thursday closed, Friday 9.00am to 12.00pm, Saturday 12.00pm to 3.00pm and Sunday Closed;
 - g. The number of clients on site at any one time is not to exceed the following:

Monday: 2 clients
Tuesday: 2 clients
Friday: 4 clients
Saturday 4 clients

No more than a total of 12 clients are to visit the property per week;
 - h. The Recreation – Private (Horse Riding School) is to be undertaken within the main horse arena only;
 - i. Within 30 days from the date of this approval the Riding School Business Plan submitted with the proposal dated 10 April 2017 is to be amended and submitted for approval to the satisfaction of the Shire of Gingin to address the following:
 - i. the change in business hours;
 - ii. the maximum number of clients allowed per day the riding school is open;

- iii. the riding school being limited to the main horse arena;
- iv. the provision of toilet/service amenities; and
- v. Bushfire and Emergency Evacuation Management;
- j. The Recreation – Private (Horse Riding School) shall comply with at all times with the approved Riding School Business Plan to the satisfaction of the Shire of Gingin;
- k. The operator of the horse riding school is required to keep an up to date client/student booking register;
- l. 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
- m. No camping/overnight stays are permitted. No accommodation shall be provided to clients or horses (ie no overnight stays).
- n. The use of sprinklers for dust suppression measures in the riding school main arena is required; and
- o. All commitments outlined within the approved Riding School Business Plan are to be undertaken within 45 days from the date of this approval to the satisfaction of the Shire of Gingin.

AMENDMENT

Amend Condition 3a by replacing the words “the stocking rate of 72.5 Dry Sheep Equivalent” with “5 horses”. Amend Condition 3b by replacing the words “the stocking rate of 72.5 Dry Sheep Equivalent” with “5 horses”.

Moved Councillor Collard, seconded Councillor Elgin that Council:

1. Grant Development Approval for a proposed Outbuilding on Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:
 - a. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
 - b. This Approval is for an Outbuilding only;
 - c. The Outbuilding shall not be used for human habitation, commercial or industrial purposes; and
 - d. Stormwater from all roofed and paved areas shall be collected and contained onsite to the satisfaction of the Shire.

2. Grant Retrospective Development Approval for the Permanent Use of one 20ft Sea Container with reduced setback on Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:
 - a. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
 - b. This Approval is for one 20ft Sea Container Only;
 - c. The external appearance of the sea container is to be maintained in a good condition at all times to the satisfaction of the Shire of Gingin and shall not display any form of advertising; and
 - d. The Sea Container shall not be used for human habitation.
 - e. The 20ft sea container is to be removed and relocated at least 20m from the property boundary. The sea container can be abutted to the proposed outbuilding or will be required to be screened in accordance with Shire Local Planning Policy 1.9 Sea Containers.
3. Approve the Retrospective Development Approval for Rural Pursuit (Keeping of Horses) on Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:
 - a. The number of horses onsite is not to exceed 5 horses
 - b. Within 30 days of the date of this approval, the Horse Management Plan submitted with the proposal dated 10 April 2017 is to be amended and submitted for approval to the satisfaction of the Shire of Gingin to address the management of horses not exceeding 5 horses to the satisfaction of the Shire of Gingin;
 - c. The management of horses shall comply with at all times with the approved Horse Management Plan to the satisfaction of the Shire of Gingin.
 - d. All water runoff from the main horse arena is not to enter the adjoining properties;
 - e. A landscaping buffer is required to be planted along a portion of the eastern and western boundaries, to be marked in Red Ink on the approved plans, to the satisfaction of the Shire of Gingin;
 - f. Prior to the commencement of a landscaping buffer (see Condition e), a landscaping plan is required to be submitted for approval by the Shire of Gingin within 45 days from the date of this approval. The landscaping plan, at a minimum, must address the extent of the buffer area, the location and spacing of trees and shrubs, a list of tree species and how the buffer area is to be maintained, having regard for the Shire of Gingin Firebreak Notice provision;
 - g. The landscaping buffer is required to be undertaken within 45 days of approved landscaping plan and is to be maintained at all times to the satisfaction of the Shire of Gingin;

- h. The paddocks shall at all times have at least 70% ground cover to avoid land degradation as recommended by the Department of Agriculture of Western Australia Publication keeping horses on small properties;
 - i. All commitments and undertakings outlined within the approved Horse Management Plan are to be undertaken within 45 days from the date of this approval to the satisfaction of the Shire of Gingin;
- 4. Approve the Retrospective Development Approval for Recreation – Private (Horse Riding School) Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:
 - a. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
 - b. This Approval is valid for 12 months only from the date of the approval;
 - c. Prior to re-commencement of the Recreation – Private (Horse Riding School) a uni-sex accessible toilet is required to be installed to the satisfaction of the Shire of Gingin;
 - d. A separate application for a sign licence is required to be submitted and approved by the Shire of Gingin prior to the erection of any signage;
 - e. Parking is to be made available within the designated float parking area for up to four clients at any one time, to the satisfaction of the Shire of Gingin;
 - f. Operating hours are Monday to Tuesday 3.30pm – 5.30pm, Wednesday to Thursday closed, Friday 9.00am to 12.00pm, Saturday 12.00pm to 3.00pm and Sunday Closed;
 - g. The number of clients on site at any one time is not to exceed the following:

Monday:	2 clients
Tuesday:	2 clients
Friday:	4 clients
Saturday	4 clients

No more than a total of 12 clients are to visit the property per week;
 - h. The Recreation – Private (Horse Riding School) is to be undertaken within the main horse arena only;
 - i. Within 30 days from the date of this approval the Riding School Business Plan submitted with the proposal dated 10 April 2017 is to be amended and submitted for approval to the satisfaction of the Shire of Gingin to address the following:
 - i. the change in business hours;
 - ii. the maximum number of clients allowed per day the riding school is open;

- iii. the riding school being limited to the main horse arena;
- iv. the provision of toilet/service amenities; and
- v. Bushfire and Emergency Evacuation Management;
- j. The Recreation – Private (Horse Riding School) shall comply with at all times with the approved Riding School Business Plan to the satisfaction of the Shire of Gingin;
- k. The operator of the horse riding school is required to keep an up to date client/student booking register;
- l. 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
- m. No camping/overnight stays are permitted. No accommodation shall be provided to clients or horses (ie no overnight stays).
- n. The use of sprinklers for dust suppression measures in the riding school main arena is required; and
- o. All commitments outlined within the approved Riding School Business Plan are to be undertaken within 45 days from the date of this approval to the satisfaction of the Shire of Gingin.

LOST
3-5

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

The original motion became the substantive motion as the amendment was lost.

RESOLUTION

Moved Councillor Peczka, seconded Councillor Fewster that Council:

- 1. Grant Development Approval for a proposed Outbuilding on Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:**
 - a. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;**
 - b. This Approval is for an Outbuilding only;**
 - c. The Outbuilding shall not be used for human habitation, commercial or industrial purposes; and**

- d. **Stormwater from all roofed and paved areas shall be collected and contained onsite to the satisfaction of the Shire.**
- 2. Grant Retrospective Development Approval for the Permanent Use of one 20ft Sea Container with reduced setback on Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:**
 - a. **The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;**
 - b. **This Approval is for one 20ft Sea Container Only;**
 - c. **The external appearance of the sea container is to be maintained in a good condition at all times to the satisfaction of the Shire of Gingin and shall not display any form of advertising;**
 - d. **The Sea Container shall not be used for human habitation; and**
 - e. **The 20ft sea container is to be removed and relocated at least 20m from the property boundary. The sea container can be abutted to the proposed outbuilding or will be required to be screened in accordance with Shire Local Planning Policy 1.9 Sea Containers.**
- 3. Approve the Retrospective Development Approval for Rural Pursuit (Keeping of Horses) on Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:**
 - a. **The number of horses onsite is not to exceed the stocking rate of 72.5 Dry Sheep Equivalent;**
 - b. **Within 30 days of the date of this approval, the Horse Management Plan submitted with the proposal dated 10 April 2017 is to be amended and submitted for approval to the satisfaction of the Shire of Gingin to address the management of horses not exceeding the stocking rate of 72.5 Dry Sheep Equivalent to the satisfaction of the Shire of Gingin;**
 - c. **The management of horses shall comply with at all times with the approved Horse Management Plan to the satisfaction of the Shire of Gingin;**
 - d. **All water runoff from the main horse arena is not to enter the adjoining properties;**
 - e. **A landscaping buffer is required to be planted along a portion of the eastern and western boundaries, to be marked in Red Ink on the approved plans, to the satisfaction of the Shire of Gingin;**
 - f. **Prior to the commencement of a landscaping buffer (see Condition e), a landscaping plan is required to be submitted for approval by the Shire of Gingin within 45 days from the date of this approval. The landscaping plan, at a minimum, must address the extent of the buffer area, the location and**

spacing of trees and shrubs, a list of tree species and how the buffer area is to be maintained, having regard for the Shire of Gingin Firebreak Notice provision;

- g. The landscaping buffer is required to be undertaken within 45 days of approved landscaping plan and is to be maintained at all times to the satisfaction of the Shire of Gingin;
 - h. The paddocks shall at all times have at least 70% ground cover to avoid land degradation as recommended by the Department of Agriculture of Western Australia Publication keeping horses on small properties;
 - i. All commitments and undertakings outlined within the approved Horse Management Plan are to be undertaken within 45 days from the date of this approval to the satisfaction of the Shire of Gingin;
4. Approve the Retrospective Development Approval for Recreation – Private (Horse Riding School) Lot 58 (No. 25) Ashby Road, Lennard Brook subject to the following conditions:
- a. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
 - b. This Approval is valid for 12 months only from the date of the approval;
 - c. Prior to re-commencement of the Recreation – Private (Horse Riding School) a uni-sex accessible toilet is required to be installed to the satisfaction of the Shire of Gingin;
 - d. A separate application for a sign licence is required to be submitted and approved by the Shire of Gingin prior to the erection of any signage;
 - e. Parking is to be made available within the designated float parking area for up to four clients at any one time, to the satisfaction of the Shire of Gingin;
 - f. Operating hours are Monday to Tuesday 3.30pm – 5.30pm, Wednesday to Thursday closed, Friday 9.00am to 12.00pm, Saturday 12.00pm to 3.00pm and Sunday Closed;
 - g. The number of clients on site at any one time is not to exceed the following:

Monday:	2 clients
Tuesday:	2 clients
Friday:	4 clients
Saturday	4 clients

No more than a total of 12 clients are to visit the property per week;
 - h. The Recreation – Private (Horse Riding School) is to be undertaken within the main horse arena only;

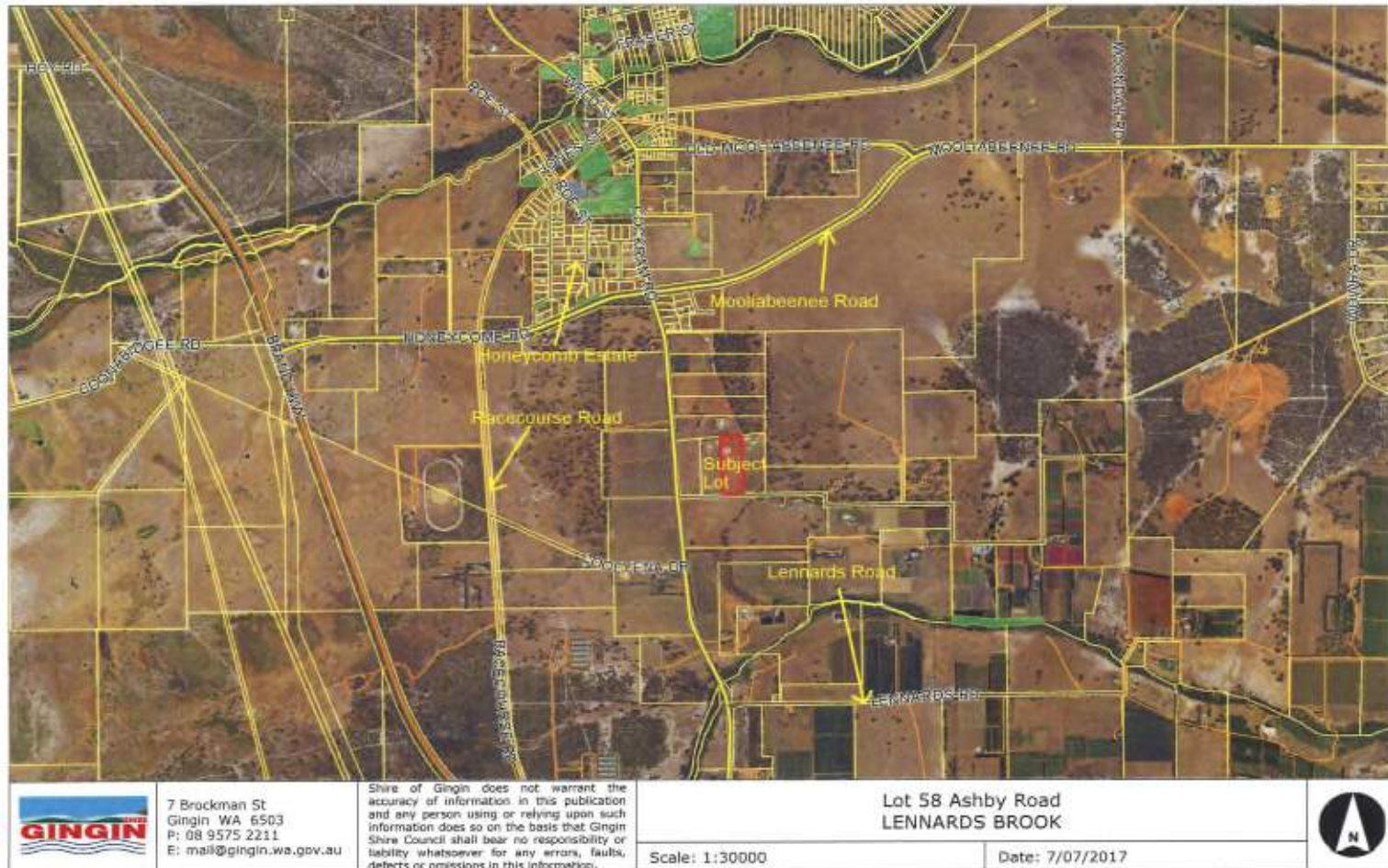
- i. **Within 30 days from the date of this approval the Riding School Business Plan submitted with the proposal dated 10 April 2017 is to be amended and submitted for approval to the satisfaction of the Shire of Gingin to address the following:**
 - i. **the change in business hours;**
 - ii. **the maximum number of clients allowed per day the riding school is open;**
 - iii. **the riding school being limited to the main horse arena;**
 - iv. **the provision of toilet/service amenities; and**
 - v. **Bushfire and Emergency Evacuation Management;**
- j. **The Recreation – Private (Horse Riding School) shall comply with at all times with the approved Riding School Business Plan to the satisfaction of the Shire of Gingin;**
- k. **The operator of the horse riding school is required to keep an up to date client/student booking register;**
- l. **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;**
- m. **No camping/overnight stays are permitted. No accommodation shall be provided to clients or horses (ie no overnight stays);**
- n. **The use of sprinklers for dust suppression measures in the riding school main arena is required; and**
- o. **All commitments outlined within the approved Riding School Business Plan are to be undertaken within 45 days from the date of this approval to the satisfaction of the Shire of Gingin.**

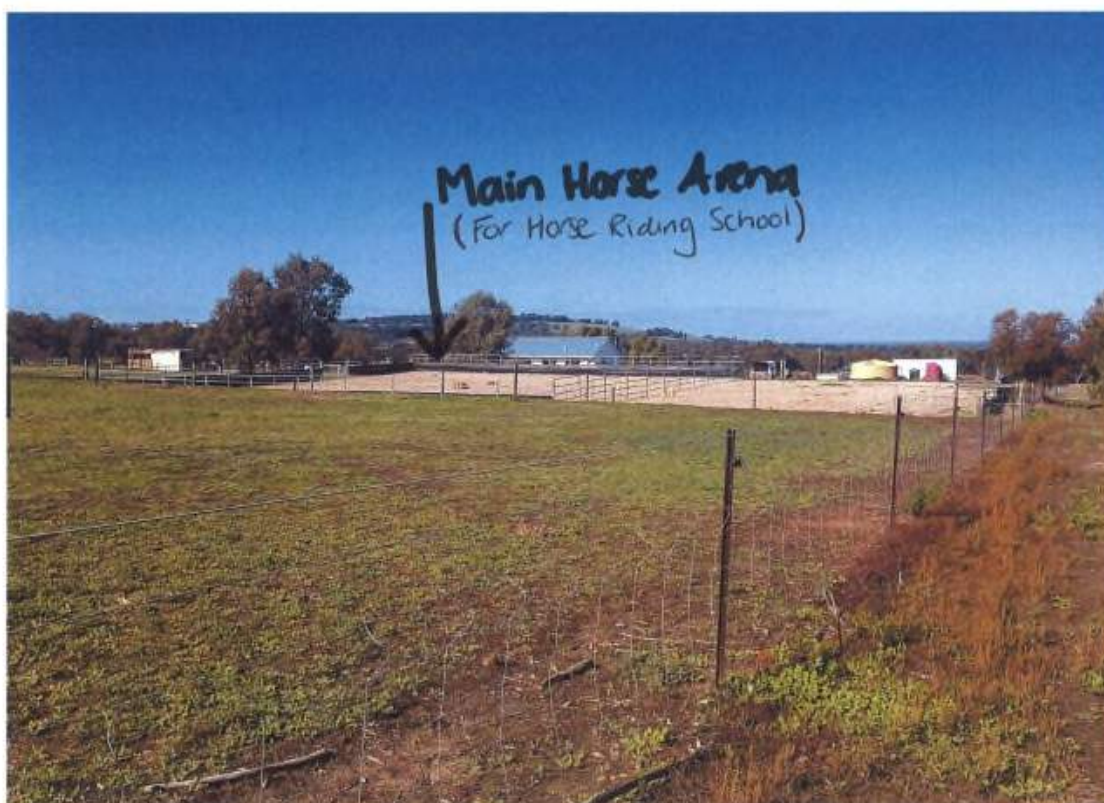
CARRIED
7-1

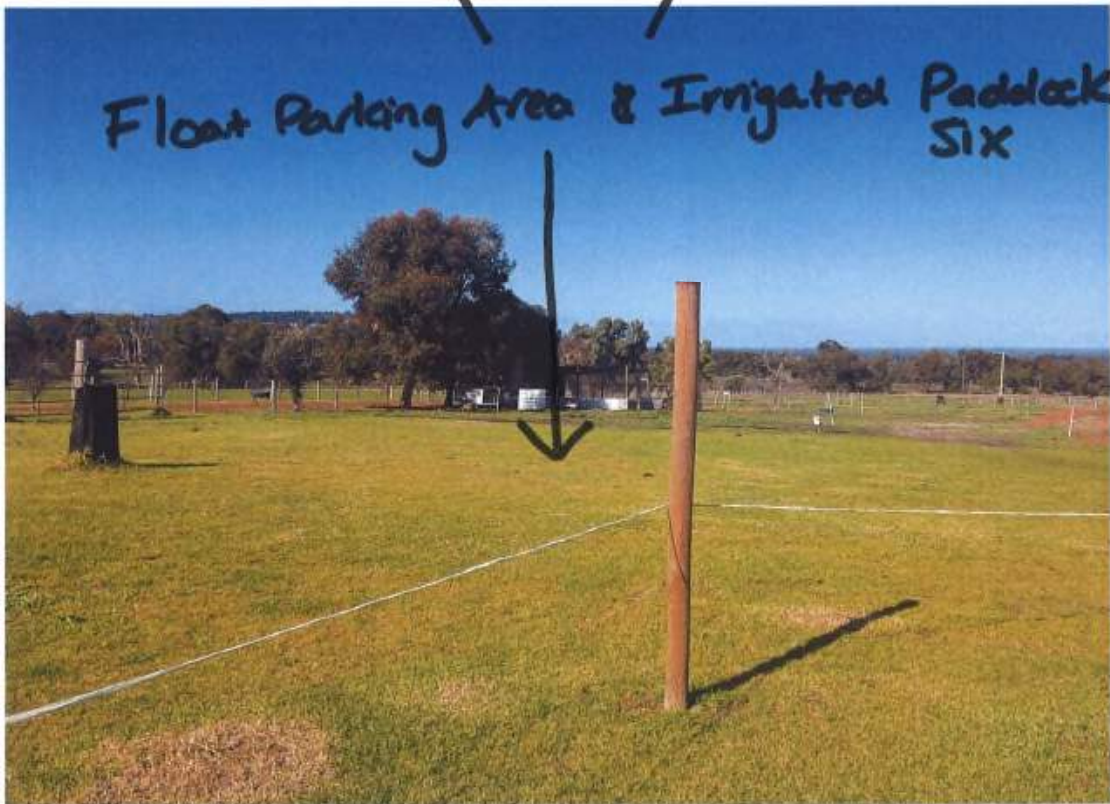
For: Councillor Elgin, Smiles, Peczka, Roe, Aspinall, Ammon
Against: Councillor Collard

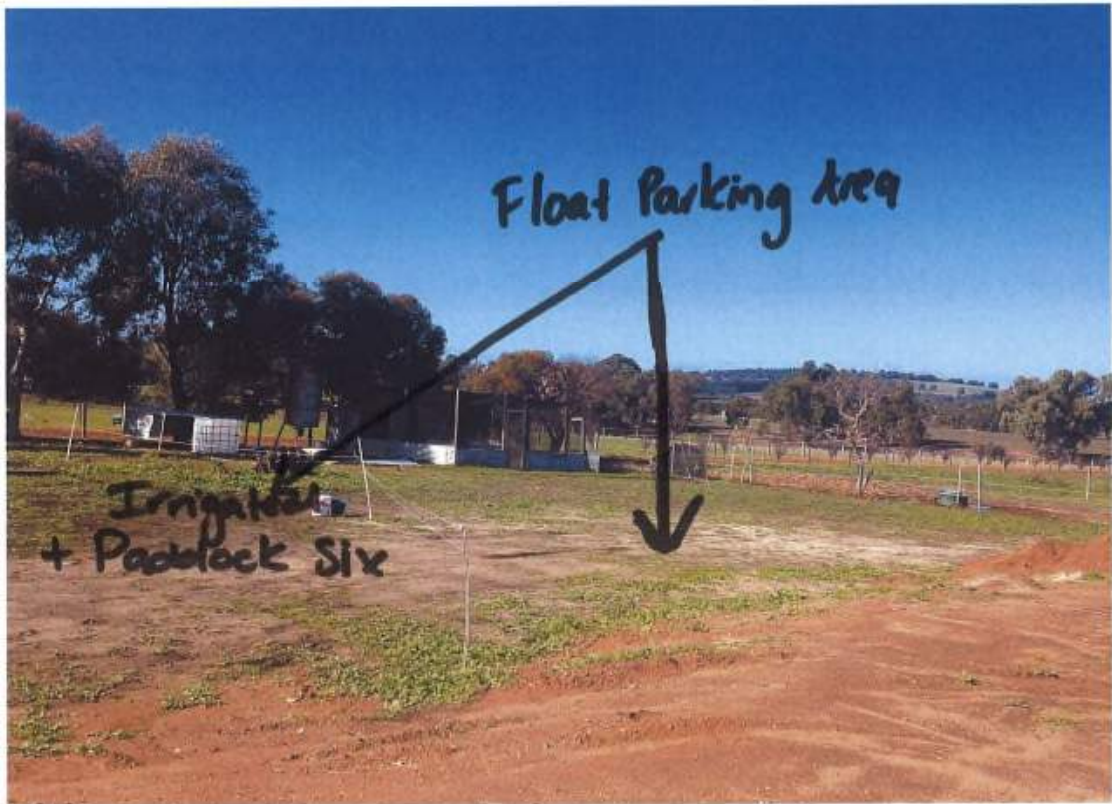
APPENDIX 1





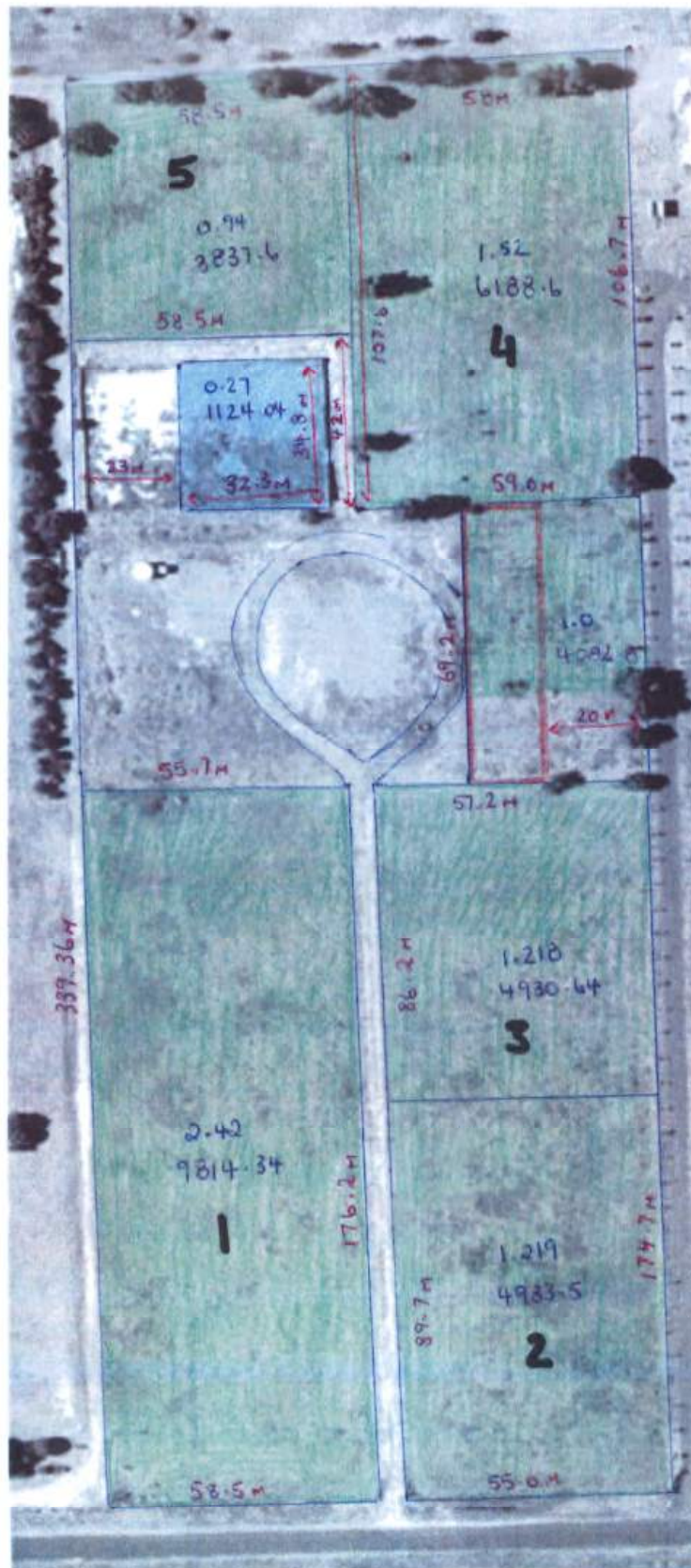




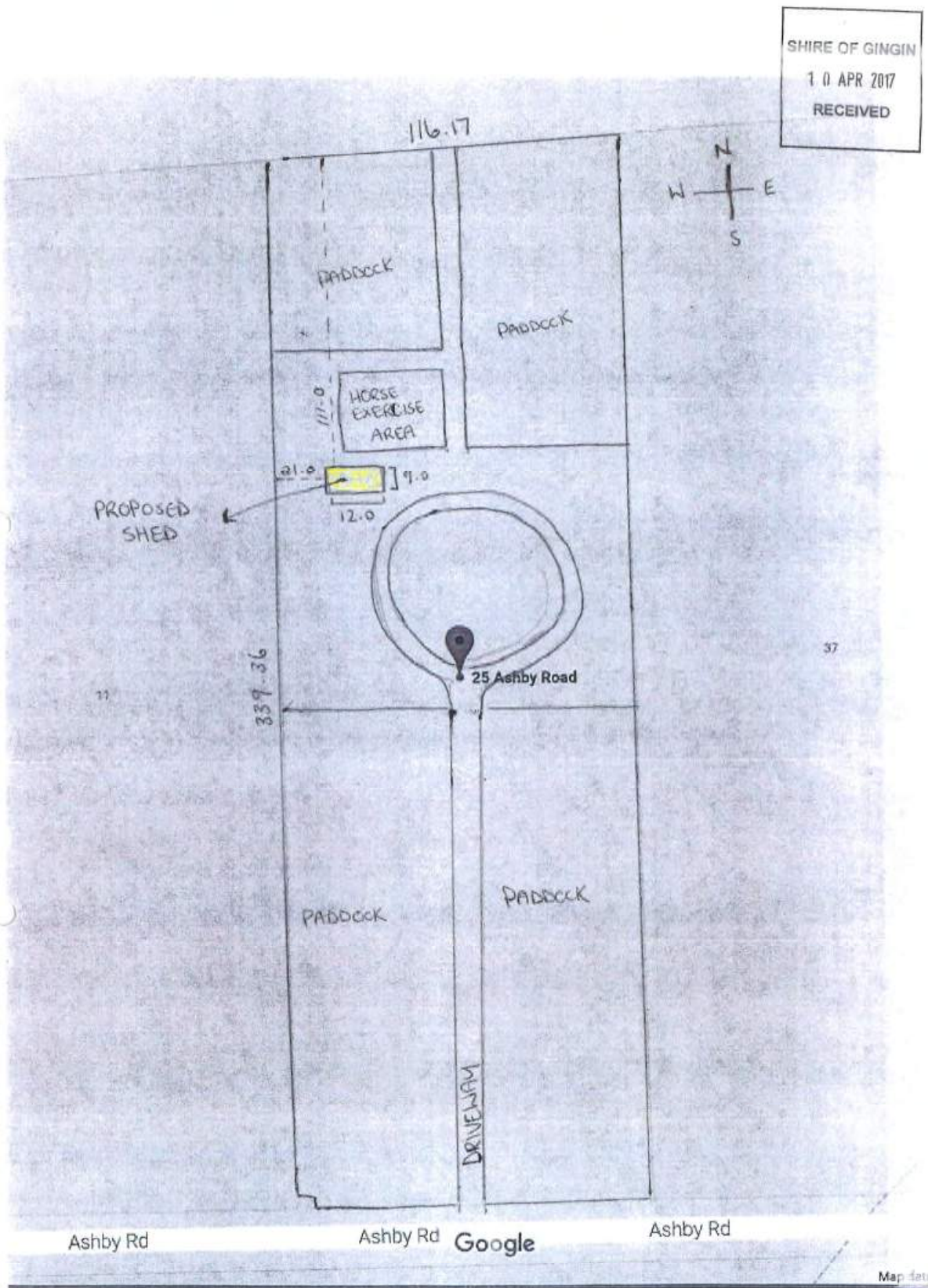




APPENDIX 2



AMENDED
- 5 JUL 2017
PLAN







19 Boydell Road, Kenwick, WA, 6107
Web: westernsheds.com.au
Direct: (08) 6161 0532
Email: westernsheds@bigpond.com

Quotation

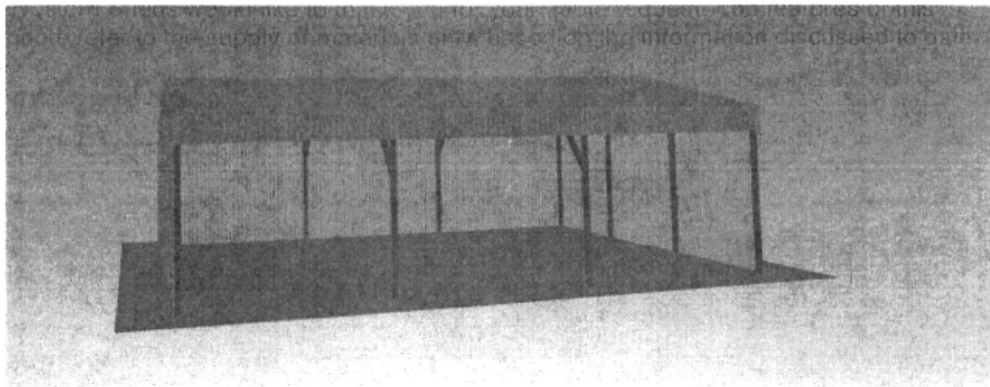
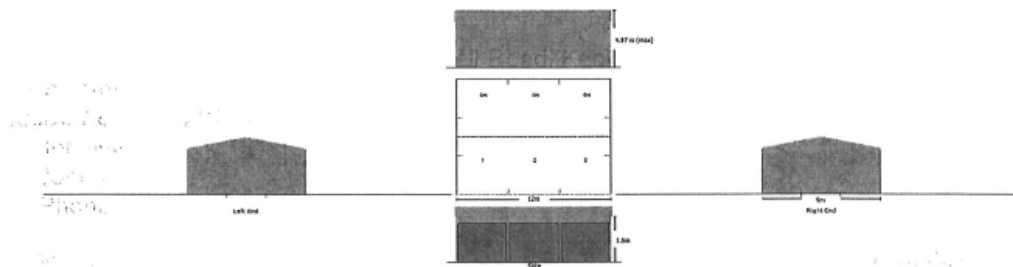
Issued on: 20/03/2017

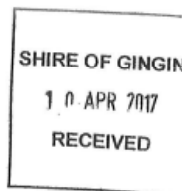
Job Number: 34950

John Panizza

Phone :

Western Sheds would like to thank you for your quote request. The features of this quote refer to the supply of materials only, based on the information discussed to date.





ENGINEERED SUITABLE FOR :

Wind Reg A, Topography TCat 2.5.

Site wind speed in m/s (ultimate limit state) = 39.15

Shielding 1 and Importance Level 2

Columns fixing as: Fixed to Slab

BUILDING SIZE

WIDTH 9m (span)

LENGTH 12m consisting of 3 bays each at 4m centres

HEIGHT 3.5m (eaves) It has a roof pitch of 11Deg

MATERIALS INCLUDED IN THIS QUOTE (not included if not listed)

Purlins - Z10010

Rafters - C15024

Columns - C15024

Roof material - Corrugated TCT 0.47, ZA

Wall material - Monoclad TCT 0.47, ZA

Easiline Domestic Gutter ZA & Downpipes

Supplying premium quality 100% Australia Bluescope steel buildings made in Western Australia.

Specific Inclusions:

Engineering certification of the Steel Building to the appropriate Australian Standards for the wind classification nominated above.

BlueScope Steel - Product warranties of up to 15 years apply.

Step by Step building instructions available via our website.

COLOUR SELECTION ONLY please fill out and return (used only if supplied and listed above)

Roof	.....
Walls	.....
Corner Flashing	.....
Barge	.....
Gutter	.....
Downpipes	.....
Roller Doors	.....
Roller Door Trim	.....
PA Door	.....
Windows	.....
Internal Wall	.....

File No: RF10995



Government of Western Australia
Department of Water

Page 1 of 1

Instrument No. GWL161992(3)

LICENCE TO TAKE WATER

Granted by the Minister under section 5C of the Rights in Water and Irrigation Act 1914

Licensee(s)	Bosch, Jessica Panizza, John		
Description of Water Resource	Gingin Perth - Surficial	Annual Water Entitlement	31860 kL
Location of Water Source	Lot 58 On Plan 46599 - Volume/Folio 2604/581 - Lot 58 Ashby Rd Lennard Brook		
Authorised Activities	Taking of water for	Location of Activity	
	Domestic use	Lot 58 On Plan 46599 - Volume/Folio 2604/581 - Lot 58 Ashby Rd Lennard Brook	
	Irrigation of up to 0.2 ha of lawns and gardens		
	Irrigation of up to 3.4 ha of pasture		
	Stock watering		
Duration of Licence	From 15 May 2014 to 14 May 2024		

This Licence is subject to the following terms, conditions and restrictions:

- 1 The licensee shall not use water for non-commercial crops between 9 am and 6 pm except for the establishment of newly planted areas. For newly planted areas water may be used within these hours for a period of up to 28 consecutive days, commencing from the date of planting.

End of terms, conditions and restrictions

This Licence is granted subject to the Rights in Water and Irrigation Regulations 2000

SHIRE OF GINGIN
10 APR 2017
RECEIVED

Horse Management Plan



Stocking Rate Lot 58 Ashby Rd Lennard Brook

Prepared by:

Jessica Bosch
Po Box 408
Gingin 6503

0428460904
equinefocus@inet.net.au

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7. Conclusion & Summary

1.0 Introduction

1.1 Background

This report presents an equine management plan for Lot 58 Ashby Rd Lennard Brook

The purpose of this report is to support the planning applications of stock numbers and the running of a Horse Riding School on this property. The intention of the owners is to ensure that the environment and land on and surrounding the property is correctly maintained and improved with the use of this plan to ensure health of the land and the horses.

1.2 Site Location

Lot 58 Ashby Rd Lennard Brook, is located in the area of Lennard Brook, coming under the Shire of Gingin. The property is approximately 5km from the town site of Gingin. A site location plan is attached.

1.3 Purpose of the Horse Management Plan

To follow the application for an increased stocking rate this management plan will describe how the property and horses will be managed. Poor management of horses, and natural resources would be irresponsible and lead to future issues that can be difficult to resolve. Appropriate management will lead to better quality pastures and less weeds.

Below is a list of factors we have considered and addressed in the Horse Management Plan to ensure our property does not become degraded.

- Property design
- Feed availability
- Area's for exercises and paddocks
- Manure management

1.4 Increasing Stocking Rates

1.5 Stocking Rates

Stocking rate refers to the number of animals that a certain amount of land can sustain. An increase in stocking rate depends of the improvements on the land to allow it to sustain a larger amount of stock without becoming degraded.

As in the application we are proposing a higher stocking rate with the consideration of our property improvements. Although we are applying for a 10 horse stocking rate, it should be noted that some of these will be young horses or ponies which have less environmental impact than full grown horses.

2. Developments

The information in this chapter will provide the Shire of Gingin information on how the property and horses will be maintained on a day to day basis and how environment impacts will be minimised.

2.1 Description of developments

The property already has 4 fully horse safe, electric fenced paddocks. A large square horse exercise area and a smaller round horse exercise area. Other improvements include, wash bay/tack up area and reticulation with accompanying water licence.

2.2 Paddocks

As proposed we would like to stock a maximum of 10 horses. The property already has 4 large reticulation irrigated paddocks, 3 of which will hold two or three horses. This will enable the horses to graze freely and enjoy being social with others. Ensuring the horses have the opportunity to be social will also keep fence walking and associated dust creation to a minimum. The smallest paddock will remain for horses that need to be separated from others for health or injury reasons.

2.3 Irrigation

All paddock areas are irrigated by reticulation. This ensures the property can accommodate the number of horses in the proposal. Irrigation will not be required all year round as the winter months should provide enough water to maintain the pasture during this time. Irrigation may be required for most of the months of autumn, summer and spring.

There are associated land degradation factors if irrigation of paddocks is not carried out. Predominantly overgrazing can occur, especially in drier months. In these drier months, with pasture becoming thinner and the impact of hooves, pasture will struggle to grow back and erosion and dust generation will result.

If the paddocks are maintained and a cover of pasture is preserved, the impact of hoof tracks can be lessened. The layer of pasture will protect the soil from factors such as erosion and dust generation. The water to irrigate the property will come from the bore, already on the property, located at the south – west corner. This bore has accompanying water licence. Copy attached.

2.4 Tree Protection

Currently, there are not many mature trees on the property. We have begun planting of native trees and shrubs to reduce the impact of winds on the property and reduce any erosion and dust generation. We plan to continue planting for the benefit of the Carnaby Black Cockatoos in the area and this is our reason for insuring we plant natives. We also believe that as these trees and shrubs mature they will provide a visual buffer for our neighbours.

Planting of vegetation along the boundaries of paddocks will allow for easy fencing of these areas to prevent access by horses. As these trees mature they will provide shade and shelter to the horses.

3. Manure and Fly management plan

Management of manure is very important in order to reduce impact of flies and odour. Overgrazing and soil exposure in paddocks can also relate to the management of manure.

3.1 Manure Management

There are a few options for managing manure, these include harrowing, spreading manure onto paddocks, composting or removal by waste or compost company. At this time, for this property, the most efficient way to manage manure is to harrow/rake the paddocks. This will stop manure accumulating in piles and spread nutrients uniformly. Harrowing also encourages quicker break down and assists with parasite control.

3.2 Fly management

Stable fly is the biggest concern, they are blood sucking insects that create stress for horses and other short haired animals. Proper manure management is necessary to control and eliminate fly breeding. Harrowing of paddocks will break down manure piles so they dry out quickly, as a fly's breeding cycle is fastest in moist, warm conditions this will reduce breeding, dramatically.

4. Paddock Management

4.1 Pasture Management

The aim of a pasture management plan is to keep a high level of ground cover to manage environment and damaging long term impacts such as soil erosion. It is important to keep good pasture cover. Horses naturally want to graze for many hours a day, feeding by hand daily or twice daily (depending on the season) will lessen the impact on the pasture and therefore erosion and dust generation.

Management of also pasture includes:

- Weed control
- Minimising erosion and dust generation
- Minimising water erosion
- Maximising ground cover
- Increasing quality of pasture over time
- Rotation of paddocks/resting area's
- Irrigation

Rotational grazing allows the pasture time to recover from grazing before allowing horses back in to the paddock/area. The length of rest depends on the growth rate of the pasture. If new pasture or seed is to be established to further improve the pasture, it must be allowed time to establish for horses are allowed to graze on it. On this property we are continuously trying to improve pasture, if it is not possible to rotate entire paddocks we are using portable electric fencing to keep horses off area's that need time to rest from grazing and hoof traffic. Harrowing paddocks will assist in regrowth and provide some fertiliser and nutrients.

Ensuring horses are hand fed in different locations and on hard ground or pasture will reduce hoof damage from feeding in the same area, and keeping horses in small groups will reduce fence walking. If fence walking, erosion and dust generation are still issues, putting gravel or other hardened surface at problem areas will be considered.

Not watering paddocks excessively will ensure that water is not wasted and there is no unnecessary water runoff, this can lead to uneven paddocks which becomes an injury risk to horses, leads to water erosion and possibly increased fly issues.

At certain times, the paddocks will need additional fertilizer to promote growth, we intend on using only natural fertilizers to ensure the healthiest possible environment for worms and dung beetles to aid in the health of the land. Reducing chemicals also helps ensure nutrients are not lost.

4.2 Additional Feeding Requirements

All horses on the property will be hand fed, this will provide adequate roughage for proper gut health and will ensure they aren't solely relying on the pasture. All feed including hay and hard feeds such as chaff and horse pellets will be sourced and brought onto the property. Mineral blocks are also supplied to the horses regularly to ensure they are getting adequate amounts of vitamins and minerals that they may not be receiving in their other feeds.

Hand feeding on hard ground or grassed areas will greatly decrease the horses chances of getting sand colic. Varying feeding places reduces overgrazing and feed areas becoming dusty or muddy.

4.3 Weed Management

Weeds, if left to get out of hand can be disastrous to native vegetation. Some weeds are toxic to horses and other animals and cause the overall quality of pasture to be decreased greatly. Following a good pasture management plan and encouraging quality pasture to establish will be a good start to managing weeds. Areas that are overgrazed and become barren are usually prone to becoming covered by weeds.

A large part of weed management is reducing the weeds that are already currently on the property, but it is just as important to ensure that the amount of weeds brought onto the property is minimised. We do ensure, as much as possible that our hay is free of weeds. Our hay is sourced off the same properties each year so we can be more confident in the quality and weed control.

Weeds can be brought in through hay and other feeds, along with the risk of them entering on boots or car tyres. Again, as much as possible we try to ensure we have managed this risk by checking boots when leaving other properties and trying to always drive on tracks and not through paddocks. When visitors come onto our property we have a parking area which is hard gravel to try to prevent any weed seeds settling into the ground where they can germinate. If there is any concern about a vehicle bringing in unwanted weeds we can spray the parking area immediately.

As this is not a large property and our hope is to reduce chemicals, we pull out all the weeds by hand when it is practical. Ensuring we pull all the roots and remove all of the plant intact, weeds are bagged and disposed of appropriately. We have managed to eradicate the small amount of Patterson's Curse that came up each season with this method.

5. Dust Management

It is important to ensure dust generation is kept to a minimum and that any dust that is created does not leave the property and effect other land owners and neighbours. Dust generation risk is much higher in dry summer months, as the soil is dry and more easily picked up by winds.

5.1 Risk of dust generation

The risk of generating dust varies in different locations of the property. The soil type of the majority of the property is at low risk of wind erosion. These area's are mostly covered in pasture currently and will continue to further establish in the future which also reduced wind erosion.

The horse exercise area will have the most hoof traffic on the property. This means this area is at most risk of dust generation, the surface here is a light white sand and more prone for particles to become airborne.

5.2 Dust Control

The generation of dust can be controlled and reduced through the following measures:

- Planting of trees and shrubs at least 3m away from the western and eastern boundaries and around the perimeter of the horse exercise area to reduce the impact of winds and reduce the amount of dust leaving the property.
- Water areas with a large amount of hoof traffic and plan for the possible increase in water usage in summer months. Watering only when necessary – ie before using exercise area
- Retain 70% groundcover in paddocks
- Discourage horses fence walking by keeping them in small groups.

6. Horse Welfare

Along with ensuring we are be responsible land holders and protect the property from becoming degraded, and ensuring other property management factors are being seen to appropriately , the health and welfare of all horses on our property is of utmost importance.

Health Factors include:

- Behavioural needs
- Supervision
- Water
- Food
- Shelter
- Fencing
- Foot Care
- Dental Care

6.1 Behavioural Needs

Horses are social animals and form social bonds, keeping horses in isolation can lead to stress. Social interaction can lessen horses from fence walking, weaving, crib biting and other undesirable behaviours. These negative behaviours can have an effect on the paddocks they live in with increased erosion and damage to pasture that supports the soil.

Horses living on our property will be kept in small groups to allow for their instinct to be social animals and to provide stimulation. If it is noted that a horse is being bullied or needs segregation from other horses for any other health or injury reason, that horse will be paddocked individually to ensure recovery is not interrupted by disturbance of other horses wanting to interact.

6.2 Supervision

Under the Australian Horse Welfare Protocol, it states that:

"Frequency and level of supervision should relate to the likelihood of risk to the welfare of each horse."

We do not expect to have high risk horses ie, mare's close to foaling or stabled horses but, despite this, we still check all horses twice daily. Of course, this will only be relevant until we have a completed house and we can move onto the property full time.

Horses are checked by the owners of the property, is this is not possible alternative arrangements are made. Anyone who checks the horses has experience to recognise signs of ill health and everyone who checks the horses has contact details of the local vet and also back up vet to see to the horse or if necessary, humanely destroy the injured or sick horse to prevent further suffering.

6.3 Water

Horses must have access to fresh water 24 hours a day. Most horses on our property are considered "light hacks" under the Australian Horse Protocol and is estimated they drink 15-25 litres per day. This will depend on weather and amount of exercise the horses receive and will increase accordingly. Irrigated green feed can slightly decrease water consumed.

Water is supplied to our horses in 500 litre water troughs, they are secured and non-spillable. The troughs fill automatically ensuring water never gets low. Troughs are checked daily to ensure the filling system remains in working order.

6.4 Food

Horses must be supplied with enough feed required to maintain their health and meet their physiological requirements. Different breeds and ages of horses require different feed amounts but it should always be of appropriate quality and mould free as this can lead to health issues.

As previously stated, improving pastures and eradicating toxic weeds is of utmost importance as it directly affects the horses. Paddocks that become barren and full of weeds can be high risk for horses consuming undesirable forage and possible toxic weeds. Sand colic is a very common issue and can be life threatening for horses that are forced to pick through sandy paddocks.

Roughage is very important to provide fibre of a healthy functioning digestive system. Our horses are supplied hay daily, either by hand feeding portions of square bales or complete round bales to give paddocks additional rest.

Not all feed supplies enough protein, mineral and vitamins for the horse's requirements. Offering the horses mineral blocks which are brought in from the stock feeders, ensures they have the option to take in extra if needed. Lactating mares and horses in heavy work may need mineral blocks more often than other horses.

6.5 Shelter

The paddocks at the north end of the property have large established trees to provide shelter for the horses. We have planted native trees along boundaries of paddocks to the Ashby Rd side of the property to encourage more vegetation for the landscape, and shelter for the horses. Trees as shelter is our preference over manmade structures, most horses won't use man made shelters in heavy wind or rain as noise on the structure can cause them to be uncomfortable seeing shelter. Manmade structures can also be an eyesore where trees will improve the property physically and visually, and also support the Carnby Black Cockatoo's in the area.

6.6 Fencing

Safe fencing is important for minimising injury risk for horses. It is not only the type of fence which is important, maintaining the fencing and ensuring it does not become loose prevents horses becoming tangled.

Internal fences on our property are made from pine posts, electrified plain wire and two strands of white wire. Electric fencing prevents horses leaning through or over and pushing on the fence, as they do with ordinary fencing which, in time, causes the wire to become stretched and the fence to bend over. Horses are much more likely to get their legs caught in fences when this occurs. Electric fencing teaches horses to stay clear and be respectful of fences. Another benefit of our fencing set up is that dogs are less likely to get into paddocks and upset the horses causing further welfare and injury issues. The white coated wire provides better visibility and helps to give a clear visual boundary.

Large gateways, as the property already has, is the safest for leading horses through. Large gateways ensure horses have enough room and won't get rugs caught or bruise their hips.

6.7 Foot Care

Proper care for the equine hoof is very important, we must see to them to aid in normal mobility, shape and function. Without four healthy feet horses cannot move around comfortably and cannot be exercised.

All horses on our property are seen to every five weeks by a qualified bare foot trimmer. We chose to work with our farrier on a naturally healthy hoof rather than putting metal shoes on our horses. Metal shoes can restrict natural form and function of the hoof over a long period of time. There are decreased injury risks with paddocking horses in groups without metal shoes. There is also less damage to paddock surfaces and pasture when horses are free of metal shoes. As long term, metal shoes lead to increased pasture degradation, soil erosion and dust generation.

6.8 Dental Care

Horses that are behind on their dental check up may be in pain while eating or being ridden and this is a welfare issue. It is important that a qualified person see's to horses teeth once a year. Horses that are older should be seen to more frequently, if a horse seems to be losing weight without good reason or dropping feed, their teeth should be seen to by a dentist immediately as these are signs of a potential issue.

There are a few options or methods used when treating horses teeth. For all horses that are seen to under the ownership/guidance of the property owner, the horses will always be sedated. We believe the dentist or vet seeing to the horse has a much better chance to perform a better check up and the situation is much less stressful for the horse and everyone involved.

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7.0 Conclusion & Summary

The purpose of this report has been to support the application to increase the stocking rate at lot 58 Ashby Rd Lennard Brook.

The aims are to:

- Reduce environmental impact
- Improve pastures
- Continue to plant trees and shrubs
- Hand feed horses
- Control dust
- Appropriately manage manure and flies
- Ensure horses welfare requirements are met
-

It is anticipated that by following the procedures in this Horse Management Plan we can improve our property while supporting the health and welfare of the horses. Improving pastures will protect the land from becoming degraded and barren and control weeds. Our procedures for the control of dust, manure and flies, to continue planting around areas of high hoof traffic will also reduce impact on neighbours and surrounding properties.



BUSINESS PLAN



Riding School

Lot 58 Ashby Rd Lennard Brook

Prepared by:

Jessica Bosch
Po Box 408
Gingin 6503

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equinefocus@inet.net.au

SHIRE OF GINGIN
10 APR 2017
RECEIVED

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1. Introduction

1.1 Owner Background

This business owner, Jessica Bosch, started her business back in 2010 after graduating her diploma of Equine Bowen Therapy through Smart Bowen – Vic. At this time she was treating horses who had sustained injury or horses who had become sore or lame through how they were worked or ridden. She began to explore the possibility of becoming more involved with the prevention of these injuries rather than the treatment.

Jessica had always ridden and been around horses from a young age. She had her own pony from primary school and attended pony club for many years completely relevant pony club certificates. She always found herself wanting to get the most out of horse in terms of behaviours rather than "jumping the highest" or "going to fastest" like the other children.

She went to boarding school from year 10 and took a new young horse with her. She found the same situation through the years there, riding daily with school friends, the want to hang back and train the horses rather than trying to win a race on her horse etc., Studying Equine Industries brought out the want to learn more.

After treating horses with Equine Bowen Therapy for a year she decided to tap into wanting to work with the horses and find results, being part of a solution to training without the injuries and soreness that she had been seeing. This was the opening of a huge door and finding yet more passion to learn.

From here Jessica attending clinics and learnt about different methods. She worked her way through exams and eventually had the opportunity to study in California. Upon coming home she started helping people with their horses and getting through issues in a way that supported the physiology of the horses. The results where amazing, but there was still a piece missing.

The missing link was learning to teach the owners and riders as previously the focus had been training the horse. Jessica decided to study Cert 2 in Horse Riding Coaching and completing this was able to expand her own business and take on coaching jobs at other riding schools.

1.2 Business Description

Jessica Bosch is the owner and coach of a small equestrian business that provides a fully qualified and insured riding coaching and horse training. Jessica will travel to properties to teach or offer lessons on her own horses at her property, Lot 58 Ashby Rd, Lennard Brook.

1.3 Business History

Jessica is passionate about teaching horses and people. Her methods encourage integration of horse physiology, to understand and look more in depth at behaviours and horse training. Teaching people has made her more aware of how to keep methods simple and understandable for children and adults to absorb. A large part of her business is giving women getting back into riding confidence to, "get back on the horse."

She is passionate about learning, and improving what she teaches.

Past Study includes:

- Cert 2 Equine Industries
- Cert 2 Agriculture
- Cert 2 Agriculture specializing in horse breeding
- Diploma of Equine Bowen Therapy
- Advanced Monty Roberts Horsemanship – studied in California USA
- Cert 3 Sport Coaching – Equestrian
- Beginning coaching general principals – Australian Sports Commission

Jessica's calm supportive attitude attracts mostly non-competitive riders and those who lack confidence, these clients already have their own horses at home or at agistment properties throughout the North of River region and Jessica travels to them.

1.4 Business Vision

The vision for this business is to continue to provide a supportive service for people wanting lessons both on the ground and ridding their own horses at home. In addition to this, offering lessons for people that do not yet have their own horses. These students would have the option to come and ride at the property Lot 58 Ashby Rd, Lennard Brook, using supplied horses. This would assist in building their confidence and skills, on well-schooled horses.

Ladies getting back into riding after a fall, having children etc., sometimes lack direction as showing or adult riding club is not yet within reach. Building confidence and inviting these clients to bring their horses for a social group lesson or clinic will help them to get their horses out in a relaxed environment and meet other people that are going through the same hurdles with confidence as them. This gives them a simple goal and some focus for our lessons.

2. The Business

2.1 Location

Lot 58 Ashby Rd, Lennard Brook is the proposed address to hold lessons for students that wish to do their lessons on a supplied school horse.

2.2 Services

- Travelling to clients properties to conduct lessons
- Offering clients to bring their horses onto our property for lessons and returning home afterwards
- Private lessons on supplied school horses
- Social Rides/clinics (2-3 hours)

2.3 Hours of operation

- Monday 3:30 – 5:30
- Tuesday 3:30 – 5:30
- Wednesday: Closed
- Thursday: Closed
- Friday 9:00 – 12:00
- Saturday: Once a month for group lessons, 12:00 – 3:00. Closed all other Saturdays
- Sunday 8:00 – 5:30

2.4 Business Area

Business activities, including private and schedule group lessons will be conducted in the designated horse exercise area as shown on the map. Previously this area was larger, and ended three metres from the neighbour's boundary. This horse exercise area has been reviewed and now is in line with the Gingin Shire expectations for a business infrastructure. The horse exercise area begins 20m inside the property boundary on the western side.

2.5 Finances

As the property, Lot 58 Ashby Rd, Lennard Brook already has all of the necessary facilities, there will be no start-up costs involved. In Summary, Jessica already has the qualifications and insurance to run the business.

Costs that will be involved is feed and care for the horses that will be used for lessons. This includes having their feet and teeth seen to and ensuring all horses have their own gear for lessons.

2.6 Market

The market for this business has already been established. Jessica's teaching style attracts a majority of women who are uncompetitive and commonly, unconfident. These riders feel safer in lessons that are one on one, rather than in groups. Jessica prefers to carry out lessons this way.

Many businesses that offer the same services are more attractive to younger riders who may want to be competitive in their chosen discipline. Jessica does not offer any jumping lessons whatsoever, so this is an open market for other instructors in the area.

2.7 Competitive Edge

Jessica's Diploma of Equine Bowen Therapy gives her some competitive edge. When a horse is behaving undesirably, Jessica can discuss with the owner whether or not the behaviour is being triggered by pain. This is an important tool in discovering a solution.

3. Management Practices

3.1 Management

The owners of the property, Jessica Bosch & John Panizza will be sole managers of the property and ensuring the Horse management plan is followed and both hold Cert 2 in Agriculture. The coaching will all be done by Jessica. No other instructors will be hired as they wish for this to remain a small, personal business.

3.2 Traffic

As previously mentioned, 90% of lessons conducted at Lot 58 Ashby Rd, Lennard Brook will be private lessons. This means only one student will arrive for their lesson at a time. There may be some overlap of students who arrive early, before the previous rider has left. We expect that there would be only two visiting cars on property at a time. Visiting cars will be parked in the allocated area.

The exception to this would be on arranged group lesson or clinic days. Group lessons will be scheduled during work hours once a fortnight, and clinics once a month on weekend. During these scheduled days, there will be increased parking.

During running of clinics, car and float parking will be required. We have set aside a grasses area for this purpose. This area will allow more room for parking and being able to safely load and unload horses from the floats. This location also provides the option for drivers to be able to park in a location that does not require reversing. This is more convenient and stress free for visitors while being much safer and lower in risk.

3.3 Dust risk

Dust generation and how it can be controlled by improving pastures, rotation of paddock etc., has been discussed in the separate Horse Management Plan. There is some added risk of dust generation relevant to this business plan. The exercising of horses and conducting of lessons increases likelihood of some dust becoming airborne, particularly in warm, summer months.

The horse exercise area is made up of metal railing panels and rubber conveyor belt. The conveyor belt is approx. 1 metre high; this will help to reduce some dust escaping from the area. If necessary, other measures may need to be put in place.

Planting of trees and shrubs around the perimeter of the exercise area, and the property itself will reduce dust being blown off of the property. Trees and shrubs also will provide a visual barrier for neighbours. In addition to this, allowing for additional water use in drier, summer months. Wetting down the surface of the horse exercise area can be very effective in reducing the amount of dust that becomes air borne.

Most activities that will be conducted in this area will be private lessons, one horse and rider, plus the coach. This will make dust production much less than in a group lesson situation, and therefore more manageable.

5. Safety

5.1 Helmets & Boots

It is a requirement that all students wear a riding helmet to the current Australian standard. It is also a requirement that they wear correct foot wear that has a small heel and flat sole, this will be discussed with them before arrival. Not all students already have their own helmets when arriving for their first lesson. Different size helmets will be supplied to ensure those riders have a correctly fitting helmet for their lesson. Some sizes of riding boot will also be available to borrow.

5.2 First Aid

Jessica holds a current first aid certificate. It is important to ensure this is updated before expiration for the safety of her students. A small, easy to carry first aid kit and a larger kit are both located on the property at all times.

5.3 Insurance

Jessica has had equine liability insurance with Aon since 2012. All students are required to sign waivers upon arrival for their first lesson, this waiver is in regards to following instructions and behaving in an appropriate matter while on the property.

APPENDIX 3

SCHEDULE OF SUBMISSIONS AND RECOMMENDED RESPONSES

APPLICATION FOR RETROSPECTIVE DEVELOPMENT APPROVAL PROPOSED KEEPING OF HORSES (TEN) AND A HORSE RIDING SCHOOL AND A PROPOSED GARAGE ON LOT 58 ASHBY ROAD, LENNARD BROOK

No.	Submitter	Submission Detail	Recommended Response
1.	Submission	<p>The Submitter supports the above proposal and makes the following comments:</p> <p><i>We would like to support the motion for 58 Ashby Road to be given permission to be used as a riding school. There are riding centres opening up all over the world to help autistic children, disturbed adults and other disabilities. I myself have written an Honours thesis about the many ways in which horses help "special children", not just in the therapeutic riding school sense, but also in more subtle ways.</i></p> <p><i>I have included my Honours thesis from UWA on this subject. Jess Bosch is an excellent teacher and horsewoman, working with autistic children, seniors, those with confidence issues and of course, simply young folk who want to learn to ride.</i></p> <p><i>(NB. A copy of the thesis can be obtained from the planning department on request)</i></p>	Noted.
2.	Submission	<p>The Submitter supports the above proposal and makes the following comments:</p> <p><i>I write to express my full support for the proposed riding school at Ashby Road in Gingin. A horse riding school will increase options for healthy sport involvement for people of all ages. Jessica Bosch is a reputable member of the equine community that will no doubt operate a high-class school with impeccable standards of equine and environmental care. In addition, she will of course also provide excellent customer service and high safety standards.</i></p> <p><i>This school may help to put Gingin on the map in regards to the equestrian world, particularly as Perth expands and city based people look further afield for riding opportunities.</i></p> <p><i>As a member of the surrounding district, where there are no riding schools within an accessible distance, I greatly look forward to</i></p>	Noted.

		<p><i>attending the school myself and recommending it to friends.</i></p> <p><i>The school will add vibrancy to the growing town and district, and I support the shire in the approval of the application.</i></p>	
3.	Ratepayer	<p>The Submitter does not support the above proposal and makes the following comments:</p> <p><i>We should make it quite clear from the onset that we are strongly opposed to this application for retrospective development.</i></p> <p><i>The information contained in the Rural Residential Zone Information Package, a Shire letter dated 31 October 2008 re: Stocking Rates – Lennard Brook Subdivision and the Business Plan for the Proposed Riding School have all been considered and the following comments are offered:</i></p> <ol style="list-style-type: none"> <i>1. The blocks in the subdivision are zoned Rural Residential and in accordance with the Shire's Town Planning Scheme No. 8, Table 1, a Riding School is not mentioned as a permitted use of the land;</i> <i>2. Within TPS No. 8 a Riding School is permitted under the definition of a 'Rural Pursuit' But a "Rural Pursuit" is not a permitted land use on Rural Residential zoned land;</i> <i>3. It mentions in the TPS that no more than 2 horses etc. etc. are permitted on lots zoned Rural Residential;</i> <i>4. The stocking rate nominated in the Horse Management Plan is for 10 animals and despite the possibility of some being ponies the environmental impact on 4.01 hectares, less the building envelope, other structures, paved areas etc., will be unacceptably substantial;</i> <i>5. The whole of the Business Plan and Horse Management Plan appears to be a work designed solely for the purpose of producing a positive outcome, one that could never be policed by the authorities to ensure conformity and further one that does not match the reality currently prevailing on the site;</i> 	<p><u>Permitted Land Uses under Shire of Gingin's Local Planning Scheme No. 9 (LPS9)</u></p> <p>Keeping of Horses:</p> <p>Is defined as a Rural Pursuit under LPS9. A Rural Pursuit' is a 'Discretionary' use in the Rural Living zone. This means that the use is not permitted unless the local government has exercised its discretion by granting of development approval. In considering the proposal, the local government is to have regard to matters set out in clause 67 of the deemed provisions.</p> <p>Riding School:</p> <p>A riding school is defined as a Recreation – Private under LPS9 – 'Recreation Private' is an 'A' use in the Rural Living zone. This means the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the deemed provisions. The proposal has been advertised in accordance with clause 64 of the deemed provisions.</p> <p>Both land uses can be considered under LPS9 by undertaking due process.</p> <p><u>Stocking Rates</u></p> <p>The keeping of horses on the subject lot has been amended to comply Agriculture Western Australia Stocking Rate Guidelines for Small Rural Holdings (stocking rate guidelines).</p>

	<p>6. <i>We are already experiencing distressing consequences to the pleasure of our property because of this Riding School and it is most decidedly not in keeping with our right to quiet enjoyment of where we live.</i></p> <p><i>It does appear that the retrospective approval for locating the dwelling outside of the nominated building envelope was a catalyst for further unauthorised activity. The fact that the Riding School is now in operation seems that the applicant takes this as justification for retrospective approval; we sincerely trust this is not the case.</i></p> <p><i>The applicant obviously has a passion for horses and, seemingly, determined to obtain approval by way of an incorrect approach to the development process. We, on the other hand, have complied with all the necessary requirements for the subdivision and will feel aggrieved and extremely disappointed should the development be approved retrospectively.</i></p> <p><i>Our past correspondence is attached as additional support for the comments above.</i></p> <p><i>6 March 2017 (Correspondence to CEO Jeremy Edwards)</i></p> <p><i>As we have tried several times to make 'friendly neighbourly' contact with no success, we are now forced to bring it to the Gingin Shire's attention that we strongly believe our Neighbours are in breach of the Shire's Town Planning Scheme No. 8 in a "Rural Residential" zone.</i></p> <p><i>We have a problem with the following:</i></p> <ul style="list-style-type: none"> <i>Riding school mainly on weekends. It creates unnecessary dust and traffic;</i> <i>Purpose build Riding Arena too close to boundary fence. (The Arena has been built by the previous owners) There is no room for a Firebreak and it causes water built up in winter and soil erosion on our side of the fence (Photo attached)</i> <i>There are several Sea Containers and unsightly looking Shade Structures (Shade Tarp flapping in the wind making</i> 	<p><u>Horse Riding School</u></p> <p>The scale of the horse riding school submitted in the Applicant's proposal dated 10 April 2017 was not supported for the reasons outlined in the officer's report.</p> <p>Administration had a meeting with the Applicant on 12 July 2017 to discuss the Shire's position of not supporting the current scale of the riding school for the reasons outlined above. However, if the scale of the riding school was reduced in terms of its operating hours, the maximum number of people being onsite at anyone time to four and the area being restricted to the main horse arena (so the visiting horses do not impact upon the stocking rate densities of the irrigated paddocks) then the proposal would better demonstrate its compliance with the objectives of the Rural Living zone and its amenity impacts upon the adjoining landowners. Then administration could be in a position to recommend conditional approval for a period of twelve months.</p> <p><u>Main Horse Arena</u></p> <p>Has been setback to comply with the Rural Living setback of 20 metres.</p> <p><u>Unauthorised Structures</u></p> <p>The unauthorised structures (one 20ft sea container, the humpy and flood lights) were removed from the site. A site inspection was undertaken on 6 July 2017 and revealed that one 20ft sea container still remained, which forms part of the retrospective development. Please refer to heading Local Planning Policy 1.9 Sea Containers (LPP 1.9) in the Officer's report.</p>
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		<p><i>unnecessary noise) (Photo attached)</i></p> <ul style="list-style-type: none"> <i>We also believe that the Stocking rate is too high (6 – 8 horses);</i> <i>Bore Irrigation running every night but there is not much green grass to show for it, considering all the water usage;</i> <i>There is a large overhanging tree branch onto our property but we are unable to cut it because of the electric fence (Photo attached)</i> <i>Dumping of a load of Cow Manure in one large heap. The smell at times was unbearable and we are concerned about the breeding of Stable Flies;</i> <i>Fencing being destroyed by the horses. Hay Bales are always left too close to fence for horses to feed from.</i> <p><i>It is not in our nature to cause problems with any Neighbours but we feel that we are obeying by the rules set in "Rural Residential" by the Shire of Gingin; therefore, we would like our Neighbours to do the same. We have chosen this block of land for the perfect location and would feel sad if it got unnecessarily disturbed by unconsidered Neighbours and we strongly believe it would lower the Value of our Property.</i></p> <p><i>I trust you and the Council will look into this matter and will inform us of your Actions taken.</i></p> <p><i>(NB: A Copy of the original correspondence and photographs can be obtained from the planning department on request)</i></p>	<p><u>Location of the Outbuilding and the Existing Dwelling's Building Envelope</u></p> <p>Please refer to heading Outbuilding in the Officer's report.</p> <p><u>Noise of Bore Irrigation</u></p> <p>Not a planning issue. Noise complaints are enforced under. <i>Environmental Protection (Noise) Regulations 1997</i>. Noise emissions from the property must comply with the Regulations. However, the matter has been referred to the Shire's Health Department.</p> <p><u>Large Overhanging Tree</u></p> <p>Not a planning issue.</p> <p><u>Dumping of Cow Manure</u></p> <p>Not a planning issue. The matter was referred to the Shire's Rangers and Health Department which the matter has now been resolved.</p> <p><u>Boundary Rural Fencing</u></p> <p>Not a planning issue. Enforced under the <i>Dividing Fences Act 1961</i>.</p>
4.	Submission	<p>The Submitter supports the proposal and makes the following comments:</p> <p><i>I am writing to express my support for Jessica Bosch's application for a horse riding school and permission to keep 10 horses at Lot 58 Ashby Road, Lennard Brook.</i></p> <p><i>I currently take riding lessons with Jess and while my lessons usually</i></p>	Noted.

		<p>take place at my home, I have attended occasional lessons and clinics at Jess's property. This has been valuable as an opportunity for me to take my own horse off my property for a safe and low-key excursion, to use different facilities to what I have at home or as an option to ride one of her horses when mine was out of work due to an injury.</p> <p>I also support Jess's riding school for the opportunity she gives to people who cannot keep their own horses, to ride her horses in a safe and supervised setting.</p> <p>I believe that the balance Jess has between teaching some students off site and some students at her property allows her to run a viable business without any risk of negative impacts to surrounding properties.</p> <p>I also support Jess's application to keep 10 horses on her 10-acre property. The property has a good water supply and the paddocks are irrigated. This would indicate she would not exceed WA Agriculture Department recommended stocking rates. I have attended her property several times and horses in her care are in good condition and well looked after. In addition, the property looks well managed, the paddocks well grassed with no issues of overgrazing, dust or erosion.</p> <p>I urge you to accept this application and allow the keeping of 10 horses and the operation of the horse riding school.</p>	
5.	Submission	<p>The Submitter supports the above proposal and makes the following comments:</p> <p>I am emailing in regards to the application by Jess & John of Equine Focus at 25 Ashby Road, Lennard Brook, Gingin. I am very much for the application to be 'approved', Jess is an amazing young lady who has a natural talent with horses she is extremely experienced and professional. I have had her coming to my home in Bullsbrook and she has become a valued member of my equestrian life. I am planning on moving to Gingin when my home sells in Bullsbrook, so to have a riding school run by Jess & John close by would be amazing. I know a lot of horse people who would value having a riding school in Gingin run by Jess and I know it would be a big</p>	Noted.

		<i>benefit to the "Gingin Country Lifestyle". I also know they would run the property in the correct manner and abide by all safety and shire laws. Look forward to hearing your decision.</i>	
6.	Ratepayer	<p>The Submitter does not support the above proposal and makes the following comments:</p> <p><i>Be advised that any attempt at communication with the applicant, our neighbour, to discuss this proposal has been dismissed by them and there is a total disregard for the effect their actions are having on the enjoyment of our property.</i></p> <p><i>The following points are raised to underscore our opposition to this application.</i></p> <p><i>With the unfortunate approval to locate the dwelling on the lot to a location outside of the building envelope our extensive view has been significantly curtailed and this would be further exacerbated by the location proposed for the open fronted shed, a siting not in compliance with the stipulated setbacks.</i></p> <p><i>The lack of animal husbandry currently being displayed regarding the feeding of the animals, collection of manure and the provision of shade is in direct contrast to the fine rhetoric displayed in the Business and Horse Management Plans.</i></p> <p><i>The construction of a chicken shed with scant regard to the correct setbacks plus its construction with irregular rusting second hand material is a portend of things to come whether approval is given for the scheme or not.</i></p> <p><i>The Lennard Brook Subdivision is zoned Rural Residential and Table No. 1 – Zoning Table parts (vi) and (vii) relative to the siting of buildings, the visual landscape and the stock rates for (in this particular case) horses, must be considered. The application is non-compliant with the table.</i></p> <p><i>Lisa Edwards, the Principal Planner for the Shire in 2008 advised that a "Rural Pursuit" is not a permitted land use on "Rural Residential" zoned land. A Riding School is classified, under the Shires Town Planning Scheme No. 8, as a "Rural Pursuit" and</i></p>	<p>Please refer to the Officer's comments noted above against Ratepayer's 3 submission.</p> <p><u>Chicken Shed</u> The landowners are currently in the process to removing the chicken shed.</p> <p><u>7th March 2017 – Attention: Jeremy Edwards Shire of Gingin CEO Complaint re: Lot 58 Ashby Road, Lennard Brook</u></p> <p>This correspondence address to the Shire was a compliance matter and the relevant issues have been actioned.</p>

		<p><i>therefore not permitted to be established.</i></p> <p><i>It would appear that the retrospective approval for the dwelling has encouraged the principle of "proceed without approval initially and then request retrospective permission". There should be no leniency given to those who consider themselves outside the guidelines that reasonable people adhere to. The fact that a Riding School is currently operating (incorrectly) should have no bearing when assessing the application.</i></p> <p><i>The pleasure of our property is already being marred by this Riding School and we see no justifiable reason under legal or morale grounds for retrospective approval to be given.</i></p> <p><i>We trust the Shire will do the right thing and not make decision just to appease an applicant that has adopted "railroad" tactics.</i></p> <p><i>Attached is past correspondence and photos to support our comments that we are strongly opposed to this application for retrospective development.</i></p> <p><i>7th March 2017 – Attention: Jeremy Edwards Shire of Gingin CEO Complaint re: Lot 58 Ashby Road, Lennard Brook</i></p> <p><i>As we have tried to get our concerns regarding our adjoining neighbours breaching a number of regulations of the Shire of Gingin Town Planning Scheme No. 8 (TPS 8) in a Rural Residential zone actioned with no success thus far we feel we are now forced to bring this to your direct attention.</i></p> <p><i>Our issues and concerns with the adjoining property are:</i></p> <ol style="list-style-type: none"> <i>1. Riding School operating (For at least 12 months) mainly on the weekends and most of the time All Day on a SUNDAY. On occasions starting at 7am until 7pm. Which creates a constant stream of traffic, dust and people coming and going. Which we feel also encroaches on our privacy. The lessons/pony club are done in an arena, which at this time of the year creates an exceptional amount of DUST.</i> 	
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	<p>2. <i>We also believe the Stocking Rate of 10 Horses is too high for the property even though they have irrigation sprinklers running every night for most of the night (even at times in middle of the day) there is not much green pasture considering the water usage.</i></p> <p>3. <i>There are sea containers on the property with an unsightly shade house type cover that with the wind flaps as does a shade sail that is erected of the side also.</i></p> <p>4. <i>They have erected a chook pen on our adjoining boundary, which is only approximately 3 metres of the fence line. This structure is extremely unsightly (Not to mention the smell).</i></p> <p>5. <i>There was a truckload of manure dumped on the property in January and is still there (although is now covered up) this creates a very unpleasant smell for a number of days and we believe this has contributed to the recent issues in Stable Flies on our property.</i></p> <p>6. <i>There has also been some damage done to our adjoining fence posts by the horses.</i></p> <p><i>We do not wish to create conflict with our neighbours (and have actually tried to be friendly) but we believe there are rules and regulations for a reason and we all have to abide by them. It seems they have no respect for us as neighbours.</i></p> <p><i>We purchased our property with the understanding that under the "Rural Residential" Scheme No. 8 that there were rules on the stocking rate and that there was to be NO riding school or Breeding of horses.</i></p> <p><i>As we own and operate a local business in the town site (for over 20 years) we wanted to purchase a property to enjoy the peace and quiet after hours and on weekend without being unnecessarily disturbed. We also believe very strongly that the Lot 58 Ashby Road property will devalue our property significantly.</i></p> <p><i>Email to Kylie Bacon 16 February 2017</i></p>	
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	<p><i>I was wondering if there is any feedback regarding the property at 58 Ashby Road, Gingin. As there is still the big pile of manure, (which I also have had no further follow up on) and the business is still in full operation with now 10 horses and 1 foal on the property.</i></p> <p><i>Email Complaint 19 December 2016</i></p> <p><i>I wish to bring to your attention that at the property located at Lot 58 Ashby Road, Gingin they are operating a Business, which goes by the name of Jessica Equine Focus.</i></p> <p><i>This business operates every day of the week including mostly on Saturdays and Sundays, which creates an almost constant stream of cars and people in and out of the property at all times of the day and night. At this time of the year is creating a lot of Dust from the cars (and to an extent is an invasion of our privacy as neighbours) and the riding of the hours in a sandy yard. There is up to 8 or so horses kept on the property at all times, I believe some are agisted and there have been 3 bred on the property. There is also the risk on the property for the breeding of stable flies as hay, horse manure is just laying rotting in the paddocks, and irrigation sprinklers seem to run all the time, even during the middle of the day.</i></p> <p><i>According to the attached document regarding the Stocking Rates for this subdivision, which is zoned "Rural Residential" and in accordance with the Shire's Town Planning Scheme No. 8 (LPS 8), it is my belief that the owners of the above said property are in Breach of all the terms of the attached Rural Pursuit.</i></p> <p><i>The property is not maintained and has structures erected (and more recently yards with a small shed erected right along our adjoining boundary fence down our driveway and which is approximately 60 metres from the front of our house and now has poultry in there, which may also cause a concern with smell in future).</i></p> <p><i>I am sure none of the above has been given Shire Approval.</i></p> <p><i>(NB: copies of the photographs and additional documents can be requested from the planning department)</i></p>	
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7.	Submission	<p>The Submitter supports the proposal and makes the following comments:</p> <p><i>I am writing to show my support for the proposed keeping of 10 horses, a Riding School and a proposed open shed/carport at the address of 58 Ashby Road, Lennard Brook.</i></p> <p><i>I believe Jessica Bosch has proposed project mentioned above will greatly benefit a wide range of people in the community and I am writing this letter to show my full support of this happening.</i></p> <p><i>I have known Jessica and John for quite a few years; I have had my mare agisted with Jessica for just over a year and have used her for agistment in previous years with other horses. I would highly recommend Jessica to anyone I know. The horses are always well cared for and always well looked after, I don't have any worries about leaving my mare there for any period of time as I know she and all other horses are being cared for at the best of Jessica's ability.</i></p> <p><i>I fully support the application of having a riding school on the property. It would definitely be a major positive to not only mine but anyone else that agists or has lessons with Jessica. We are currently having to travel my horse to Wanneroo each week just to have a lesson. It would save us quite a lot of time and travel if we were able to have lessons on the property where the horses are kept.</i></p>	Noted.
8.	Submission	<p>The Submitter supports the above proposal and makes the following comments:</p> <p><i>I am writing in support of Jessica and John Panizza.</i></p> <p><i>I have known Jessica for 1.5 years now and have had many lessons, clinics and trainings with her. Jessica is an unbelievable horse training, teacher and coach. Myself, not living in the city, find it hard to get such great teachers, especially ones with as much knowledge and understanding as Jessica. She has not only done so much for myself and my horse, but also my 3 children.</i></p> <p><i>We loved our trips to Gingin; it was always such a great family day</i></p>	Noted.

		<p><i>out. We supported the local shops, we always brought petrol and food and we would always have to call into the stock feeds on the way home!</i></p> <p><i>We are just 4 people of the many Jessica has worked with. It is not just about horse riding lessons; it is so much more than that.</i></p> <p><i>As a mum who had 3 little kids that love their lessons and clinics with Jessica, please do not shut her business down. We are so fortunate to have such an amazing talent horsewoman out in the country, to lose her, would be heartbreaking for all of her clients.</i></p>	
9.	Submission	<p>The Submitter supports the above proposal and makes the following comments:</p> <p><i>For approximately 1 year, my son Joshua has been attending Jessica's riding school for private lessons. When we first attended the property, John and Jessica had started to make improvements to the property. These improvements ranged from high quality fencing to ensure the safety and welfare of any livestock, to pasture management to reduce dust and allow for more than adequate grazing for the horses. While we have attended the property for Joshua's lessons the main focus has been on safety, as an example, Joshua to get a pony from the paddock, he would need to put his helmet on and have the correct footwear.</i></p> <p><i>Not only have we noticed the huge improvements to the property but we have seen Jessica's business and facilities grow. John and Jessica continue to make improvements including pasture management to reduce weeds and planting of new trees.</i></p> <p><i>In the last year we have seen Joshua's confidence grow and help him focus and listen. Joshua absolutely adores Jessica and cannot get in the car any faster to attend his lessons. Recently Jessica held a handy mount day for the children. I found there was more than adequate space for the visiting children and the day went off without any issues.</i></p> <p><i>I thoroughly believe that the riding school at 58 Ashby Road is a real asset to the community and the horses are in highly experienced care.</i></p>	Noted.

10.	Submission	<p>The Submitter supports the proposal and makes the following comments:</p> <p><i>This email is in regards to the riding school application for property 25 Ashby Road, Lennard Brook – Gingin. I would very much like to see it going ahead and look forwards to being able to use the property to have lessons and participate in clinics.</i></p>	Noted.
11.	Submission	<p>The Submitter supports the proposal and makes the following comments:</p> <p><i>I wanted to send an email in regards to Jessica and John Panizza and her riding school, Equine Focus.</i></p> <p><i>I wanted to let you know that my three children and I love going down to her place and doing either lessons, clinics and her working on my horses. I am so glad that I have been able to find someone in close enough distance that has great safe facilities that I am able to do this with my children and horses. She is so talented and exceptional at teaching the kids, adults and horses. The best thing about her and John are that they are people that you can talk to and they will communicate with you happily and help you out in anyway (this is becoming rare). I have heard only excellent things from my friends that are also clients of hers. In turn of us travelling down to go to Jessica's we are using the local fuel stations, shops and bank.</i></p> <p><i>We and so many other people I know will be very sad if we lose the opportunity to learn from Jessica.</i></p>	Noted.
12.	Ratepayer	<p>The Submitter supports the application and makes the following comments:</p> <p><i>In regards to the proposed application for a riding school at Lot 58 Ashby Road, Lennard Brook.</i></p> <p><i>I would like to express my complete support for this application. The equestrian community is rapidly expanding in the Gingin area and services such as this are in growing demand. I have noticed this particular property has been well maintained under the ownership of the current tenants and I do not believe their plans for equestrian pursuits will be detrimental to the shire.</i></p>	Noted.
13.	Submission	The Submitter supports the proposal and makes the following	

		<p>comments:</p> <p><i>I wish to make a comment regarding the proposed riding school at this address. I wish to let you know this will provide a much needed service to the community and I believe it should be allowed to go ahead, and very hopeful it will be approved.</i></p>	
14.	Submission	<p>The Submitter supports the proposal and makes the following comments:</p> <p><i>It is a benefit to the Shire of Gingin area to have small, local, owner operated businesses to enhance the facilities for the local community and to bring people in from the surrounding districts. Local owners are showing a commitment to living and operating a business within the Shire. Clientele tend to visit a business like this as a day trip to the Shire of Gingin, which facilitates interactions with other businesses within the local area.</i></p> <p><i>The horse riding facility is on a small scale with a very personalised service being offered by the owner, whom has gained a great deal of knowledge through accomplished Certificates and hands on experience on horse training and horse riding. Gentle and quiet methods are used which is key to the training techniques.</i></p> <p><i>I believe, the trading hours and the service being offered would have little, if any impact at all on the surrounding locals.</i></p> <p><i>The owners of this property both hold certificates in agriculture studies. They have made many improvements to this property towards horse management since purchasing it.</i></p> <p><i>Repairs and improvements have been carried out to fencing, irrigation, pumps, tree planting, pasture development and rehabilitation.</i></p> <p><i>A water license is held and irrigation is installed.</i></p> <p><i>A home is currently being constructed, due for completion at the end of July 2017; it is in the owners best interests to have their property and land well cared for.</i></p>	Noted.

		<p><i>In my opinion, keeping of 10 horses would not disturb the surrounding neighbourhood.</i></p> <p><i>Building envelope permission was granted to be moved forward, shed/carport should be permitted to be allowed within close proximity to the house.</i></p> <p><i>The shed location has sufficient set back from the boundary.</i></p> <p><i>This would have nil impact on the surrounding neighbours</i></p>	
15.	Submission	<p>The Submitter supports the proposal and makes the following comments:</p> <p><i>Our family have been acquainted with Jess Bosch for five years. Both my daughters have been lucky to have Jess as an instructor in natural horsemanship and riding.</i></p> <p><i>Jess is an excellent teacher and role model in all aspects of horse care and in riding. Jess' calm demeanour encourages riders to gain confidence in horse handling and in riding. Her style of teaching is of great benefit to clients who are starting out or who lack confidence. Despite the 136km round trip to Jess, we think that Jess' style of coaching is worth the drive and the time. Lessons are run on time so that there is minimal overlap between clients.</i></p> <p><i>Jess has an ability to understand horse behaviour and have personally seen her solve an issue with a horse refusing to float, doing so with patience and kindness.</i></p> <p><i>Jess' horses are well cared for and the property is safe. Fencing is of good quality and there are no potential risks to horse or client. There is access to water and grazing.</i></p> <p><i>I know we are not the only ones travelling up from Perth for lessons; those of us who do often have lunch at either the old railway station (enjoying the gifts and clothing items) or at the Park Café. IGA has also been a place to catch up on some grocery shopping while the</i></p>	Noted.

		<p><i>riding lessons are underway.</i></p> <p><i>In summary, we as a family highly recommend and support Jess Bosch's keeping of horses and the running of a horse school.</i></p>	
16.	Submission	<p>The Submitter supports the proposal and makes the following comments:</p> <p><i>I am writing in support of having a riding school at Lot 58 Ashby Road, Lennard Brook.</i></p> <p><i>I believe the shire should approve the application for a riding school as I believe it is of benefit to the shire.</i></p> <p><i>Allowing the riding school to operate from the property brings people from around Perth to Gingin. This is beneficial to the shire as it brings people into your community who would not usually visit the area thus visiting other local attractions whilst there.</i></p> <p><i>From personal experience I only come to Gingin to visit Jessica at the above property but I have visited as a result of this, the local café, petrol station and IGA.</i></p> <p><i>By allowing the property to operate as a riding school, it is also bringing profit to surrounding businesses and helping the community on a greater level.</i></p> <p><i>Jessica is an amazing owner who respects the land and treats her horses amazingly.</i></p> <p><i>I would really appreciate if you considered the application as horses are Jessica's and many others lively hood who would greatly miss visiting the area.</i></p>	Noted.
17.	Submission	<p>The Submitter supports the proposal and makes the following comments:</p> <p><i>I refer to a recent application put forward by Jessica Bosch seeking approval from the Gingin Shire to operate a riding school at Lot 58 Ashby Road, Lennard Brook.</i></p> <p><i>I have known Ms Bosch for approximately three years during which</i></p>	Noted.

		<p><i>time she has attended by property in Bullsbrook on a weekly basis in order to assist me with my confidence around horses and to build on my riding skills. More recently, I have attended clinics at her property in Gingin, which have been extremely well run and organised.</i></p> <p><i>Ms Bosch is a very capable young woman; she is efficient, hardworking and provides an excellent service to all her clients. Her horses are well cared for and I have been very impressed by the improvements made to her property in relation to the planting of native trees and maintaining the paddocks to sufficiently cater for up to 10 stock horses.</i></p> <p><i>As a business owner myself, I understand the difficulties involved in running a successful business in a competitive market, however sincerely believe that Ms Bosch will do this extremely well if given the opportunity.</i></p> <p><i>I would be more than happy to discuss the matter with you should you wish.</i></p>	
18.	Ratepayer	<p>The Submitter provides general comments regarding the proposal:</p> <p>1. <i>Local Amenity</i></p> <p><i>While a ten horse riding school might have some (probably tolerable) adverse effect on the amenity at our location, 500m to the east, we are sympathetic towards neighbours immediately adjacent to the proposed development. The immediate neighbours purchased lots on Ashby Road confident that amenity is protected by zoning guidelines, including limited livestock numbers.</i></p> <p>2. <i>Paddock Area</i></p> <p><i>The applicant's layout diagram suggests total available paddock area amounting to only 2.83hectares (approximately). Is this sufficient for 10 horses?</i></p> <p>3. <i>Groundwater</i></p>	Noted.

		<p><i>Bore water levels, across the district, are falling. Since it was drilled and equipped the static water level in our bore has fallen from 24 to 48m.</i></p> <p><i>The applicant states intent to irrigate the paddocks for dust suppression and to provide grazing for the horses. We suggest they confirm that they have a licensed groundwater allocation sufficient provided for their long-term requirements in a drying climate.</i></p>	
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11.1.1 SEABIRD FORESHORE SECTION 91 LICENCE

LOCATION: SEABIRD FORESHORE
FILE: ENV/17
REPORTING OFFICER: JEREMY EDWARDS - CHIEF EXECUTIVE OFFICER
REPORT DATE: 18 JULY 2017

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider a Section 91 Licence over the Seabird sea wall foreshore area.

BACKGROUND

As Council is aware, the Shire was awarded a \$2 million grant to provide an interim and longer term solution to the erosion issues being experienced at Seabird. This grant was administered by the Department of Regional Development under a Financial Assistance Agreement (FAA); a condition of the FAA was that the Shire enter into a Section 91 Licence (administered by the Department of Lands (DoL)) to access the foreshore and conduct the immediate works followed by the longer term solution. A Section 91 Licence was obtained from DoL to enable the Seabird sea wall to be constructed, which expires in July 2017.

The current arrangement of having a Section 91 Licence over the area appears to have been fit for purpose for the Shire, and post the construction of the sea wall the Shire has only accessed the site to conduct rehabilitation work in partnership with the Northern Agricultural Catchment Council (NACC) and Seabird Progress Association (SPA).

Correspondence received from DoL dated 15 February 2017 (**Appendix 1** refers) suggested two options for Council to consider, one being a another licence agreement for a further three year term from the date of expiry of the current licence, or the creation of a foreshore reserve over the subject land, with a Management Order for the reserve issued in favour of the Shire.

COMMENT

Management Orders generally are issued for an indefinite period rather than for relatively short, finite terms. Additionally, any Management Order proposal would trigger Native Title implications over the foreshore area. If the Shire wanted to proceed with a Management Order over the site then it would be required to provide an indemnity in writing, accepting any costs that may arise as a result of the proposal (including any potential claims under the *Land Administration Act 1997* and *Native Title Act 1993 (Cth)*). This process could take between 12 and 18 months and the costs associated with such action are unknown.

The Chief Executive Officer (CEO) forwarded correspondence to DoL (refer **Appendix 2**) advising that it would be unlikely that the Shire would indemnify the State for any potential claims under the *Land Administration Act 1997* and *Native Title Act 1993*.

Further advice was subsequently received from DoL as follows:

As you have noted the existing Licence expires in July 2017 and that it was anticipated that a reserve with management order would be created. This department had provided this advice on the basis that the South West Settlement (SWS) would have been resolved but that is now not the case.

Given that the SWS is yet to be resolved it would be prudent to issue another Licence (on the same terms and conditions) for a period of 3 years and alternative tenure can be considered when the SWS is resolved. If you support this can you please confirm so in writing and this department can proceed on this basis.

It appears that on this basis the best possible outcome would be to agree to a new Section 91 Licence (**Appendix 3** refers) for a period of a further three years until July 2020. This will allow the Shire to access the Unallocated Crown Land (UCL) where the wall is situated and to carry out further rehabilitation/maintenance works at this site.

STATUTORY ENVIRONMENT

Land Administration Act 1997

Part 6 – Sales, leases, licenses, etc of Crown land

Section 91 – Licences and profits à prendre over Crown land, grant of

Native Title Act 1993 (Cth)

Part 2 – Native Title

Division 3 – Future acts etc. and native title

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015-2025

Focus Area	<i>5. Leadership and Governance</i>
Outcome	<i>5.2 Accountable and responsible governance</i>
Strategy	<i>5.2.1 Continue to develop and implement integrated planning and reporting for the long term financial sustainability of the organisation</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council agree to enter into a new Section 91 Licence Agreement with the Department of Lands over the Seabird sea wall foreshore area, for a licence period of three years expiring in July 2020.

RESOLUTION

Moved Councillor Elgin, seconded Councillor Fewster that Council agree to enter into a new Section 91 Licence Agreement with the Department of Lands over the Seabird sea wall foreshore area, for a licence period of three years expiring in July 2020.

CARRIED UNANIMOUSLY

APPENDIX 1



Government of Western Australia
Department of Lands

Metropolitan and Regional Services



Doc No: ICP187313
File: ENV/17
Date: 21 FEB 2017
Officer: KO

Our ref: File: 01826-1965 Job: 150508
Enquiries: Robert Baker Ph: (08) 6552 4469
Fax: (08) 6552 4417
Email: Robert.Baker@lands.wa.gov.au

15 February 2017

MR JEREMY EDWARDS
CHIEF EXECUTIVE OFFICER
SHIRE OF GINGIN
PO Box 510
GINGIN WA 6503

Dear Mr Edwards

SEABIRD FORESHORE STABILISATION STAGE 2

I refer to our letter sent ^{NCP 10176} 15 April 2016 regarding the request to access unmanaged Reserve 32410 (Lots 58 and 64) and unallocated crown land being lot 198 for laydown area and to facilitate access to the section 91 licence area.

The current section 91 licence (Lic01826/1965_A5422130) over the area expires in July 2017, and longer term tenure over the area needs to be formalised in line with the Cabinet minute to ensure the area and any proposed infrastructure is adequately managed and maintained.

The Department of Lands (DoL) can issue another licence for a further five year term from the date of expiry of the current licence, or create a foreshore Reserve and a management order in favour of the Shire.

However the latter option, due to Native Title implications over this foreshore area a Future Act under the *Native Title Act 1997* will be required to enable DoL to create a foreshore reserve and issue a Management Order to the Shire. This will require the Shire to provide an indemnity in writing, accepting any costs that may arise as a result of the proposal (including any potential claims under the *Land Administration Act 1997* & *NTA*). Please note that this process can take between 12 and 18 months.

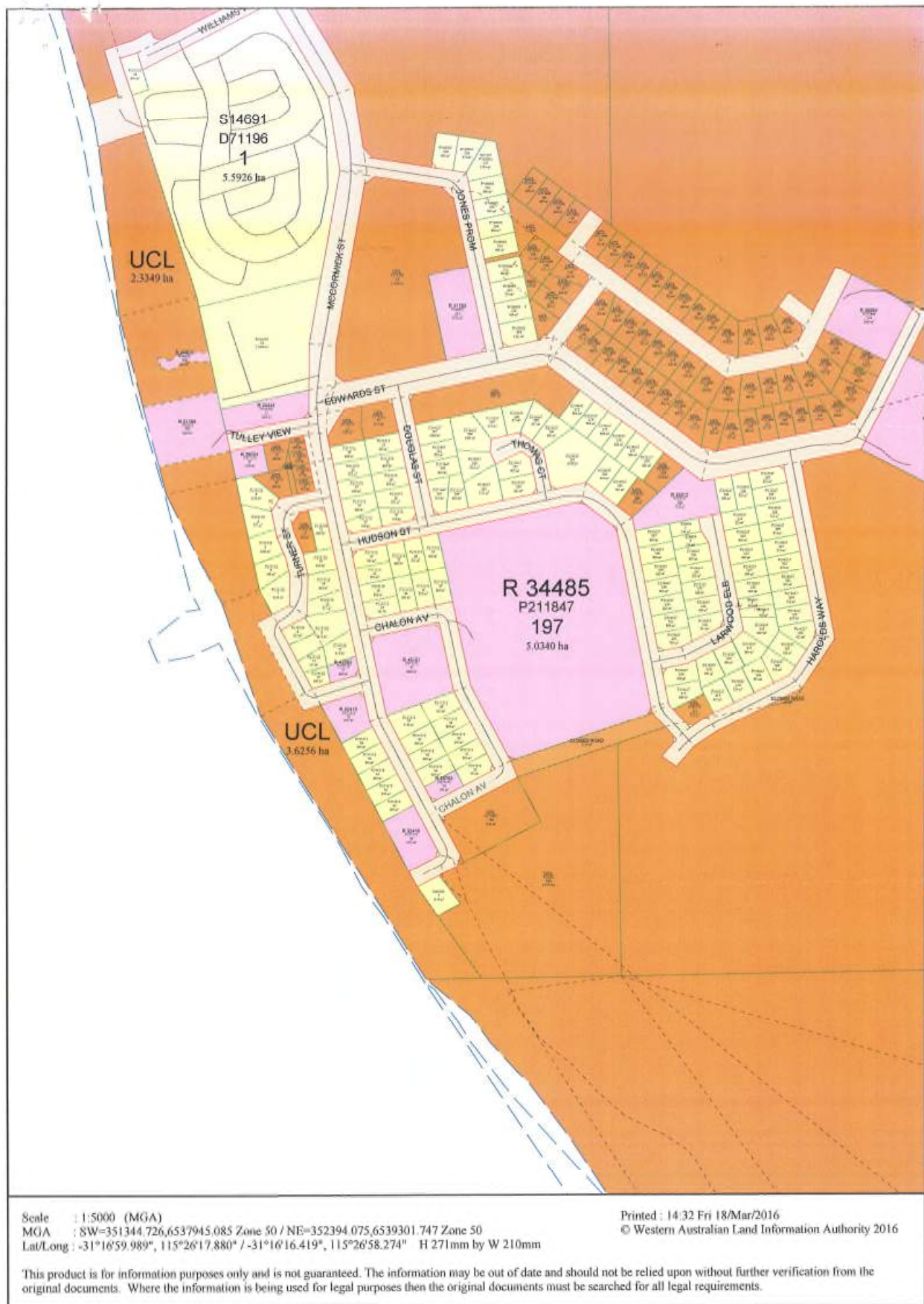
Can you please advise how the Shire wishes to proceed.

A copy of a Smartplan Map of the area is attached for your convenience and should you have any questions please don't hesitate to contact me.

Yours faithfully,

Robert Baker
Assistant Manager

Case Management – Goldfields, Esperance, Wheatbelt





ABN 85 679 704 946
7 Brockman Street (PO Box 510) Gingin WA 6503
T: 08 9575 2211 F: 08 9575 2121
E: mail@gingin.wa.gov.au
W: www.gingin.wa.gov.au

22 February 2017

Robert Baker
Assistant Manager
Case Management – Goldfields, Esperance, Wheatbelt
Department of Lands
PO Box 1143
WEST PERTH WA 6872

Dear Mr Baker

SEABIRD FORESHORE STABILISATION STAGE 2

I refer to your correspondence of 15 February 2017 in relation to the Seabird foreshore stabilisation works and the current Section 91 licence (lic01826/1965_A5422130) that expires in July 2017.

The Shire was under the impression that upon expiry of the Section 91 that a foreshore management order would be created and negotiated with the Shire for this area.

I would be comfortable in presenting this to Council for consideration however, it would be unlikely that the Shire would indemnify the State for any potential claims under the *Land Administration Act 1997* and *Native Title Act 1997*.

If this is the position of the Department of Lands, please advise so that the Shire can seek the necessary legal advice.

Yours sincerely

JEREMY EDWARDS
CHIEF EXECUTIVE OFFICER

JE:ko
File: ENV/17 icp187313
Your Ref: 01826-1965 Job: 150508

K:Seabird:Foreshore Erosion Turner Street DoL re Reserve 32410 Long Term Tenure



Shire of Gingi
History. Beauty. Prosper

APPENDIX 3

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2017

THE STATE OF WESTERN AUSTRALIA
ACTING THROUGH
THE MINISTER FOR LANDS

AND

SHIRE OF GINGIN

Licence to Occupy Crown Land

Section 91 of the *Land Administration Act (WA)*

DEPARTMENT OF PLANNING, LANDS AND HERITAGE

140 William Street
Perth Western Australia 6000

Licence Number

Lic 01826/1965 – A7083601

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THIS DEED OF LICENCE is made on the day of 2017

BETWEEN

THE STATE OF WESTERN AUSTRALIA ACTING THROUGH THE MINISTER FOR LANDS, a body corporate under the *Land Administration Act 1997*, care of the Department of Planning, Lands and Heritage, 140 William Street, Perth Western Australia 6000 (**Licensor**)

AND

SHIRE OF GINGIN 7 Brockman Street Gingin Western Australia 6503 (**Licensee**)

BACKGROUND

- A. The Licence Area is a portion of Crown land. Crown land is administered by the Minister through the Department on behalf of the State of Western Australia.
- B. The Licensee wishes to have access to the Licence Area for the Permitted Use.
- C. The Minister on behalf of the State of Western Australia is authorised by section 91 of the LAA to grant a licence of Crown land for any purpose.
- D. The Licensor has agreed to grant to the Licensee the Licence in respect of the Licence Area on the terms and conditions and for the Permitted Use set out in this Licence.

OPERATIVE PART

The Parties covenant and agree on the matters set out above and as follows:

1. DEFINITIONS AND INTERPRETATION

1.1 DEFINITIONS

In this Licence the following terms shall have the following meaning:

Approved Determination of Native Title has the same meaning as in the NTA.

Beach Nourishment means the supply of sand to the shore to increase the recreational value and/or to secure the beach against shore erosion by feeding sand on the beach.

Contamination is the state of being contaminated as that term is defined in the CSA.

CSA means the *Contaminated Sites Act 2003*.

Date of Commencement means the date of commencement specified in item 2(b) of the Schedule.

Date of Expiry means the date of expiry specified in item 2(c) of the Schedule.

Department means the department principally assisting the Minister in the administration of the LAA.

Environment has the meaning given by section 3 of the *Environmental Protection Act 1986*.

Environmental Harm has the same meaning as that term is defined in the *Environmental Protection Act 1986*.

Environmental Law means all planning, environmental, contamination or pollution laws and any regulations, orders, directions, ordinances or all requirements, permission, permits or licences issued thereunder.

Environmental Notice means any notice, direction, order, demand or other requirement to take any action or refrain from taking any action from any Governmental Agency, whether written or oral and in connection with any Environmental Law.

Governmental Agency means any government or any governmental, semi-governmental, administrative, fiscal or judicial body, department, commission, authority, tribunal, agency or entity.

Improvements means structures, fixtures, fittings, objects and materials placed, effected, constructed, erected or undertaken on the Land during the Term and includes any alterations, additions, replacements, renewal or restorations made to those improvements including coastal concrete mattress, Beach Nourishment, geomesh or the like; a sandbag or rock seawall; groins; and/or installation of offshore reef modules.

LAA means the *Land Administration Act 1997*.

Law includes any requirement of any statute, regulation, proclamation, ordinance or by-law present or future whether State, Federal or otherwise.

Licence means this deed including the contractual rights granted to the Licensee under clause 2 and the rights granted under this Licence necessary for the exercise of the rights granted under clause 2.

Licence Area means the licence area specified in item 1 of the Schedule.

Licence Fee means the licence fee specified in item 3(a) of the Schedule.

Licensee's Agent includes the employees, agents, contractors, consultants, invitees and any other person acting with the authority or permission of the Licensee.

Licensee's Property means all plant, equipment, materials including Improvements, and other property brought or placed on the Licence Area by, on behalf of or with the authority of the Licensee.

Minister means the Minister for Lands, a body corporate under section 7(1) of the LAA.

Parties mean the Licensor and the Licensee.

Party means the Licensor or the Licensee, as the case may be.

Permitted Use has the meaning given to that term in clause 2.1.

Pollution means any thing that is Pollution within the meaning of the *Environmental Protection Act 1986*, which is not authorised under any Law.

Schedule means the Schedule to this Licence.

Services includes water, gas and electricity supply, sewerage, waste disposal, drainage and telecommunications and all facilities pipes, cables, fixtures and fittings associated with those services.

Surrounding Area means any land or water adjacent to or in the vicinity of the Licence Area and the air generally above the Licence Area, and includes an affected site within the meaning of that term as defined in the CSA.

Term means the term specified in item 2(a) of the Schedule.

1.2 INTERPRETATION

In this Licence:

- (a) clause headings are for convenient reference only and shall have no effect in limiting or extending the language of the provisions to which they refer;
- (b) a reference to a clause, schedule or annexure is a reference to a clause of or schedule or annexure to the document in which the reference appears;
- (c) a reference to any Law includes consolidations, amendments, re-enactments or replacements of it;
- (d) the singular includes the plural, the plural includes the singular and any gender includes each other gender;
- (e) if a period of time is specified and runs from a given day or the day of an act or event, it is to be calculated exclusive of that day;
- (f) the word 'person' includes a reference to the person's personal representatives, executors, administrators, successors and assigns and a reference to a corporation includes a reference to the corporations successors and assigns;
- (g) covenants in this Licence by two or more persons shall be deemed joint and several;
- (h) a reference to the word "including" is deemed to be followed by the words "but not limited to".

2. GRANT OF LICENCE

2.1 GRANT OF LICENCE

In consideration of the matters set out in this Licence, the Licensor hereby GRANTS to the Licensee a non-exclusive right for the Term to enter upon and remain on and use the Licence Area, in accordance with the terms and conditions set out in this Licence, with such vehicles, machinery, plant or equipment as is reasonably necessary for:

- (a) excavation or clearing that is reasonably necessary for the protection of public health or public safety; or
- (b) foreshore reclamation, regeneration or environmental assessment or protection activities including sand nourishment, building of a seawall by

placing 'sand bags' to create a barrier to mitigate the immediate foreshore erosion; and

- (c) the continual care, control and management of such improvements effected on the Licence Area for the purposes of (a) and (b) above.

(Permitted Use)

2.2 NO ESTATE OR INTEREST IN LAND

The Licensee acknowledges and agrees that:

- (a) The rights conferred by this Licence rest in contract only and do not create in or confer upon the Licensee any tenancy or any estate or interest in or over the Licence Area and the rights of the Licensee will be those of a licensee only.
- (b) This Licence confers no right of exclusive occupation of the Licence Area upon the Licensee and the Licensor may at any time and at all times from time to time exercise all the Licensor's rights as licensor including (but without in any way limiting the generality of this provision) the Licensor's rights to use possess and enjoy the whole or any part of the same save only in so far as such rights shall not unreasonably:
 - (i) prevent the operation of the rights granted to the Licensee under this Licence; or
 - (ii) be inconsistent with the express provisions of this Licence.
- (c) The rights granted to the Licensee under this Licence are only exercisable during the Term.

3. TERM AND LICENCE FEE

3.1 TERM

The Term shall commence on the Date of Commencement and shall expire at the Date of Expiry.

3.2 FURTHER TERM

Any application for a Further Term or extension of the rights granted to the Licensee under this Licence must be made to the Licensor, in writing no less than 30 days prior to the expiration of this Licence and may be granted or refused at the Licensor's absolute discretion.

3.3 LICENCE FEE

The Licensee has been waived by the Department, as specified in item 3 of the Schedule.

4. LICENSEE'S COVENANTS

4.1 COVENANTS WITH LICENSOR

The Licensee covenants with the Licensor that the Licensee and the Licensee's Agents:

- (a) must not cause or permit any damage to the Licence Area or to the Surrounding Area;
- (b) must not cause or permit any Contamination, Pollution or Environmental Harm to occur in, on or under the Licence Area or to the Surrounding Area, and if any Contamination, Pollution or Environmental Harm is caused by the Licensee or the Licensee's Agents, the Licensee must give notice of it to the Licensor and must minimise and remediate any resultant damage and harm to the reasonable satisfaction of the Licensor;
- (c) must keep the Licence Area in good and safe repair and condition, and must take all steps necessary to keep it safe and free from hazard to any property or person on or using the Licence Area or the Surrounding Area, and where required must keep secure the Licence Area;
- (d) must ensure that traffic on all adjoining and surrounding roads is not unduly disrupted due to vehicles entering or leaving the Licence Area;
- (e) must, while using the Licence Area:
 - (i) ensure the safe movement of pedestrians using the Licence Area or adjoining areas, including erecting signs to warn persons likely to be endangered by the Licensee's use of the Licence Area, and
 - (ii) ensure that pedestrians using the Licence Area or adjoining areas are not unduly disrupted;
- (f) must not dispose and not store on the Licence Area any rubbish or any poisonous, toxic or hazardous substance;
- (g) must pay all outgoings payable in respect of the Licence Area;
- (h) must punctually comply with and observe:
 - (i) all Laws; and
 - (ii) all notices received either by the Licensor or the Licensee from, and the requirements of, any relevant Governmental Agency;
- (i) must obtain, keep current and comply with all consents, approvals, permits, licences or other requirements under any Law, if any, to use the Licence Area for the purposes permitted under this Licence;
- (j) must repair or remedy any damage caused or permitted by the Licensee or the Licensee's Agents, to the Licence Area or the Surrounding Area or Services in, on, under or over the Licence Area, including remediating any Contamination, Pollution, Environmental Harm, and erosion or other form of degradation; and

- (k) must reinstate the Licence Area on the expiration of the Term or other termination of this Licence, in accordance with clause 7.

5. INDEMNITY, RELEASE AND INSURANCE

5.1 INDEMNITY AND RELEASE

- (a) The Licensee hereby releases and indemnifies and agrees to keep released and indemnified the Licensor, the State, the Crown, all Ministers of the Crown, and all officers, servants, agents, contractors, invitees and licensees of any of them (the **Indemnified Parties**) from and against all claims, demands, actions, suits, proceedings, judgments, damages, costs, charges, expenses (including legal costs of defending or settling any action, claim or proceeding) and losses of any nature whatsoever whether based in contract, tort or statute or any combination thereof which the Indemnified Parties (or any of them) may suffer or incur or which may at any time be brought maintained or made against them (or any of them) in respect of or in connection with:
- (i) in respect of any destruction, loss (including loss of use), injury or damage of any nature or kind of or to property of any person whether or not on the Licence Area and including the property of:
 - (A) any of the Indemnified Parties; or
 - (B) the Licensee or the Licensee's Agents; and
 - (ii) in respect of any death of, or injury or illness sustained by, any person and including:
 - (A) the Indemnified Parties; or
 - (B) the Licensee or the Licensee's Agents,directly or indirectly caused by arising out of or in connection with:
 - (iii) the Licensee's or Licensee's Agents use or enjoyment of the Licence Area or any part of the Licence Area pursuant to the terms of this Licence;
 - (iv) any works carried out by or on behalf of the Licensee under this Licence;
 - (v) the exercise or enjoyment of any rights conferred upon the Licensee under this Licence;
 - (vi) any Contamination, Pollution or Environmental Harm of the Licence Area or the Surrounding Area caused or contributed to by the Licensee's or the Licensee's Agents use of the Licence Area;
 - (vii) any remediation required to be carried out by the Licensee under this Licence in respect of the Licence Area or the Surrounding Area or otherwise having to comply with any Environmental Notice or any other notice received from any Governmental Agency;

(viii) any default by the Licensee in the due and punctual performance, observance and compliance with any of the Licensee's covenants or obligations under this Licence; or

(ix) any other act, neglect, default or omission by the Licensee or the Licensee's Agents,

except to the extent caused by:

(A) a negligent act or omission of the Licensor or the Indemnified Parties; or

(B) a natural or physical process of shoreline accretion, erosion, climate change or sea level rising.

(b) The obligations of the Licensee under this clause:

(i) are unaffected by the obligation of the Licensee to take out insurance and the obligations of the Licensee to indemnify are paramount; and

(ii) continue after the expiration or earlier determination of this Licence for a period of two (2) years after the removal of the Licensee's Property from the Licence Area.

5.2 INSURANCE

(a) The Licensee must during the Term and for the period noted in clause 5.1(b)(ii) above, maintain and keep current with an insurer of good repute, a public liability insurance policy for the amount specified in item 6 of the Schedule for any one claim (or any other amount reasonably required by the Licensor from time to time consistent with usual prudent commercial practice) and which policy includes, but is not limited to, coverage in respect of:

(i) any injury to, illness of, or death of, any person;

(ii) any loss, damage or destruction to any property including to the property of any of the Indemnified Parties;

(iii) the loss of use of any property, including the property of any of the Indemnified Parties; and

(iv) liability arising out of any Contamination Pollution or Environmental Harm of the Licence Area or the Surrounding Area caused or contributed to by the Licensee's or the Licensee's Agents use of the Licence Area,

and such insurance shall include the interests of the Licensor under this Licence.

(b) The Licensee

(i) must give to the Licensor a copy of the certificate of currency of the policy of insurance referred to in subclause (a) at the Date of Commencement; and

- (ii) must submit evidence to the Licensor on each anniversary of the Date of Commencement during the Term, or as otherwise requested by the Licensor, which shows that the insurance policy referred to is still current.
- (c) The Licensee shall effect and maintain all insurance required to be effected by it by law. Without limiting the generality hereof, the Licensee shall have all necessary insurance with respect to its employees under the relevant Laws and shall, if required by the Licensor, produce evidence of such insurance at any time.
- (d) The Licensee will not do or omit to do any act or thing or bring onto or keep anything on the Licence Area which might render the insurance on the Licence Area void or voidable.

6. TERMINATION OF LICENCE

6.1 APPROVED DETERMINATION OF NATIVE TITLE

Notwithstanding any other provision in this Licence providing for the determination, expiration or termination of this Licence, the Licensor and Licensee agree that:

- (a) this Licence shall determine on the date of an Approved Determination of Native Title made in relation to any land or waters included in the Licence Area by any court or tribunal, if the determination is that native title exists, notwithstanding that neither party to this Licence has given or received notice of such Approved Determination of Native Title;
- (b) the Licensee shall yield and deliver up possession of the Licence Area to the Licensor as soon as is reasonably practicable after it becomes aware of an Approved Determination of Native Title;
- (c) such determination of this Licence shall not give the Licensee any right to damages or compensation; and
- (d) such determination of this Licence shall not affect any rights or obligations that are expressed in this Licence to survive determination, expiration or early termination of this Licence and is without prejudice to the rights of the Licensor in respect of any antecedent breach of the terms, covenants and conditions, contained or implied in this Licence, by the Licensee.

6.2 DEFAULT

- (a) This Licence and the rights granted to the Licensee pursuant to it, may be terminated by the Licensor by notice in writing to the Licensee:
 - (i) if the Licensee breaches or fails to observe any of the covenants, conditions or terms on the Licensee's part expressed or implied in this Licence, other than the obligation referred to in subclause (i) and the breach has not been remedied by the Licensee within 14 days after service of a notice from the Licensor requiring the Licensee to remedy the breach or non observance;

- (ii) if the Licensee:
 - (A) becomes bankrupt or enters into any form of arrangement (formal or informal) with any of its creditors, or an administrator or a receiver or a receiver and manager is appointed to any of its assets;
 - (B) being a company or other body corporate, an order is made or a resolution is passed for its winding up except for the purpose of reconstruction or amalgamation;
 - (C) being a company, or other body corporate ceases or threatens to cease to carry on business or goes into liquidation, whether voluntary or otherwise, or is wound up or if a liquidator or receiver (in both cases whether provisional or otherwise) is appointed; or
 - (D) being a company, is placed under official management under the *Corporations Act 2001* or enters into a composition or scheme of arrangement,and without limiting the foregoing but for the avoidance of doubt, this subclause (a)(iii) applies to any such event that may occur in relation to the Licensee if it is an Aboriginal and Torres Strait Islander corporation under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006 Cth*; or
- (iii) if the Licensee is an Aboriginal and Torres Strait Islander corporation under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006 Cth* and a determination is made by the Registrar under that Act that the Licensee is to be under special administration; or
- (iv) if the Licensee abandons or vacates the Licence Area;
and this Licence and rights granted pursuant to it will terminate on expiry of the notice period specified in the notice.
- (b) No compensation or money is payable to, or recoverable by, the Licensee from the Licensor for termination of the Licence under this clause.
- (c) Any termination of the Licence under this clause:
 - (i) does not affect any rights and obligations that are expressed in this Licence to survive expiry or earlier termination of this Licence; and
 - (ii) is without prejudice to the rights of the Licensor in respect of any antecedent breach of the terms, covenants or conditions contained or implied in this Licence by the Licensee.

6.3 LICENSOR'S RIGHT TO ENTER AND TO REMEDY

- (a) If the Licensee has breached or failed to observe any of the terms of this Licence on its part contained or implied in this Licence, and that breach or non-performance has continued for at least 14 days after the service of a written notice on the Licensee requiring it to remedy the same, without

affecting its other rights under this Licence, the Licensor may (but is not obliged to) remedy the breach, including the payment of monies.

- (b) For this purpose, the Licensee acknowledges and agrees that:
 - (i) the Licensor, its servants, agents and contractors may enter the Licence Area at any time with all necessary materials and equipment to execute all or any required works as the Licensor thinks fit; and
 - (ii) all debts costs and expenses incurred by the Licensor, including legal costs and expenses, in remedying a default is a debt due to the Licensor, and must be paid by the Licensee to the Licensor on demand.

7. REMOVAL OF PROPERTY ON EXPIRY OR TERMINATION

7.1 OBLIGATION TO REMOVE PROPERTY AND RESTORE

- (a) The Licensee must upon the expiration of the Term or earlier termination of this Licence yield and deliver up possession of the Licence Area to the Licensor and in doing so must by the end of the Term or within 21 days after the earlier termination of this Licence:
 - (i) remove all of the Licensee's Property from the Licence Area, to the Licensor's absolute satisfaction;
 - (ii) promptly make good to the satisfaction of the Licensor any damage caused by the removal of the Licensee's Property referred to in subclause (a)(i), including filling in, consolidating and levelling off any holes or trenches on the Licence Area; and
 - (iii) remediate any Contamination, Pollution or Environmental Harm to the Licence Area or the Surrounding Area caused by the Licensee or the Licensee's Agents or arising out of the Permitted Use.
- (b) The Licensee's obligations under subclause (a) will survive the expiration of the Term or other termination of this Licence.

7.2 PROPERTY IN PLANT, EQUIPMENT, MATERIALS AND IMPROVEMENTS

All of the Licensee's Property that is:

- (a) brought on to or installed in, on or under the surface of the Licence Area by the Licensee or the Licensee's Agent; or
 - (b) affixed to or within the Licence Area,
- shall be and remain the property of the Licensee upon the expiration of the Term or earlier termination of this Licence.

8. NO ASSIGNMENT

- (a) The rights granted by this Licence are for the benefit of the party named as "Licensee" in this Licence.

- (b) The Licensee must not:
 - (i) assign or transfer its rights under this Licence, or grant any sublicence or part with the possession, of the Licence Area, to any person; or
 - (ii) mortgage, charge or encumber its rights under this Licence.
- (c) To the extent that sections 80 and 82 of the *Property Law Act 1969* may be applicable, they are expressly excluded.
- (d) For the purposes of subclause (b), where the Licensee is a corporation (not being a corporation where shares are listed on any Stock Exchange in Australia) any intended change in the beneficial ownership or control of the Licensee which will have the consequence of altering the effective control of the Licensee is deemed to be an assignment of the Licensee's rights under this Licence.

9. GENERAL PROVISIONS

9.1 DUTY

The Licensee will pay duty (if any) payable under the *Duties Act 2008* in respect of any dutiable transaction arising under or in respect of this Licence.

9.2 FEES AND CHARGES

The Licensee will pay all statutory and other fees and charges (if any) relating to this Licence within 30 days of the due date.

9.3 NOTICES

- (a) Any notice that must or may be served under or pursuant to this Licence:
 - (i) must be signed by the Party giving the notice or by any solicitor or duly appointed representative of the Party giving the notice; and
 - (ii) will be sufficiently served on:
 - (A) the Licensor, if addressed to the Licensor and left at, or sent by prepaid post to the Minister for Lands c/o Director General of the Department at the address set out at item 4 of the Schedule or such other address as is notified by the Licensor to the Licensee; and
 - (B) the Licensee, if addressed to the Licensee and left at, or sent by prepaid post to the address set out at item 5 of the Schedule or such other address as is notified by the Licensee to the Licensor;
- (b) A notice sent by post will be deemed to be given at the time when it ought to be delivered in the ordinary course of a post whether the contrary is shown or not.
- (c) A notice given by facsimile transmission will be deemed to have been given on the date on which the facsimile transmission report of the

machine from which it was sent, shows that it was successfully transmitted in its entirety.

9.4 EFFECT OF WAIVER

No consent or waiver express or implied by the Licensor or its officers, servants, agents, contractors or any of them, to or of any breach of any covenants conditions or stipulations of the Licensee will be construed as a consent or waiver to or of any other breach of the same or any other covenants conditions or stipulations contained or implied in this Licence.

9.5 GOVERNING LAW

- (a) This Licence shall be construed and interpreted in accordance with the laws in force in the State of Western Australia.
- (b) The Parties submit to the non-exclusive jurisdiction of the Courts of Western Australia.

9.6 VARIATION

This Licence cannot be altered or varied by the Parties except by deed.

10. GOODS AND SERVICES TAX

10.1 DEFINITIONS

In this clause 10 the following terms have the following meanings:

- (a) **GST Act** means A New Tax System (Goods and Services Tax) Act 1999 (Cth) and any legislation substituted for or amending that Act;
- (b) The terms **GST**, **GST law**, **Tax Invoice** and **Taxable Supply** have the meaning given in section 195-1 of the GST Act.

10.2 LICENCE FEE EXCLUSIVE OF GST

The Licence Fee and any other amounts payable by the Licensee to the Licensor, under this Licence, are exclusive of GST.

10.3 LICENSEE TO PAY GST

The Licensee must pay additional to the Licence Fee and any other amounts payable by the Licensee, any GST payable by the Licensor in respect of a Taxable Supply made under this Licence.

10.4 VARIATION OF GST

Where GST is payable, the amount payable will be the amount specified in the Schedule to this Licence, until varied from time to time consequent upon each review of Licence Fee in accordance with this Licence.

10.5 TAX INVOICE

Where GST is payable, the Licensor will provide to the Licensee, a Tax Invoice in the format and form required as set out in the GST law.

10.6 NOTIFICATION IS CONCLUSIVE

A written notification given to the Licensee by the Licensor of the amount of GST that the Licensor is liable to pay on a Taxable Supply made or to be made under this Licence is conclusive between the Parties except in the case of an obvious error.

10.7 TIME FOR PAYMENT

The Licensee must pay to the Licensor the amount of the GST that the Licensee is liable to pay under this Licence:

- (a) at the same time; and
- (b) in the same manner,

as the Licensee is obliged to pay for the Taxable Supply.

10.8 APPORTIONMENT OF GST

Where a Taxable Supply is not separately supplied to the Licensee, the liability of the Licensee for any amount for GST, in relation to that Taxable Supply, is determined on the same basis as the Licensee's proportion of that Taxable Supply is determined.

SCHEDULE

ITEM	TERM	DEFINITION
1.	Licence Area	Portion of unallocated Crown land known as Seabird foreshore and more specifically identified as the area bordered in red on the plan attached and marked "A".
2.	(a) Term	Three (3) years.
	(b) Date of Commencement	9 July 2017
	(c) Date of Expiry	8 July 2020
3.	(a) Licence Fee	Nil
	(b) GST Amount	Nil
	(c) Payment Date	Not Applicable
4.	Licensor's Address for Service of Notices	Minister for Lands C/- Department of Planning, Lands and Heritage 140 William Street Perth WA 6000 Attention: Manager Goldfields Esperance and Wheatbelt Facsimile No: (08) 6552 4417
5.	Licensee's Address for Service of Notices	Shire of Gingin 7 Brockman Street Gingin Western Australia 6503 Attention: Mr Jeremy Edwards Chief Executive Officer Telephone: 9575 2211 Facsimile No: 9575 2121
6.	Insurance Amount	\$ 20 million

EXECUTED AS A DEED on the date set out on page 1 of this Licence.

SIGNED FOR AND ON BEHALF OF THE)
STATE OF WESTERN AUSTRALIA by)
an authorised officer for and on behalf of the)
Minister for Lands by delegation under)
section 9 of the *Land Administration Act 1997*)
in the presence of:)

.....
Department's Officer

.....
Name of Witness

.....
Address of Witness

.....
Occupation of Witness

THE COMMON SEAL of the **Shire of Gingin**)
was hereunto affixed by authority of a)
resolution of the Council in the presence of:)

Signature of President

Name of President (print)

Signature of Chief Executive Officer

Name of Chief Executive Officer (print)

The map displays a section of land with various colored parcels (yellow, orange, pink, purple). A red line outlines a specific area. Labels include 'UCL' in two locations, 'R 34485', 'P211647', '197', and 'TOWNSITE BOUNDARY'. A scale bar indicates '100 METRES'. The map is titled 'SECTION 91 LICENCE AREA'.

11.1.2 GUILDERTON FORESHORE PARKING METERS

LOCATION:	GUILDERTON	
FILE:	RDS/21	
REPORTING OFFICER:	JEREMY EDWARDS - CHIEF EXECUTIVE OFFICER	
REPORT DATE:	18 JULY 2017	
REFER:	17 JANUARY 2017	ITEM 11.1.2
	16 MAY 2017	ITEM 11.1.2

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To receive the findings from the recent survey conducted in relation to parking at the Guilderton Foreshore.

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, **Appendix 1** refers.

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 a Parking Station for the purposes of Part 3 of the *Shire of Gingin Parking and Parking Facilities Local Law 2004*. The Council also agreed to issue a free parking pass to all ratepayers within the 6041 postcode, with further passes to be made available to other ratepayers upon application to the Shire.

At the Annual Meeting of Electors held in Guilderton on 22 December 2016, an overwhelming number of attendees spoke against the proposal to implement parking meters at Guilderton. As a result, electors moved a motion for Council to reconsider its position on paid parking at Guilderton.

In accordance with the requirements of s. 5.33 of the *Local Government Act 1995*, Council gave consideration to resolutions arising from the 2016 Annual General Meeting of Electors at its meeting on 17 January 2017, with Council resolving to:

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).*

COMMENT

The consensus from the attendees at the Electors' Meeting held on 22 December 2016 was that there was insufficient consultation with residents on this matter.

Council discussed the matter at a Concept Forum held on 7 March 2017, when it was advised that, to date, the Shire has spent \$1.35 million on the installation of a fixed deck area and floating jetty, swimming pontoon, extension and reconfiguration of the boat ramp and including an upgrade to the car park facility. This facility is extremely popular with residents and tourists and it is regularly operating at capacity.

With such high utilisation comes a requirement to increase the service level with respect to maintenance, incurring costs for a range of services (predominantly turf maintenance, rubbish services, ablution cleaning, septic tank pump out and staff/plant on-cost allocations). The following table is a breakdown of all costs associated with the Guilderton foreshore for the 2015/16 financial year:

Description	Cost \$
Contractors - General	9,828
Contractors – Cleaning/Rubbish Collection	40,000
Ground Maintenance	9,358
Materials	835
Insurance	133
Septic pump outs	1575
Water/Electricity	568
Plant on-cost allocations	940
Wages on-cost allocations	28,539
Re-allocations	10,753
Total	\$102,529

The above costs are expected to be similar or increase in future years.

The Shire is looking at ways to become more sustainable and less reliant upon rate revenue to fund operating costs associated with Council infrastructure and services. The introduction of paid parking for the Guilderton Foreshore Car Park was proposed in an attempt to recover some costs that could be off set against the operating expenditure to maintain this area. The paid parking would be in the form of parking machines whereby a nominal amount would be charged to park at this facility. Feedback from the Electors' Meeting raised concerns around the detrimental impact that this would have upon tourists and that our natural assets and beaches should be free to attend.

Whilst the intention was to provide residents of the Shire with free parking at this location there still appeared to be some level of concern from the broader community and electors about this concept. As a result a motion was moved and carried for Council to reconsider its position on paid parking.

As Council would recall, when the Shire undertook a Community Perceptions Survey in 2016, one of the areas demonstrating a low satisfaction rating was perception around community consultation and engagement and decisions made in the interest of community. It could be assumed that the introduction of paid parking at Guilderton and the response by the electors at the Annual General Meeting has some similarity to this rating from the perceptions survey.

With this in mind, Council reconsidered the matter at its meeting of 16 May 2017 and resolved to *undertake a community survey on the options to introduce paid parking at the Guilderton Parking Area, with a report to be presented to the July 2017 Council meeting presenting the survey results for further consideration.*

The survey presented the following options for feedback from the community:

Option	Details	Advantages	Disadvantages
1	Implement paid parking at the bottom car park for a nominal fee per hour however all ratepayers within the Shire would receive a free parking permit to park at this location.	1. Generates an income stream that will be used to fund the maintenance costs. 2. No cost to ratepayers to park at this location.	May result in fewer people visiting the area.
2	Do not implement any paid parking at this location and examine an increase in rates to assist in paying for the maintenance costs at this location.	Generates additional income (revenue) to be used to offset against the maintenance costs.	All Shire of Gingin ratepayers pay for the maintenance costs.
3	Do not implement any paid parking at this location and examine the introduction of a specified area rate levy to assist in paying for the maintenance costs at this location.	Generates additional income (revenue) to be used to offset against the maintenance costs.	Only a specific or specified area would be charged. For example, the local business operators or a geographic area would incur the charge.
4	Do not implement any paid parking and continue to fund the maintenance costs at this location from the current budget and incorporate any increases within existing and future budgets.	Nothing changes and the status quo remains.	Competing challenges within the existing budget to fund maintenance issues across the Shire.

The survey was advertised on the Shire's website and social media, with a link to a survey instrument. Hard copies were made available to people upon request, and the responses were collated with those completed on line.

In total, 171 responders completed the survey, with a total of 143 (84%) being from people who live in the Shire of Gingin and 28 (16%) from people who reside outside of the Shire.

From the options rated by the respondents the following results were revealed:

Option 1 – Introduce paid parking – 101 responses in favour.

Option 2 – Free unlimited parking with an increase in rates – three responses in favour.

Option 3 – Free unlimited with a Specified Area Rate – six responses in favour.

Option 4 – Free unlimited parking – 29 responses in favour.

It should be noted that a number of respondents did not fully complete the options in the manual survey and/or skipped this question. Irrespective of this, the results still provide a good indication towards the community's preference with respect to parking.

The survey report (**Appendix 2** refers) indicates that there is overwhelming support for the introduction of paid parking at the Guilderton foreshore. It is further evident that it is by far the preferred option in comparison to the others and that Council should have confidence in the process undertaken to actively consult and engage with its community in response to the concerns raised at the electors meeting in December 2016.

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

Nil

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. Agree to implement paid parking at the Guilderton Foreshore in accordance with its recommendation of the Council meeting held on 20 December 2016; and
2. Note the survey results in relation to the Guilderton Foreshore Parking.

RESOLUTION

Moved Councillor Aspinall, seconded Councillor Collard that Council:

1. **Agree to implement paid parking at the Guilderton Foreshore in accordance with its recommendation of the Council meeting held on 20 December 2016; and**
2. **Note the survey results in relation to the Guilderton Foreshore Parking.**

CARRIED UNANIMOUSLY

APPENDIX 1

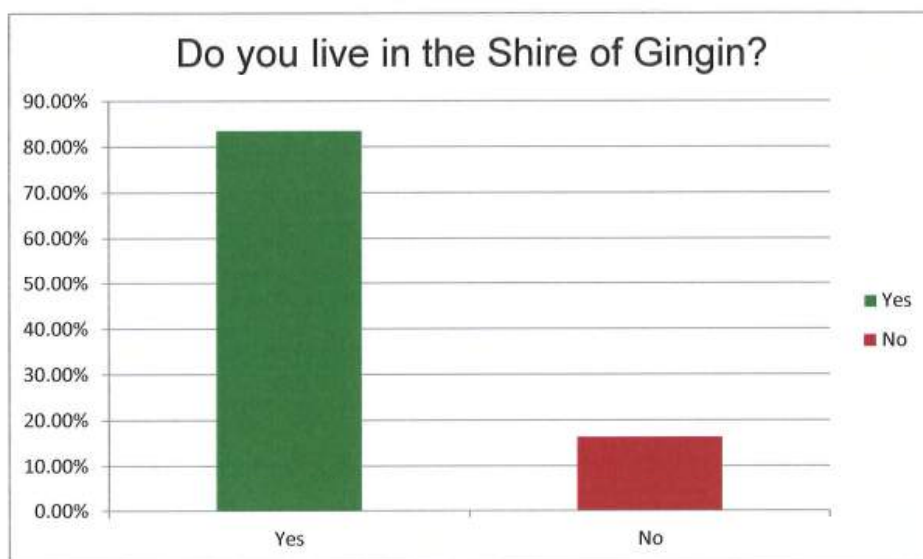


Guilderton Foreshore Parking Management and Maintenance Community Survey

Analysis of Results

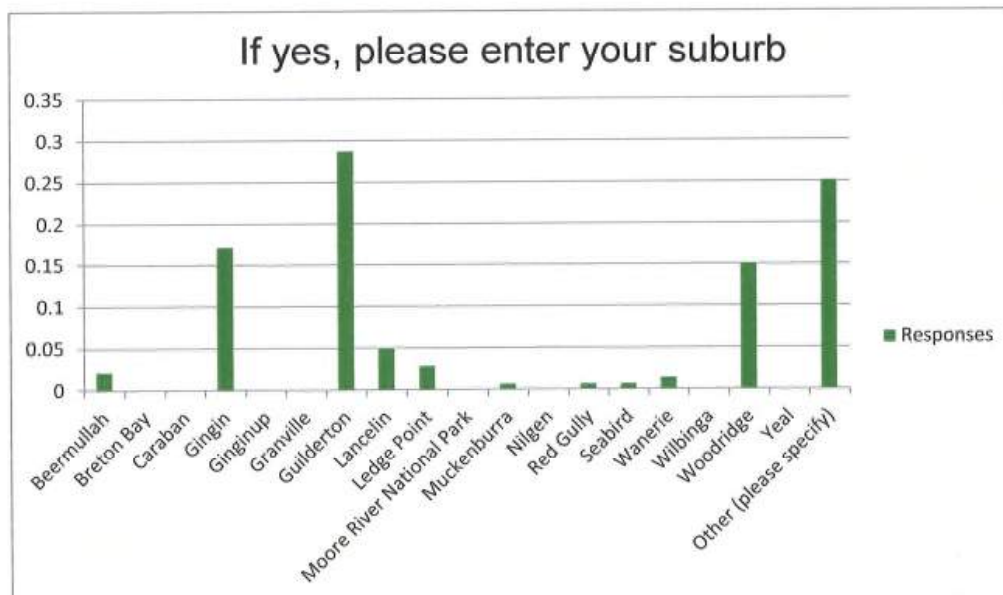
Do you live in the Shire of Gingin?

Answer Choices	Responses	
Yes	83.63%	143
No	16.37%	28
Answered		171
Skipped		0



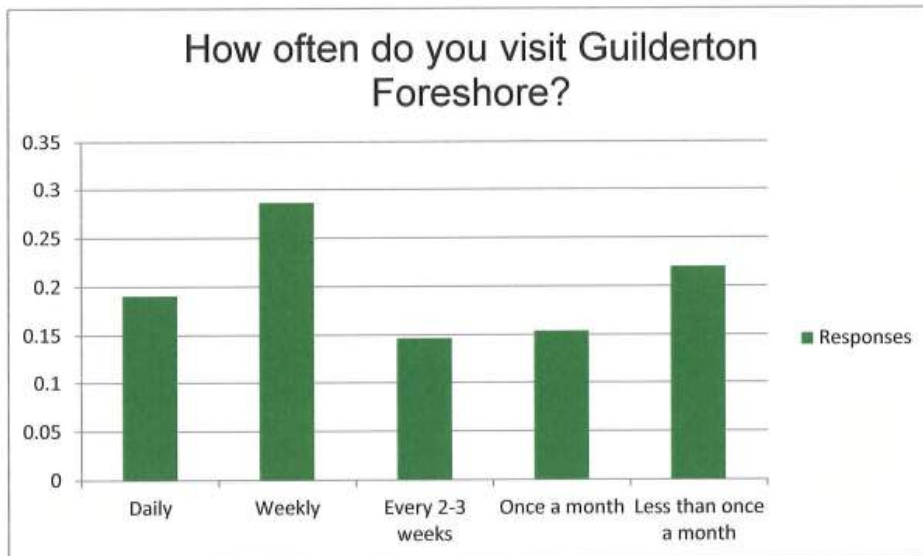
If yes, please enter your suburb

Answer Choices	Responses	
Beermullah	2.16%	3
Breton Bay	0.00%	0
Caraban	0.00%	0
Gingin	17.27%	24
Ginginup	0.00%	0
Granville	0.00%	0
Guilderton	28.78%	40
Lancelin	5.04%	7
Ledge Point	2.88%	4
Moore River National Park	0.00%	0
Muckenburra	0.72%	1
Nilgen	0.00%	0
Red Gully	0.72%	1
Seabird	0.72%	1
Wanerie	1.44%	2
Wilbinga	0.00%	0
Woodridge	15.11%	21
Yeal	0.00%	0
Other (please specify)	25.18%	35
Answered	139	
Skipped	32	



How often do you visit Guilderton Foreshore?

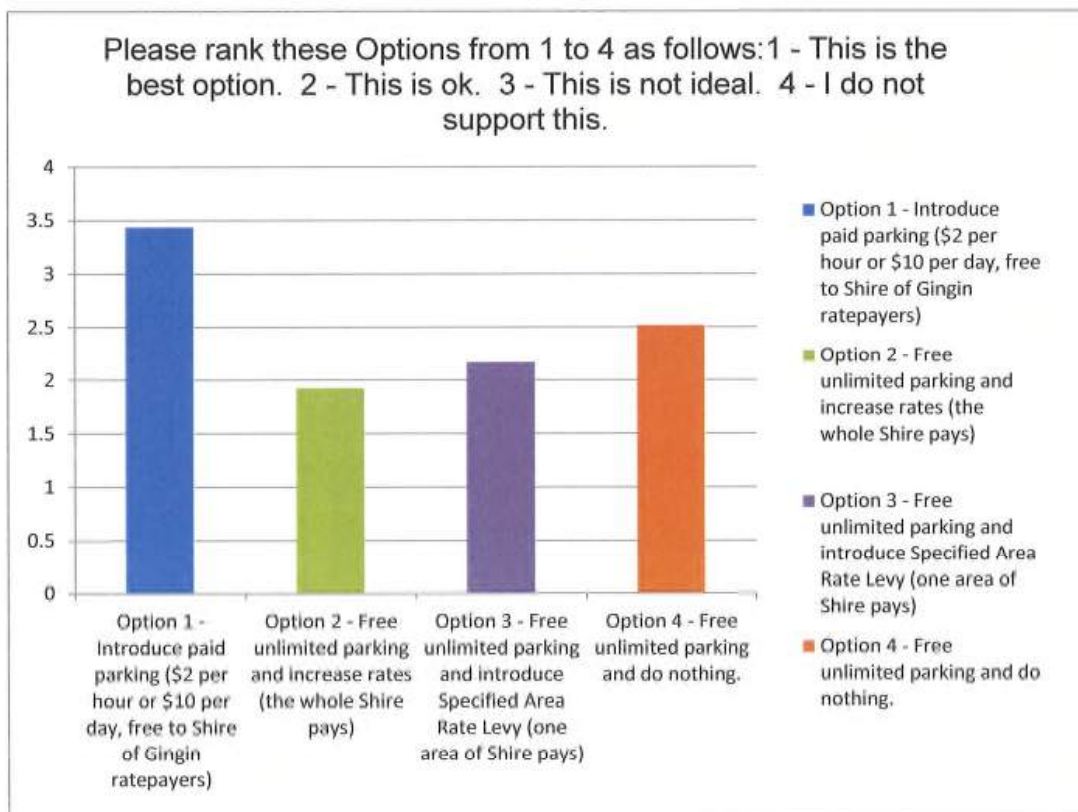
Answer Choices	Responses	
Daily	19.12%	26
Weekly	28.68%	39
Every 2-3 weeks	14.71%	20
Once a month	15.44%	21
Less than once a month	22.06%	30
Answered		136
Skipped		35



Please rank these Options from 1 to 4 as follows: 1 - This is the best option. 2 - This is ok. 3 - This is not ideal. 4 - I do not support this.

Options	1		2		3		4		Total	Score
	%	Number	%	Number	%	Number	%	Number		
Option 1 - Introduce paid parking (\$2 per hour or \$10 per day, free to Shire of Gingin ratepayers)	74.26%	101	8.09%	11	5.15%	7	12.50%	17	136	3.44
Option 2 - Free unlimited parking and increase rates (the whole Shire pays)	2.80%	3	24.30%	26	35.51%	38	37.38%	40	107	1.93
Option 3 - Free unlimited parking and introduce Specified Area Rate Levy (one area of Shire pays)	5.50%	6	33.94%	37	33.03%	36	27.52%	30	109	2.17
Option 4 - Free unlimited parking and do nothing.	24.79%	29	26.50%	31	24.79%	29	23.93%	28	117	2.52

Answered 144
Skipped 27



11.1.3 REVIEW OF LOCAL EMERGENCY MANAGEMENT COMMITTEE TERMS OF REFERENCE

FILE:	EMS/21	
REPORTING OFFICER:	JEREMY EDWARDS - CHIEF EXECUTIVE OFFICER	
REPORT DATE:	18 JULY 2017	
REFER:	23 OCTOBER 2013	ITEM 10.7
	16 SEPTEMBER 2014	ITEM 14.1
	20 JANUARY 2015	ITEM 11.1.1
	21 MARCH 2017	ITEM 11.1.2

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To review the existing Terms of Reference (TOR) for the Shire of Gingin Local Emergency Management Committee (LEMC).

BACKGROUND

Section 38(1) of the *Emergency Management Act 2005* specifies that each local government in Western Australia must establish a LEMC for their district. Under State Emergency Management Policy 2.5 (SEMP 2.5), a LEMC must meet, at a minimum, once every three months.

The Shire of Gingin LEMC is scheduled to meet on the second Wednesday of March, June, September and December in each year. At a meeting of the Local Emergency Management Committee held on 28 June 2017 it was resolved to recommend that Council consider amending the Terms of Reference for the Local Emergency Management Committee to require quarterly meetings to be held in the months of February, May, August and November of each year. This decision was made so that a meeting is not scheduled for the month of December which is always a very busy month on everyone's calendars.

COMMENT

A revised Terms of Reference reflecting the above proposal is provided for Council's consideration as **Appendix 1**.

STATUTORY ENVIRONMENT

Emergency Management Act 2005

Part 3 – Local arrangements

Division 1 – Local emergency authorities

Section 38 – Local emergency management committees

Local Government Act 1995

Part 5 – Administration

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

Subdivision 2 – Committees and their meetings.

Shire of Gingin Meeting Procedures Local Law 2014

POLICY IMPLICATIONS

State Emergency Management Policy 2.5 – Emergency Management for Local Government

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015-2025

<i>Focus Area</i>	<i>Leadership and Governance</i>
<i>Objective</i>	<i>5 To demonstrate effective leadership and governance</i>
<i>Outcome</i>	<i>5.2 Accountable and responsible governance</i>
<i>Strategy</i>	<i>5.2.2 Develop policy and strategy which supports sound decision making</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council agree to amend the Terms of Reference for the Shire of Gingin Local Emergency Management Committee to reflect the new meeting months of February, May, August and November.

RESOLUTION

Move Councillor Fewster, seconded Councillor Peczka that Council agree to amend the Terms of Reference for the Shire of Gingin Local Emergency Management Committee to reflect the new meeting months of February, May, August and November.

CARRIED UNANIMOUSLY

APPENDIX 1



TERMS OF REFERENCE

LOCAL EMERGENCY MANAGEMENT COMMITTEE

Name:	Local Emergency Management Committee
Role/Purpose:	To advise and assist Council in the development, review and testing of the Shire of Gingin Local Emergency Management Arrangements.
Aims & Functions:	<ol style="list-style-type: none"> 1. To advise and assist Council in establishing local emergency management arrangements for the district; 2. To liaise with public authorities and other persons in the development, review and testing of the local emergency management arrangements; and 3. To carry out other emergency management activities as directed by the State Emergency Management Committee or prescribed by regulations.
Membership:	<ol style="list-style-type: none"> 1. The Committee shall consist of the following representation: <ul style="list-style-type: none"> <u>Voting Members</u> Shire of Gingin <ul style="list-style-type: none"> Shire President (Chairperson) Community Emergency Services Manager/Chief Bush Fire Control Officer (Executive Officer) Coordinator Community Services (Local Recovery Coordinator) WA Police <ul style="list-style-type: none"> OIC Gingin (Local Emergency Coordinator) OIC Lancelin (Local Emergency Coordinator) Department of Fire and Emergency Services Department for Child Protection and Family Support Red Cross St John Ambulance Chittering/Gingin Sub-Centre St John Ambulance Lancelin and Coastal Districts Sub-Centre <u>Non-Voting Members</u> WA Police <ul style="list-style-type: none"> Inspector Wheatbelt District Department of Parks and Wildlife Western Power Main Roads WA Empire Oil Company (WA) Limited Royal Australian Air Force Base Pearce Lancelin Volunteer Marine Rescue Group Inc Department of Education <ul style="list-style-type: none"> Gingin District High School Lancelin Primary School Yanchep District High School

	<p>Two Rocks Primary School Silver Chain Tronox State Emergency Management Committee Department of Agriculture and Food Department of Health – WA Country Health Service</p> <ol style="list-style-type: none"> 2. A nominated deputy member may attend in place of the endorsed representative member. 3. The Shire's Chief Executive Officer will act as deputy member for the Shire President. 4. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate. 5. Committee membership shall be appointed or removed by the Council. 6. Members must comply with the Shire's Code of Conduct. 7. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.
Operating procedures:	<ol style="list-style-type: none"> 1. Presiding Member: <ol style="list-style-type: none"> a) The Shire President shall fill the position of Presiding Member at all meetings. b) In the absence of the Shire President, the Chief Executive Officer, as Council's appointed deputy member, will attend and assume the Chair as Presiding Member for the duration of that meeting. c) In the event that neither the Shire President or the Chief Executive Officer are present, the Community Emergency Services Manager/Chief Bush Fire Control Officer will assume the Chair as Presiding Member for the duration of that meeting. d) The Presiding Member is responsible for the proper conduct of the Committee. 2. Meetings: <ol style="list-style-type: none"> a) The Committee shall meet as required, but must hold a minimum of one meeting every three months (February, May, August and November). b) Additional meetings can be scheduled by decision of the Council or the Committee, or at the discretion of the Committee's Presiding Member. c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible. d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes.

	<p>e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014.</p> <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of voting members.</p> <p>4. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors.</p> <p>b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing Legislation:	The Committee is established under section 38 of the <i>Emergency Management Act 2005</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	22/10/2013 - Item 10.7	Terms of Reference adopted.
2.	16/12/2014 – Item 11.1.10	Amendments to membership and who shall chair meeting in absence of Shire President.
3.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Reference to Standing Orders Local Law deleted from Operating Procedure 2b and replaced with Meeting Procedures Local Law 2014. Reference to provision of Committee Minutes via Information Bulletin deleted from Operating Procedure 4a.
4.	21/03/2017 – Item 11.1.1	Amendments to membership and who shall chair meeting in absence of Shire President.

11.1.4 REVIEW OF LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS

FILE: EMS/21
REPORTING OFFICER: JEREMY EDWARDS - CHIEF EXECUTIVE OFFICER
REPORT DATE: 18 JULY 2017
REFER: 16 SEPTEMBER 2014 ITEM 14.1
20 JANUARY 2015 ITEM 11.1.1

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To present the revised Shire of Gingin Local Emergency Management Arrangements (LEMA) to Council for formal adoption.

BACKGROUND

At the meeting of the Local Emergency Management Committee held on 28 June 2017 a revised Shire of Gingin Local Emergency Management Arrangements was reviewed and up-dated.

COMMENT

The proposed amendments are primarily of a minor nature, addressing a number of grammatical errors and changes to position titles.

No changes have been made to the intent or purpose of the LEMA. However, as a document adopted by Council, it is necessary to seek Council's endorsement of any changes made.

A copy of the revised arrangements is attached as **Appendix 1**.

It is a function of a local government to ensure that effective local emergency management arrangements are prepared and maintained for its district to manage recovery following an emergency affecting the community in its district and to perform other functions given to the local government under the *Emergency Management Act 2005* (the Act).

In accordance with Division 2, Section 41 of the Act, a local government is to ensure that arrangements for emergency management in the local government's district are prepared.

The arrangements are to set out:

- (a) the local government's policies for emergency management;
- (b) the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district;
- (c) provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b);

- (d) a description of emergencies that are likely to occur in the local government district;
- (e) strategies and priorities for emergency management in the local government district;
- (f) other matters about emergency management in the local government district prescribed by the regulations; and
- (g) other matters about emergency management in the local government district the local government considers appropriate.

Once adopted, a local government is to provide a copy of its local emergency management arrangements and any amendment to the arrangements, to the State Emergency Management Committee (SEMC) as soon as is practicable thereafter.

The arrangements are a live document of which a copy is provided to all Hazard Management Agencies, neighbouring local governments and available to the community. Any amendments and appendices will be made to the arrangements by the LEMC as and when required.

STATUTORY ENVIRONMENT

Emergency Management Act 2005

Part 3 – Local Arrangements

Division 2 – Emergency Management Arrangements for Local Governments

Section 41 – Emergency Management Arrangements in Local Government District

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>5.2.2 Develop policy and strategy which supports sound decision making</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council:

1. Adopt the revised Shire of Gingin Local Emergency Management Arrangements 2017 provided as Appendix 1; and
2. Forward a copy to the State Emergency Management Committee (SEMC).

RESOLUTION

Moved Councillor Aspinall, seconded Councillor Elgin that Council:

1. **Adopt the revised Shire of Gingin Local Emergency Management Arrangements 2017 provided as Appendix 1; and**
2. **Forward a copy to the State Emergency Management Committee (SEMC).**

CARRIED UNANIMOUSLY

APPENDIX 1



Local Emergency Management Arrangements



☐ Public Copy

☒ Restricted Copy

**SHIRE OF GINGIN
LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS**

These arrangements have been produced and issued under the authority of S. 41(1) of the *Emergency Management Act 2005*, adopted by the Shire of Gingin at its Ordinary Council meeting on 18 July 2017, endorsed by the Shire of Gingin Local Emergency Management Committee (LEMC) and has been forwarded to the North West District Emergency Management Committee (DEMC) for review.

.....
Chairperson
Gingin LEMC

.....
Date

.....
Endorsed by Council

.....
Date

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DISTRIBUTION LIST

Organisation	No Copies
Shire of Gingin (Gingin Office, Lancelin Office, All Councillors, Chief Executive Officer, Manager Emergency Services and Recovery Coordinator)	14
Gingin Police Station	1
Lancelin Police Station	1
Shire of Gingin Public Libraries (Gingin and Lancelin)	1
State Emergency Management Committee (Secretariat)	1 (electronic)
Northam District Police Office	1
Department of Fire and Emergency Services Joondalup (Fire and SES)	2
Bush Fire Service Gingin (1 CBFCO, 5 x Deputy CBFCO)	6
Bush Fire Service Chittering (CBFCO Chittering)	1
Bush Fire Service Dandaragan	1
Bush Fire Service Victoria Plains	1
Bush Fire Service Wanneroo	1
WA Fire and Rescue Service Gingin	1
WA Fire and Rescue Service Lancelin	1
St John Ambulance Chittering/Gingin Sub Centre	1
St John Ambulance Lancelin and Coastal Districts Sub Centre	1
St John Ambulance Service W.A. (Inc)	1
Department for Child Protection and Family Support - Northam	1
City of Wanneroo	1

Joondalup Health Campus	1
Shire of Chittering	1
Shire of Dandaragan	1
Shire of Victoria Plains	1
Gingin Medical Centre	1
Lancelin Medical Centre	1
Lancelin Volunteer Marine Rescue Group	1

AMENDMENT RECORD

No.	Date	Amendment Details	By
1	11/03/2012	Previous LEMA reviewed and amended to reflect changes to LEMA (Chittering separation)	LEMC
2	10/09/2014	LEMA reviewed by LEMC	Shire of Gingin / LEMC
3	16/09/2014	LEMA adopted by Council at General Meeting	Shire of Gingin
4	10/12/2014	LEMA Reviewed by LEMC and recommendations to council to review terms of Reference	LEMC
5	16/12/2014	Terms of Reference updated by Council	Shire of Gingin
6	20/01/2015	Updated LEMA presented to Council for review	Shire of Gingin
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GLOSSARY OF TERMS

For additional information in regards to the Glossary of Terms, refer to the current Emergency Management Western Australia Glossary.

AUSTRALASIAN INTERSERVICE INCIDENT MANAGEMENT SYSTEM (AIIMS) – A nationally adopted structure to formalise a coordinated approach to emergency incident management.

AIIMS STRUCTURE – The combination of facilities, equipment, personnel, procedures and communications operating within a common organisational structure with responsibility for the management of allocated resources to effectively accomplish stated objectives relating to an incident (AIIMS).

BUSH FIRE BRIGADE – Established by a local government under the *Bush Fires Act 1954*.

COMBAT - Take steps to eliminate or reduce the effects of a hazard on the community.

COMBAT AGENCY – A combat agency prescribed under subsection (1) of the *Emergency Management Act 2005* is to be a public authority or other person who or which, because of the agency's functions under any written law or specialised knowledge, expertise and resources, is responsible for performing an emergency management activity prescribed by the regulations in relation to that agency.

COMMUNITY EMERGENCY RISK MANAGEMENT – See also **RISK MANAGEMENT**.

COMPREHENSIVE APPROACH – The development of emergency and disaster arrangements to embrace the aspects of prevention, preparedness, response, and recovery (PPRR). PPRR are aspects of emergency management, not sequential phases. Syn. 'disaster cycle', 'disaster phases' and 'PPRR'.

COMMAND – The direction of members and resources of an organisation in the performance of the organisation's role and tasks. Authority to command is established in legislation or by agreement with an organisation. Command relates to organisations and operates vertically within an organisation. See also **COMMAND** and **COORDINATION**.

CONTROL – The overall direction of emergency management activities in an emergency situation. Authority for control is established in legislation or in an emergency plan, and carries with it the responsibility for tasking and coordinating other organisations in accordance with the needs of the situation. Control relates to situations and operates horizontally across organisations. See also **COMMAND** and **COORDINATION**.

CONTROLLING AGENCY – An agency nominated to control the response activities to a specified type of emergency.

COORDINATION – The bringing together of organisations and elements to ensure an effective response, primarily concerned with the systematic acquisition and application of resources (organisation, manpower and equipment) in accordance with the requirements imposed by the threat or impact of an emergency. Coordination relates primarily to resources, and operates vertically within an organisation as a function of the authority to command, and horizontally across organisations as a function of the authority to control. *See also* **CONTROL** and **COMMAND**.

DISTRICT – Means the municipality of the Shire of Gingin. This is the local government district not the emergency management district.

DFES – Western Australian Department of Fire and Emergency Services.

EMERGENCY – An event, actual or imminent, which endangers or threatens to endanger life, property or the environment, and which requires a significant and coordinated response.

EMERGENCY MANAGEMENT – The management of the adverse effects of an emergency including:

1. Prevention – the mitigation or prevention of the probability of the occurrence of and the potential adverse effects of an emergency.
2. Preparedness – preparation for response to an emergency.
3. Response – the combating of the effects of an emergency, provision of emergency assistance for casualties, reduction of further damage and help to speed recovery; and
4. Recovery – the support of emergency affected communities in the reconstruction and restoration of physical infrastructure, the environment and community, psychosocial and economic wellbeing.

EMERGENCY MANAGEMENT AGENCY – A Hazard Management Agency (HMA), a combat agency or a support organisation as prescribed under the provisions of *the Emergency Management Act 2005*.

EMERGENCY RISK MANAGEMENT – A systematic process that produces a range of measures which contribute to the well-being of communities and the environment.

HAZARD

1. A cyclone, earthquake, flood, storm, tsunami or other natural event;
2. A fire;
3. A road, rail or air crash;
4. A plague or an epidemic;
5. A terrorist act as defined in The Criminal Code section 100.1 set out in the Schedule to the *Criminal Code Act 1995* of the Commonwealth; or
6. Any other event, situation or condition that is capable of causing or resulting in:
 - a. Loss of life, prejudice to the safety or harm to the health of persons or animals;or

- b. Destruction of or damage to property or any part of the environment that is prescribed by the *Emergency Management Regulations 2006*

HAZARD MANAGEMENT AGENCY (HMA) – A public authority or other person, prescribed by regulations because of that agency's functions under any written law or because of its specialised knowledge, expertise and resources, to be responsible for the emergency management or an aspect of emergency management of a hazard for a part or the whole of the State.

INCIDENT – An event, accidentally or deliberately caused, which requires a response from one or more of the statutory emergency response agencies.

INCIDENT AREA (IA) – The area defined by the Incident Controller for which they have responsibility for the overall management and control of an incident.

INCIDENT CONTROLLER – The person appointed by the Controlling Agency for the overall management of an incident within a designated incident area.

INCIDENT MANAGEMENT TEAM (IMT) – A group of incident management personnel comprising the incident controller, and the personnel he or she appoints to be responsible for the functions of operations, planning and logistics. The team headed by the incident manager which is responsible for the overall control of the incident.

INCIDENT SUPPORT GROUP (ISG) – A group of agency/organisation liaison officers convened and chaired by the Incident Controller to provide agency specific expert advice and support in relation to operational response to the incident.

LGA – Local Government Authority meaning the Shire of Gingin and Shire of Gingin Council.

LIFELINES – The public facilities and systems that provide basic life support services such as water, energy, sanitation, communications and transportation. Systems or networks that provide a service on which the well-being of the community depends.

LOCAL EMERGENCY COORDINATOR (LEC) - That person designated by the Commissioner of Police to be the Local Emergency Coordinator with responsibility for ensuring that the roles and functions of the respective Local Emergency Management Committee are performed, and assisting the Hazard Management Agency in the provision of a coordinated multi-agency response during *Incidents* and *Operations*.

LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC) – Based on either local government boundaries or emergency management sub-districts. Chaired by the Shire President (or a delegated person) with the Local Emergency Coordinator(s), who should be appointed as the Deputy Chair(s). Executive support should be provided by the local government.

MUNICIPALITY – Means the district of the Shire of Gingin.

OPERATIONS – The direction, supervision and implementation of tactics in accordance with the Incident Action Plan. *See also* **EMERGENCY OPERATION**.

OPERATIONAL AREA (OA) – The area defined by the Operational Area Manager for which they have overall responsibility for the strategic management of an emergency. This area may include one or more Incident Areas.

PREVENTION – Regulatory and physical measures to ensure that emergencies are prevented, or their effects mitigated. Measures to eliminate or reduce the incidence or severity of emergencies. *See also* **COMPREHENSIVE APPROACH**.

PREPAREDNESS – Arrangements to ensure that, should an emergency occur, all those resources and services which are needed to cope with the effects can be efficiently mobilised and deployed. Measures to ensure that, should an emergency occur, communities, resources and services are capable of coping with the effects. *See also* **COMPREHENSIVE APPROACH**.

RESPONSE – Actions taken in anticipation of, during, and immediately after an emergency to ensure that its effects are minimised and that people affected are given immediate relief and support. Measures taken in anticipation of, during and immediately after an emergency to ensure its effects are minimised. *See also* **COMPREHENSIVE APPROACH**.

RECOVERY – The coordinated process of supporting emergency-affected communities in reconstruction of physical infrastructure and restoration of emotional, social, economic and physical well-being.

RISK – A concept used to describe the likelihood of harmful consequences arising from the interaction of hazards, communities and the environment.

1. The chance of something happening that will have an impact upon objectives. It is measured in terms of consequences and likelihood.
2. A measure of harm, taking into account the consequences of an event and its likelihood. For example, it may be expressed as the likelihood of death to an exposed individual over a given period.
3. Expected losses (of lives, persons injured, property damaged, and economic activity disrupted) due to a particular hazard for a given area and reference period. Based on mathematical calculations, risk is the product of hazard and vulnerability.

RISK MANAGEMENT – The systematic application of management policies, procedures and practices to the tasks of identifying, analysing, evaluating, treating and monitoring risk.

RISK REGISTER – A register of the risks within the local government, identified through the Community Emergency Risk Management process.

RISK STATEMENT – A statement identifying the hazard, element at risk and source of risk.

SITUATION REPORTS (Sitreps) – A brief report that is published and updated periodically during an emergency which outlines the details of the emergency, the needs generated, and the responses undertaken as they become known.

STATE EMERGENCY MANAGEMENT COMMITTEE (SEMC) – The SEMC is established under s. 13(1) of the *Emergency Management Act 2005*. S.13(2) stipulates membership of the SEMC which consists of the Commissioner of Police as State Emergency Coordinator and Chair, and the Commissioner of DFES as Deputy Chair. The Executive Director, DFES Strategic Policy and Executive Services Portfolio, is the SEMC Executive Officer. Other members include a local government representative and other representatives as appointed by the Minister.

In accordance with the *Emergency Management Act 2005*, the SEMC has established six subcommittees whose membership includes those organisations essential to the State's emergency management arrangements. The subcommittees are:

1. Emergency Services Subcommittee;
2. Public Information Group;
3. Lifelines Services Subcommittee;
4. Recovery Services Subcommittee;
5. State Mitigation Subcommittee; and
6. Health Services Subcommittee.

SUPPORT ORGANISATION – A public authority or other person who or which, because of the agency's functions under any written law or specialised knowledge, expertise and resources, is responsible for providing support functions in relation to that agency.

TELECOMMUNICATIONS – The transmission of information by electrical or electromagnetic means including, but not restricted to, fixed telephones, mobile phones, satellite phones, e-mail and radio.

TREATMENT OPTIONS – A range of options identified through the emergency risk management process to select appropriate strategies which minimise potential harm to the community.

URBAN FIRE – Property fires occurring within gazetted fire districts for which DFES Fire and Rescue Services is responsible under the *Fire Brigades Act 1942*.

VULNERABILITY – The degree of susceptibility and resilience of the community and environment to hazards. The degree of loss to a given element at risk or set of such elements resulting from the occurrence of a phenomenon of a given magnitude and expressed on a scale of 0 (no damage) to 10 (total loss).

WELFARE CENTRE – Location where temporary accommodation is actually available for emergency affected persons containing the usual amenities necessary for living and other welfare services as appropriate.

GENERAL ACRONYMS USED IN THESE ARRANGEMENTS

BFS	Bush Fire Service
CEO	Chief Executive Officer
DCPFS	Department for Child Protection and Family Support
DPAW	Department of Parks and Wildlife
DFES	Department of Fire and Emergency Services
DEMC	District Emergency Management Committee
ECC	Emergency Coordination Centre
FRS	Fire and Rescue Service
HMA	Hazard Management Agency
ISG	Incident Support Group
LEC	Local Emergency Coordinator
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LRC	Local Recovery Coordinator
LRCC	Local Recovery Coordinating Committee
OEM	Office of Emergency Management
SEC	State Emergency Coordinator
SEMC	State Emergency Management Committee
SES	State Emergency Service
SEWS	Standard Emergency Warning Signal
SOP	Standard Operating Procedures
VFRS	Volunteer Fire and Rescue Service.
VMR	Volunteer Marine Rescue.

PART 1 – INTRODUCTION

1.1 Authority

These arrangements have been prepared in accordance with s. 41(1) of the *Emergency Management Act 2005*, endorsed by the Shire of Gingin LEMC and adopted by the Shire of Gingin at its ordinary meeting dated 16 December 2014.

1.2 Community Consultation

The Community has been consulted through Community Forums, LEMC members and a Community Emergency Risk Management (CERM) process based on the Australian and New Zealand Risk Management Standards AS/NZS 4360:2004.

Relevant information from the process has been incorporated into these Arrangements, in alignment with the *Emergency Management Act 2005*, and will be reviewed as required by the Office of Emergency Management (OEM).

1.3 Document Availability

Copies of these Arrangements shall be distributed to the following and will be available free of charge during office hours from the Shire of Gingin Administration Office, 7 Brockman Street, Gingin and the Shire's Lancelin Agency Office, Vins Way, Lancelin.

- Shire of Gingin website (PDF format) www.gingin.wa.gov.au ;
- Local Libraries
- Stakeholder and LEMC agencies, organisations and other related committees;
- Adjoining local governments;
- DFES Regional Office;
- District Emergency Management Committee; and
- State Emergency Management Committee (Secretary) – electronic format.

1.4 Area Covered (Context)

The Shire of Gingin is situated approximately 84 kilometres north of Perth via the Brand Highway. It is bordered to the south by the City of Wanneroo, to the east by the Shire of Chittering, to the north-east by the Shire of Victoria Plains, to the north by the Shire of Dandaragan and to the west by the Indian Ocean. This plan covers the district of the Shire of Gingin depicted by the boundaries within the map at Annexure 5.

The Shire has a total area of 3,325 square kilometres with 458kms of sealed roads, 427kms of unsealed road and 124kms of highways. The permanent population of the Shire is 5,108 and there are 2,523 dwellings.

Within the Shire there are a number of Rural Living Zones where population density is higher than the surrounding rural area. Because of the Shire's proximity to the Metropolitan area, it can expect to experience a rapid growth in population and horticultural activity.

The area covered by this plan contains only five major areas of population density, that being the Gingin Townsite itself, this area encompassing the eastern section of the Shire of Gingin and four coastal towns being Guilderton, Seabird, Ledge Point and Lancelin which traditionally experience population increases during holiday periods.

There is a wide range of landforms within the Shire of Gingin, ranging from flat wetlands in the Beermullah area to quite hilly places around Mooliabeenee. The majority of the area involved would consist of either open farming land, or DPaW reserves where native bush exists and which have in the past proven to be a problem where fires are concerned.

In addition to the five townsites referenced above, the Shire of Gingin consists of the following 24 localities:

- Bambun
- Beermullah
- Boonanarring
- Breera
- Breton Bay
- Caraban (including Woodridge Estate)
- Coonabidgee
- Cowalla
- Cullalla
- Gabbadah (including Redfield Park and Sovereign Hill Estates)
- Ginginup
- Granville (including Marchmont Estate)
- Karakin (including Seaview Park Estate)
- Lennard Brook (including Moondah Ridge Estate)
- Mindarra
- Moondah
- Muckenburra
- Neergabby
- Nilgen (including Ocean Farm Estate)
- Orange Springs

- Red Gully
- Wanerie
- Wilbinga
- Yeal

1.4.1 Access

Major Transport Arteries:

Brand Highway and Indian Ocean Drive.

Primary Roads include:

Gingin Brook Road, Cowalla Road, Wannamal Road West, Mooliabeenee Road and Cullalla Road, Beermullah Road, Orange Springs Road, Mogumber Road West and Boonanarring Road.

Rail Link: Midland to Geraldton line.

1.4.2 Physical Attributes

The Shire of Gingin has 83kms of coastline running from north to south. There are substantial areas of bushland including national parks and forest reserves, as well as extensive agricultural, rural and semi-rural areas mainly to the north and north east. Coastal areas (west) and the north of the Shire are largely urban/recreational and significant farming and market gardens.

Zoned Land Use:

Rural:	1,972km ²
Regional Reservations:	1,150 km ²
Industrial:	16km ²
Urban (residential):	187km ²

Wetlands/Lakes:

A large number of swamps and wetlands occur within the Shire of Gingin including Bambun Lake, Beermullah Lake, Blue Lake, Gingin Brook, Karakin Lakes, Moore River and tributaries, Quin Brook and Yeal Swamplands.

Regional Reserves:

National Parks, Regional Parks and State Forest Areas.

1.5 Aim

The aim of these Local Emergency Management Arrangements is to detail the Emergency Management Arrangements for emergency events that may occur within the Shire of Gingin.

1.5.1 Surrounding Local Authorities

City of Wanneroo (to the south)
Shire of Chittering (to the east)
Shire of Victoria Plains (to the north-east)
Shire of Dandaragan (to the north)

1.6 Purpose

The purpose of these Emergency Management Arrangements is to set out:

- a. The Shire of Gingin's policies for emergency management;
- b. The roles and responsibilities of public authorities and other agencies/persons involved in emergency management within the Shire of Gingin district;
- c. Provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph b);
- d. A description of emergencies that are likely to occur in the Shire of Gingin district;
- e. Strategies and priorities for emergency management in the Shire of Gingin district;
- f. Other matters about emergency management in the Shire of Gingin district prescribed by the *Emergency Management Regulations 2006*; and
- g. Other matters about emergency management in the district that the Shire of Gingin considers appropriate. [s. 41(2) of the *Emergency Management Act 2005*].

1.7 Scope

These arrangements are to ensure that there are suitable plans in place to deal with identified emergencies should they arise. It is not the intent of this document to detail the procedures for HMAs in dealing with an emergency. These should be detailed in the HMA's individual plan.

Furthermore:

- a) This document covers areas where the LGA provides support to HMAs in the event of an incident;
- b) This document details the LGA's capacity to provide resources in support of an emergency, while still maintaining business continuity; and
- c) This document specifies the LGA's responsibility in relation to recovery management.

These arrangements are to serve as a guide to be used at the local level. Incidents may arise that require action or assistance from district, state or federal level.

1.8 Related Documents and Arrangements

- Shire of Gingin - Local Recovery Arrangements
- Local Welfare Emergency Management Plan for the Provision of Welfare Support – Moora District
- State Recovery Emergency Management Plan (WESTPLAN – RECOVERY)
- State Welfare Emergency Management Support Plan (WESTPLAN-WELFARE)
- State Health Emergency Management Support Plan (WESTPLAN-HEALTH)

1.8.1 Local Emergency Management Policies

Local Government policies for emergency management refer to any policies which are unique to the Shire of Gingin.

1.8.2 Existing Plans and Arrangements

The table below details specific hazard plans, special events plans, public building evacuation plans, hospital and school emergency management plans and emergency risk management plans and arrangements that exist for the area for reference purposes.

Local Plans

Table 1.1

Document	Owner	Location
Shire of Gingin Risk Treatment Plan	Shire of Gingin	Refer to Table of Contents.
Local Welfare Plan	DCPFS	www.dcp.wa.gov.au
Transport Accident Plan	WAPOL	www.wapol.wa.gov.au
Hazardous Materials Plan	WAPOL	www.wapol.wa.gov.au
Search and Rescue Plan (SaR) Land/Marine	WAPOL	www.wapol.wa.gov.au
Air Crash Plan	WAPOL	www.wapol.wa.gov.au

1.9 Agreements, Understandings and Commitments

The Shire of Gingin has arrangements with DCPFS for the provision of food stuffs as required.

Table 1.2

Parties to the Agreement		Summary of the Agreement	Special Considerations
DCPFS	Emergency Accommodation	The provision of temporary shelter for persons rendered homeless by an emergency	
DCPFS	Emergency Catering	The establishment of an emergency catering service for those rendered homeless, evacuees, casualties and welfare workers	Salvation Army CWA
DCPFS	Registration & Reunifications	The implementation of the National Registration and Inquiry System (NRIS) that provides for individuals to be traced, families reunited and inquiries answered	Red Cross
DCPFS	Financial Assistance	The provision of financial assistance to those affected by emergencies who are eligible and in need	

1.10 Special Considerations

1.10.1 After Hours, Weekends and Public Holidays

The business hours of the Shire of Gingin are from Monday to Friday 08:30 to 16:00 hours.

In order to access the Shire of Gingin's services and resources after hours, on weekends and public holidays, the utilisation of relevant emergency contact phone numbers will be required. These numbers are located and clearly outlined in the Emergency Contacts.

1.10.2 Linguistically Diverse

During an emergency event, where language may become a communication barrier, a Telephone Interpreter Service (24 hours) may be utilised to provide or receive information.

1.10.3 Remote Areas

Of the 3,325 km² of area covered by the Shire of Gingin, the majority of the population and development exists in the coastal and south-eastern areas of the Shire. There are areas that lie to the north and northeast, which in relation to emergency management may be described as being remote.

These areas have limited capabilities regarding emergency management. Without the readily accessible resources that accompany urbanisation, difficulty may be experienced in managing the risks faced by a community. For example, a community may have to rely on local volunteer emergency services during the early stages of a major emergency event before additional support can be deployed on location.

Remote areas within the Shire of Gingin were identified as being vulnerable in relation to hazards faced by the community during the Community Emergency Risk Management process in 2012. The ongoing development and review of these arrangements will include additional measures to mitigate risks faced by remote areas.

1.10.4 Severe Weather Conditions

During periods where severe wind or flash flooding is impacting the community, the Shire of Gingin's resources may be depleted due to additional deployment requirements. This would include resources such as available staff, vehicles and equipment. This circumstance is most likely to occur during the winter, however severe thunderstorms and the effect of cyclonic weather conditions from the north-west of the state are not uncommon during the summer months.

1.11 Resources

The HMA is responsible for the determination of resources required to combat the hazards for which they have responsibility. The Shire of Gingin has conducted a broad analysis of resources available within the Shire and collated these in the Resources Register located at Annexure 3. This document shall be reviewed and updated quarterly. They include information pertaining to:

- HMA, combat and support agencies;
- Specialised services;
- Local government staff and volunteers;
- Emergency Evacuation Centres;
- Facilities (buildings etc);
- Operational plant and machinery;
- Transport vehicles; and
- Various plant and equipment.

1.11.1 Financial Arrangements

In recognition of the provisions of the State Emergency Management Policy 5.12 Funding for Emergency Responses and State Emergency Management Plan 5.4 Funding for emergency responses, which outlines the Hazard Management Agency responsible for meeting costs associated with an emergency.

The principle of funding for emergencies is to ensure accountability for the expenditure incurred. The organisation with operational control of any resource shall be responsible for payment for all related expenses associated with its operation during emergencies, unless other arrangements are established.

1.11.2 Authority to Incur Expense by Shire of Gingin

The Executive Officer is to obtain approval from the Chief Executive Officer on any expenses incurred by the Shire in respect to an emergency.

1.12 Roles and Responsibilities

Local Emergency Coordinator

The LEC is appointed by the SEC (Commissioner of Police) and is based on local government districts [Section 37 of the *Emergency Management Act 2005*]. The Officer in Charge of each WAPOL subdistrict has been appointed as a LEC in the local government district that contains the WAPOL subdistrict. The LEC is the Officer in Charge of the nearest Police Station to the emergency incident.

The Shire of Gingin has two WAPOL subdistricts, Gingin and Lancelin. Policy 2.5 states, "*Where there is more than one police sub district in a local government district each Officer in Charge shall be the LEC for that district.*"

The LEC for a local government district has the following functions [s. 37(4) of the *Emergency Management Act 2005*]:

- To provide advice and support to the LEMC for the district in the development and maintenance of emergency management arrangements for the district;
- To assist hazard management agencies in the provision of a coordinated response during an emergency in the district; and
- To carry out other emergency management activities in accordance with the directions of the SEC.

1.13 Local Government

It is a function of a local government —

- Subject to the *Emergency Management Act 2005*, to ensure that effective local emergency management arrangements are prepared and maintained for its district;
- To manage recovery following an emergency affecting the community in its district; and
- To perform other functions given to the local government under the *Emergency Management Act 2005*.

These functions include (but are not limited to) administering the LEMC in accordance with SEMP 2.5, completing an annual report and annual business plan in accordance with SEMP 2.6 and establishing and maintaining the local emergency management arrangements which includes a local recovery plan.

1.14 LEMC Executive Officers

Provide executive support to the LEMC by:

- a. Ensuring the provision of secretariat support including:
 - Meeting agendas;
 - Minutes and action lists;
 - Correspondence; and
 - Maintain the committee membership contact register;
- b. Coordinating the development and submission of committee documents in accordance with legislative and policy requirements, including the:
 - Annual Report;
 - Annual Business Plan; and
 - Maintenance of Local Emergency Management Arrangements;
- c. Facilitating the provision of relevant emergency management advice to the Chair and committee as required; and
- d. Participate as a member of sub committees and working groups as required.

1.15 Local Emergency Management Committee

The Shire of Gingin has established a Local Emergency Management Committee (LEMC) under section 38(1) of the *Emergency Management Act 2005* to oversee, plan and test the local emergency management arrangements.

The LEMC includes representatives from agencies, organisations and community groups that are relevant to the identified risks and emergency management arrangements for the community.

The LEMC is not an operational committee but rather the organisation established by the local government to ensure that local emergency management arrangements are written and placed into effect for its district.

The LEMC membership must include at least one local government representative and the identified LEC. Relevant government agencies and other statutory authorities will nominate their representatives to be members of the LEMC.

The term of appointment of LEMC members shall be determined by the local government in consultation with the parent organisation of the members.

The functions of the LEMC are [s. 39 of the *Emergency Management Act 2005*]:

- To advise and assist the local government in establishing local emergency management arrangements for the district;
- To liaise with public authorities and other persons in the development, review and testing of the local emergency management arrangements; and
- To carry out other emergency management activities as directed by OEM or prescribed by regulations.

Various State Emergency Management Plans (WESTPLANS) and State Emergency Management Policies (SEMP) place responsibilities on LEMCs. These functions relate to areas not covered in other areas of the LEMA.

The LEMC should provide advice and assistance to communities that can be isolated due to hazards such as cyclone or flood to develop a local plan to manage the ordering, receiving and distributing of essential supplies. (WESTPLAN - Freight Subsidy Plan).

The LEMC may provide advice and assistance to the SES and DFES to develop a Local Tropical Cyclone Emergency Plan. (WESTPLANS – Cyclone, Flood and Tsunami).

1.16 Controlling Agency

A Controlling Agency is an agency nominated to control the response activities to a specified type of emergency.

The function of a Controlling Agency is to:

- Undertake all responsibilities as prescribed in Agency-specific legislation for prevention and preparedness; and
- Control all aspects of the response to an incident.

During recovery, the Controlling Agency will ensure effective transition to recovery by Local Government.

1.17 Hazard Management Agency

A HMA is 'to be a public authority or other person who or which, because of that agency's functions under any written law or specialised knowledge, expertise and resources, is responsible for emergency management, or the prescribed emergency management aspect, in the area prescribed of the hazard for which it is prescribed.' [Emergency Management Act 2005 s4]

HMAs are prescribed in the *Emergency Management Regulations 2006*.

Function of HMAs include:

- Undertake responsibilities where prescribed for these aspects [*Emergency Management Regulations 2000*];
- Appointment of Hazard Management Officers [s55 *Emergency Management Act 2005*];
- Declare/revoke Emergency Situation [s 50 & 53 *Emergency Management Act 2005*];
- Coordinate the development of the Westplan for that hazard [SEMP 2.2]; and
- Ensure effective transition to recovery by Local Government.

1.18 Combat Agencies

A combat agency as prescribed under subsection (1) of the *Emergency Management Act 2005* as a public authority or other person who or which, because of the agency's functions under any written law or specialised knowledge, expertise and resources, is responsible for performing an emergency management activity prescribed by the regulations in relation to that agency.

1.19 Support Organisation

A public authority or other person who or which, because of the agency's functions under any written law or specialised knowledge, expertise and resources, is responsible for providing support functions in relation to that agency.

PART 2 – PLANNING

This section outlines the minimum administration and planning requirements of the LEMC under the *Emergency Management Act 2005* and policies.

2.1 LEMC Membership

The Committee shall consist of the following representation:

Voting Members

Shire of Gingin
Shire President (Chairperson)
Community Emergency Services Manager/Chief Bush Fire Control Officer (Executive Officer)
Community Development Customer Services Officer (Local Recovery Coordinator)
WA Police
OIC Gingin (Local Emergency Coordinator – Gingin Police District)
OIC Lancelin (Local Emergency Coordinator – Lancelin Police District)
Department of Fire and Emergency Services
Department for Child Protection and Family Support
Red Cross
St John Ambulance Chittering/Gingin Sub-Centre
St John Ambulance Lancelin and Coastal Districts Sub-Centre

Non-Voting Members

WA Police
Inspector Wheatbelt District
Department of Parks and Wildlife
Western Power
Main Roads WA
Empire Oil Company (WA) Limited
Royal Australian Air Force Base Pearce
Lancelin Volunteer Marine Rescue Group Inc
Department of Education
Gingin District High School
Lancelin Primary School
Yanchep Primary School
Two Rocks Primary School
Silver Chain
Tronox
State Emergency Management Committee
Department of Agriculture and Food
Department of Health – WA Country Health Service

A comprehensive list of the LEMC Membership and their contact details is included in the Contacts List – Annexure 6.

2.2 Meeting Schedule

The Shire of Gingin LEMC meets on the second Wednesday of March, June, September and December each year, with additional meetings scheduled as required (as per State Emergency Management Policy 2.5).

2.3 LEMC Constitution & Procedures [s38(4) *Emergency Management Act 2005*]

Each meeting of the LEMC should consider, but not be restricted to, the following matters, as appropriate:

- a. Every meeting:**
 - i. Confirmation of local emergency management arrangements contact details and key holders as detailed in the LEMA;
 - ii. Review of any post-incident reports and post exercise reports generated since last meeting;
 - iii. Progress of emergency risk management process;
 - iv. Progress of treatment strategies arising from emergency risk management process;
 - v. Progress of development or review of local emergency management arrangements; and
 - vi. Other matters determined by the local government.
- b. First quarter:**
 - i. Development and approval of LEMC exercise schedule for the next financial year (to be forwarded to relevant DEMC); and
 - ii. Begin developing annual business plan.
- c. Second quarter:**
 - i. Preparation of LEMC annual report (to be forwarded to relevant DEMC for inclusion in the OEM annual report); and
 - ii. Finalisation and approval of annual business plan.
- d. Third quarter:**
 - i. Identify emergency management projects for possible grant funding.
- e. Fourth quarter:**
 - i. National and State funding nominations.

2.3.1 Additional Procedures

The LEMC shall determine other procedures as it considers necessary.

2.4 Annual Reporting

In accordance with SEMP 2.6, the annual report for the Shire of Gingin LEMC shall be completed and submitted to the North West DEMC within two (2) weeks of the end of the financial year and shall contain any major achievements from the Annual Business Plan of the LEMC from the same financial year. A copy of the Annual Business Plan for the next financial year shall be attached to the Annual Report.

The LEMC Annual Report is to contain, for the reporting period:

- a. A description of the area covered by the LEMC;
- b. A description of activities undertaken by it, including:
 - i. The number of LEMC meetings and the number of meetings each member, or their deputy, attended;
 - ii. A description of emergencies within the area covered by the LEMC involving the activation of an ISG;
 - iii. A description of exercises that exercised the local emergency management arrangements for the area covered by the LEMC;
 - iv. The level of development of the LEMA for the area covered by the LEMC (e.g. draft, approved 2007, under review, last reviewed 2007);
 - v. The level of development of the local recovery plan for the area covered by the LEMC;
 - vi. The progress of establishing a risk register for the area covered by the LEMC; and
 - vii. A description of major achievements against the LEMC Annual Business Plan.
- c. The text of any direction given to it by the local government that established it; and
- d. The major objectives of the annual business plan of the LEMC for the next financial year.

2.5 Annual Business Plan

One of the requirements of the Annual Report is to have a Business Plan. A copy of the Annual Business Plan for the next financial year shall be attached to the Annual Report and is available upon request from the Executive Officer of the DEMC.

2.6 Emergency Risk Management

The Community Emergency Risk Management (CERM) program and consultation was undertaken in 2012 and sought to gain an insight into what the community saw as sources of risks that may impact on the Shire of Gingin and what effect those sources of risk may have if they were to impact on the local community.

The community survey was sent out to dwellings and businesses within the Shire and asked the respondents to assess the impact the source of risk might have on the elements at risk and hazards within the community.

The CERM identified 20 risks and hazards which are attached as Annexure 2.

PART 3 – SUPPORT TO RESPONSE

3.1 Risks – Emergencies Likely to Occur

The following table provides a list of emergencies likely to occur within the Shire of Gingin which has been derived from the Community Emergency Risk Management process.

Table 3.1

Shire of Gingin and Chittering AWARE Project - Risk Register – August 2012				
Risk Statement	Likelihood Rating	Consequence Rating	Level of Risk	Risk Priority
1. There is a risk that bushfire will cause loss of life and/or injury to the general public.	C	4	E	1
2. There is a risk that structure fire will cause loss of life and/or injury to the general public.	B	4	E	1
3. There is a risk that storms will cause injury and/or loss of life to the general public.	C	4	E	1
4. There is a risk that a chemical incident will cause injury and/or loss of life to the general public.	C	4	E	1
5. There is a risk that a marine transport incident will cause injury and/or loss of life to residents involved in a marine accident.	C	4	E	1
6. There is a risk that a train derailment will cause injury and/or loss of life to passengers and the public	C	5	E	1
7. There is a risk that a human epidemic will cause injury and/or or loss of life to the general public.	D	5	E	1
Legend				
Likelihood	Consequence	Level of risk	Risk Priority	
A – almost certain	1 – insignificant	L - low	1 - people	
B – likely	2 – minor	M – moderate	2 - lifelines	
C – possible	3 – moderate	H – high	3 - infrastructure	
D – unlikely	4 – major	E – extreme	4 - economy	
E - rare	5 - catastrophic		5 - environment	
			6 - social	
			7 - heritage	

3.2 Activation of Local Emergency Management Arrangements

The HMA or the LEC in consultation with the HMA is responsible for the implementation of the LEMA and for activating the required organisations.

The components of the arrangements that would be used during a response include contacts list, resource register and recovery plan.

Table 3.2

Hazard	Controlling Agency	HMA	Local Support	Westplan
Bushfire	DFES (Gazetted fire district)	DFES	Bush Fire Brigades	Fire (2013)
	DPaW (DPaW managed land)		DPaW Brigades	
	Local Government Authority Child Protection Services		Shire of Gingin Bush Fire Brigades	
Structural Fire	DFES	DFES	Regional VFRS Bush Fire Brigades (defend only)	Fire (2013)
Severe Storm	DFES Child Protection Services	DFES	Regional SES	Storm (2008)
Marine Transport Emergency	Department of Transport Child Protection Services	Dept of Transport	WA Police Lancelin VMRS	Marine Transport Emergency (2011)
Rail Transport Emergency	Public Transport Authority Child Protection Services	Yes	WA Police	Westnet Rail (2009)
Air Transport Emergency	WA Police Child Protection Services	WA Police	WA Police St John Ambulance	Air Crash (2009)
Human Epidemic	Department of Health Child Protection Services	Dept of Health	Local Medical Group St John Ambulance	Human Epidemic (2010)
Hazardous Materials Incident	DFES Child Protection Services	DFES	WA Police St John Ambulance	Hazmat (2010)

These arrangements are based on the premise that the controlling agency responsible for the above risks will develop, test and review appropriate emergency management plans for their hazard.

It is recognised that the HMAs and combat agencies may require Shire of Gingin resources and assistance in emergency management. The Shire of Gingin is committed to providing assistance/support if the required resources are available through the ISG when and if formed.

3.3 Incident Support Group

The ISG is convened by the HMA or the LEC in consultation with the HMA to assist in the overall coordination of services and information during a major incident. Coordination is achieved through clear identification of priorities by agencies sharing information and resources.

3.3.1 Role

The role of the ISG is to provide support to the incident management team. The ISG is a group of people representing the different agencies who may have involvement in the incident.

3.3.2 Triggers for an ISG

The triggers for an ISG are outlined under SEMP 4.1 and Operational Procedure 23 'Incident Level Declaration'. Broadly, the requirement is identified when there is a need to coordinate multiple agencies. Specifically these can be if one of the following triggers are met:

- Requires multi-agency response;
- Has a protracted duration;
- Requires coordination of multi-agency resources;
- Requires resources from outside the local area;
- Some impact on critical infrastructure;
- Has a medium level of complexity;
- Has a medium impact on the routine functioning of the community;
- Has potential to be declared an 'Emergency Situation'; and/or
- Consists of multiple hazards.

SEMP 4.1 and OP 23 should be consulted for further detail.

3.3.3 Membership of an ISG

The ISG is made up of agencies/representatives that provide support to the Controlling Agency. Representatives of emergency management agencies may be called on to be liaison officers on the ISG. As a general rule, the recovery coordinator should be a member of the ISG from the onset, to ensure consistency of information flow and transition into recovery.

Representation on this group may change regularly depending upon the nature of the incident, agencies involved and the consequences caused by the emergency.

Agencies supplying staff for the ISG must ensure that the representative(s) have the authority to commit resources and/or direct tasks.

3.3.4 Frequency of Meetings

Frequency of meetings will be determined by the Incident Controller and will generally depend on the nature and complexity of the incident. As a minimum, there should be at least one meeting per incident. Coordination is achieved through clear identification of priorities and goals by agencies sharing information and resources.

3.3.5 Location of ISG Meetings

The ISG meets during an emergency and provides a focal point for a coordinated approach. The following table identifies suitable locations within the District for ISG meetings.

Shire of Gingin Administration Centre (and other Shire buildings)
7 Brockman Street
GINGIN WA 6503

Shire	Name	Phone	Phone
1 st Contact	Mr Jeremy Edwards Chief Executive Officer	(08) 9575 2211	0407 685 076
2 nd Contact	Mr Phil Barrett Community Emergency Services Manager /Chief Bush Fire Control Officer	(08) 9575 2211	0408 943 576
3 rd Contact	Mrs Linda Fidge Local Recovery Coordinator	(08) 9575 2211	0427 193 409

**Gingin Police Station
4 Constable Street
GINGIN WA 6503**

Police	Name	Phone	Phone
1 st Contact	Officer in Charge	(08) 9575 5600	0429 117 780
2 nd Contact	Gingin Police Mobile	0429 117 799	0417 637 514

**Lancelin Police Station
33 Atkinson Way
LANCELIN WA 6044**

Police	Name	Phone	Phone
1 st Contact	Officer in Charge	(08) 9650 1100	0427 030 461
2 nd Contact	Lancelin Police Mobile	0407 422 113	

3.4 Media Management and Public Information

Communities threatened or impacted by emergencies have an urgent and vital need for information and direction. Such communities require adequate, timely information and instructions in order to be aware of the emergency and to take appropriate actions to safeguard life and property. **The provision of this information is the responsibility of the HMA.** This is achieved through the Incident Management Team position of 'Public Information Officer' as per the AIIMS Structure.

It is likely that individual agencies will want to issue media releases for their areas of responsibility (e.g. Water Corporation on water issues, Western Power on power issues, etc) however the release times, issues identified and content shall be coordinated through the ISG to avoid conflicting messages being given to the public.

3.5 Evacuation

Evacuation is a risk management strategy which may need to be implemented, particularly in regards to cyclones, flooding and bush fires. The decision to evacuate will be based on an assessment of the nature and extent of the hazard, the anticipated speed of onset, the number and category of people to be evacuated, evacuation priorities and the availability of resources.

These considerations should focus on providing all the needs of those being evacuated to ensure their safety and on-going welfare.

The HMA will make decisions on evacuation and ensure that community members have appropriate information to make an informed decision as to whether to stay or go during an emergency.

3.5.1 Evacuation Planning Principles

The decision to evacuate will only be made by a HMA or an authorised officer when the members of the community at risk do not have the capability to make an informed decision or when it is evident that loss of life or injury is imminent.

State Emergency Management Plan 5.3.2 and State Emergency Management Policy 5.7 'Community Evacuation' should be consulted when planning evacuation.

3.5.2 Management:

The responsibility for managing evacuation rests with the HMA. The HMA is responsible for planning, communicating and effecting the evacuation and ensuring that the welfare of the evacuees is maintained. The HMA is also responsible for ensuring the safe return of evacuees. These aspects also incorporate the financial costs associated with the evacuation unless prior arrangements have been made.

Schools, hospitals, nursing homes, child care facilities etc. should each have separate emergency evacuation plans, which show where their populations will assemble for transportation. It is important that this information is captured for an overall understanding of where people will be congregating in an emergency.

In most cases the WA Police may be the 'combat agency' for carrying out the evacuation and they may use the assistance of other agencies such as the SES.

Whenever evacuation is being considered DCPFS must be consulted during the planning stages.

This is because DCPFS have responsibility under State Arrangements to maintain the welfare of evacuees under WESTPLAN Welfare.

3.5.3 Special Needs Groups – Aged Units and Primary/Secondary Schools

There are two Aged Accommodation Facilities and two Schools within the Shire of Gingin and their details are included in **Annexure 1**.

3.6 Routes & Maps

Refer to Annexure 5.

3.7 Welfare

DCPFS has the role of managing welfare.

3.8 Local Welfare Coordinator

The Local Welfare Coordinator is appointed by the DCPFS District Director to:

- a. Establish, Chair and manage the activities of the Local Welfare Emergency Committee (LWEC), where determined appropriate by the District Director;
- b. Prepare, promulgate, test and maintain the Local Welfare Plans;
- c. Represent the department and the emergency welfare function on the LEMC and LRCC;
- d. Establish and maintain the Local Welfare Emergency Coordination Centre;
- e. Ensure personnel and organisations are trained and exercised in their welfare responsibilities; and
- f. Coordinate the provision of emergency welfare services during response and recovery phases of an emergency.

3.9 Local Welfare Liaison Officer

The Local Welfare Liaison Officer is nominated by the LGA to coordinate welfare response during emergencies and liaise with the Local Welfare Coordinator. This role will provide assistance to the Local Welfare Centre, including the management of emergency evacuation centers such as building opening, closing, security and maintenance.

It is important to identify the initial arrangements for welfare to occur, particularly in remote areas, where it may take some time for DCPFS to arrive.

3.10 State and National Registration and Enquiry

When a large scale emergency occurs and people are evacuated or become displaced, one of the areas DCPFS has responsibility for is recording who has been displaced and placing the information onto a State or National Register. This primarily allows friends or relatives to locate each other but also has many further applications. Because of the nature of the work involved, DCPFS have reciprocal arrangements with the Red Cross to assist with the registration process.

The Gingin Red Cross will be the agency to coordinate the registration of evacuated personnel, depending on the numbers being evacuated.

3.11 Animals (including assistance animals)

The LGA's Rangers will work in close cooperation with other stakeholders on animal welfare matters arising from evacuation emergencies and shall agree on the distribution of duties, depending on resources available in each instance. If required, an Animal Care Centre will open after hours and be staffed by Rangers during an emergency.

PART 4 - RECOVERY

4.1 The Recovery Process

Recovery is defined as the coordinated support given to emergency-affected communities in the reconstruction and restoration of physical infrastructure, the environment and community, psychosocial and economic wellbeing.

The purpose of this plan is to ensure recovery is managed and planned for in a structured manner. For the plan to be effective, members of the LEMC, the LRCC, relevant Shire Officers and the community require an understanding of the recovery process.

LEMC members, LRCC members and Shire Officers who participate in recovery training, familiarise themselves with the relevant OEM Policies and read the Emergency Management Institute of Australia's Recovery Manual No. 10, will benefit highly with their overall contribution to the recovery process. This will ultimately result in a higher level of awareness and knowledge in the community.

However, recovery is more than simply replacing what has been destroyed and the rehabilitation of those affected. It is a complex, dynamic and potentially protracted process rather than just a remedial process. The manner in which recovery processes are undertaken is critical to their success. Recovery is best achieved when the affected community is able to exercise a high degree of self-determination.

4.2 General Information

The Shire of Gingin Local Recovery Plan was formulated in alignment to the Local Recovery Planning Guide and is consistent with the State "WESTPLAN – Recovery Coordination" which details the recovery process.

Section 41(4) states: – "local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator".

The Shire of Gingin recognises and accepts its role within the recovery process.

4.3 Aim of Recovery

The aim of recovery is to restore, as quickly as possible, quality of life to an affected area so that it is able to continue to function as part of the wider community.

The aim of providing recovery services is to assist the affected community towards management of its own recovery. It is recognised that where a community experiences a significant emergency there is a need to supplement the personal, family and community structures which have been disrupted.

4.4 Recovery Planning

Recovery from emergencies is most effective when:

- a. Recovery from an emergency is an enabling and supportive process, which allows individuals, families and communities to attain a proper level of functioning through the provision of information, specialist services and resources;
- b. Agreed plans and management arrangements, which are accepted and understood by recovery agencies, combat agencies and the community, have been established;
- c. Recovery arrangements recognise the complex, dynamic and protracted nature of recovery processes and the changing needs of affected individuals, families and groups within the community over time;
- d. Human service agencies play a major role in all levels of key decision-making which may influence the wellbeing and recovery of the affected community;
- e. The recovery process begins from the moment the emergency impacts; and
- f. Planning and management arrangements are supported by training programs and exercises which ensure that recovery agencies and personnel are properly prepared for their role.

Recovery management arrangements provide a comprehensive and integrated framework for managing all potential emergencies and disasters and where assistance measures are provided in a timely, fair and equitable manner and are sufficiently flexible to respond to a diversity of community needs.

4.5 Recovery Concepts

Recovery management principles are supported by the following concepts which provide a basis for effective recovery management.

Community Involvement: Recovery processes are most effective when affected communities actively participate in their own recovery.

Local Level Management: Recovery services should be managed to the extent possible at the local level.

Affected Community: The identification of the affected community needs to include all those who are affected in any significant way whether defined by geographical location or as a dispersed population.

Differing Effects: The ability of individuals, families and communities to recover depends upon capacity, specific circumstances of the event and its effects.

Empowerment: Recovery services should empower communities to manage their own recovery through support and maintenance of identity, dignity and autonomy.

Resourcefulness: Recognition needs to be given to the level of resourcefulness evident within an affected community and self-help should be encouraged.

Responsiveness, Flexibility, Adaptability and Accountability: Recovery services need to be responsive, flexible and adaptable to meet the rapidly changing environment, as well as being accountable.

Integrated Services: Integration of recovery service agencies, as well as with response agencies, is essential to avoid overlapping services and resource wastage.

Coordination: Recovery services are most effective when coordinated by a single agency.

Planned Withdrawal: Planned and managed withdrawal of external services is essential to avoid gaps in service delivery and the prevention of leaving before the task has been completed.

4.6 Transition from Response to Recovery

Response and recovery activities will overlap and may compete for the same limited resources. Such instances should normally be resolved through negotiation between the HMA's Incident Manager, the LRC and the LEC. However, where agreement cannot be achieved, preference is to be given to the response requirements.

The decision to announce that the emergency response is over is just as important as determining whether an issue or incident constitutes an emergency in the first place. The decision to formally announce that the emergency is over will send an important message to all stakeholders and will trigger the commencement of recovery operations by government, community and private sector businesses. The effect of prematurely announcing that an emergency is over may create the perception among stakeholders that the Shire of Gingin is being insensitive to, or is unaware of the broader issues, which may reflect poorly on the Shire. The LRC and the Shire of Gingin CEO should jointly determine when the emergency response is over in consultation with emergency services and field response operations.

4.7 Local Recovery Coordinator (LRC)

The Shire of Gingin has appointed its Community Development and Customer Services Officer to the position of LRC in accordance with the *Emergency Management Act 2005*, section 41(4).

4.8 Local Recovery Coordinator Roles and Responsibilities

The responsibilities of the LRC may include any or all of the following:

- a. Prepare, maintain and test the Local Recovery Plan;
- b. Assess the community recovery requirements for each event, in consultation with the HMA, LEC and other responsible agencies, for:
 - i. Advice to the Mayor/CEO on the requirement to activate the plan and convene the LRCC; and
 - ii. Initial advice to the LRCC, if convened.
- c. Undertake the functions of the Executive Officer (XO) to the LRCC;
- d. Assess the LRCC requirements for the restoration of services and facilities with the assistance of the responsible agencies where appropriate, including determination of the resources required for the recovery process in consultation with the HMA during the initial stages of recovery implementation;
- e. Coordinate local recovery activities for a particular event, in accordance with plans, strategies and policies determined by the LRCC;
- f. Monitor the progress of recovery and provide periodic reports to the LRCC;
- g. Liaise with the Chair of the State Recovery Coordinating Committee (SRCC) or the State Recovery Coordinator, where appointed, on issues where State level support is required or where there are problems with services from government agencies locally;
- h. Ensure that regular reports are made to the SRCC on the progress of recovery; and
- i. Arrange for the conduct of a debriefing of all participating agencies and organisations as soon as possible after stand down.

4.9 Local Recovery Coordination Committee

The LRCC can expand or contract as the emergency management process requires. When forming the committee, the LRC will organise the team based on the nature, location and severity of the event as well as considering the availability of designated members. The LRC will also ensure that the LRCC has the technical expertise and operational knowledge required to respond to the situation.

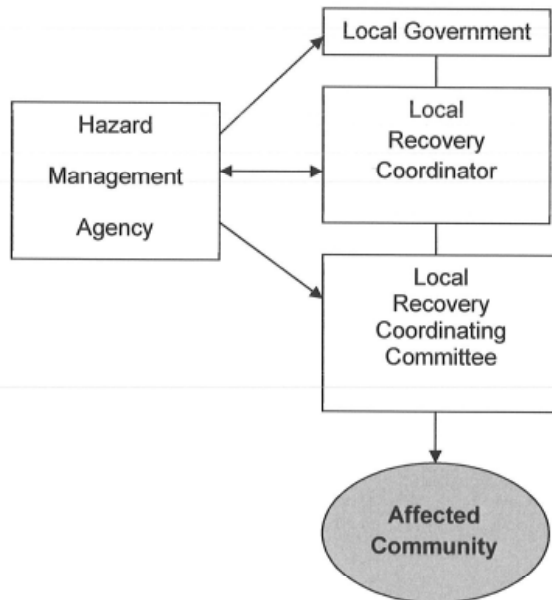
4.10 Function of the Local Recovery Coordinating Committee

The LRCC has the role to coordinate and support the local management of the recovery processes within the community subsequent to a major emergency in accordance with OEM Policies, local plans and arrangements.

The LRCC's responsibilities may include any or all of the following:

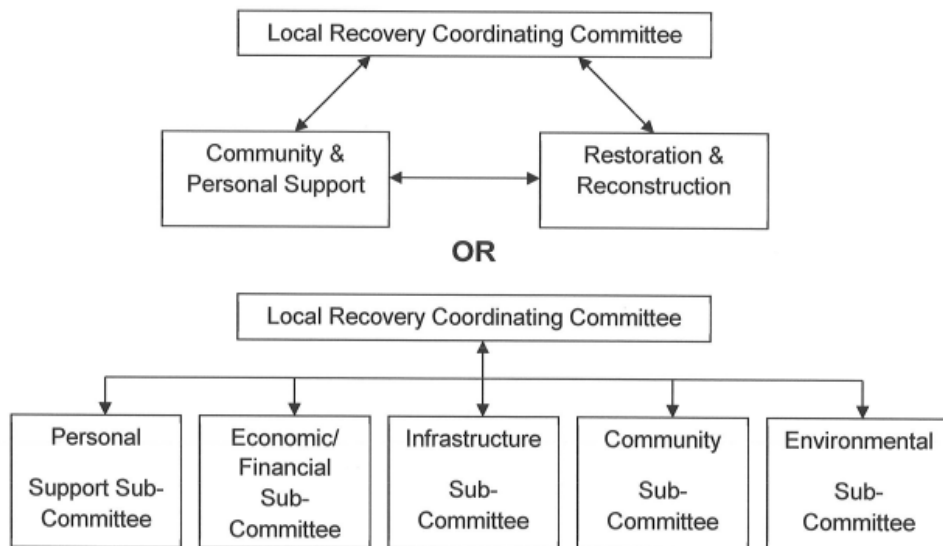
- a. Appointment of key positions within the committee and, when established, the sub-committees;
- b. Establishing sub-committees, as required and appointing appropriate chairpersons for those sub-committees;

- c. Assessing the requirements for recovery activities with the assistance of the responsible agencies, where appropriate;
- d. Develop strategic plans for the coordination of recovery processes;
- e. Activation and coordination of the ECC, if required;
- f. Negotiating the most effective use of available resources;
- g. Ensuring a coordinated multi-agency approach to community recovery; and
- h. Making appropriate recommendations, based on lessons learned, to the LEMC to improve the community's recovery preparedness.



Recovery Committee Structures *(following handover from HMA to LRC)*

(depending upon community impact and complexity of event)



4.11 Local Recovery Coordinating Committee Composition

Core Group

This group will assist the LRC to prepare, maintain and test the Local Recovery Plan and initiate recovery after an event. They will drive and manage recovery as per the *Emergency Management Act 2005*.

Position	Representative
Chairperson	Shire President, Councillor or CEO
Executive Officer	Manager Emergency Services
Local Recovery Coordinator	Community Development Officer
Executive Public Liaison Officer	Chief Executive Officer
Administration	To be provided by the Shire of Gingin

Co-opted members

This group will, in the main, comprise of agencies that have a mandate to assist with recovery. They will provide specialised advice and resources including information, financial and physical support to assist the LGA in returning the community to normal in as short a time as practical. The members of this group will attend recovery meetings as and when required.

Critical infrastructure	Water Corporation, Western Power, Telstra, MRWA etc...
State Agencies	DCPFS, Department of Health, DAF, Department of Education
Humanitarian Agencies	Red Cross, Salvation Army
Others	Anyone the LGA feels the need to co-opt to assist the recovery process.

4.12 Priorities for Recovery

The LRC should consider the following areas when recommending priorities and ensuring work is completed:

- Health and safety of individuals and the community;
- Welfare/social recovery;
- Economic recovery;
- Physical recovery; and
- Environmental recovery.

4.13 Financial Management in Recovery

Funding is not available for recovery planning, however there are funding arrangements for recovery assistance following an emergency. The primary responsibility for safeguarding and restoring public and private assets affected by an emergency rests with the owner. However, government recognises that communities and individuals do not always have the resources to provide for their own recovery and financial assistance is available in some circumstances. Relief programs include:

- Western Australian Natural Disaster Relief and Recovery Arrangements (WANDRRA);
- Commonwealth Natural Disaster Relief Arrangements (NDRRA);
- Centrelink; and
- Lord Mayor's Distress Relief Fund (LMDRF).

Information on these relief arrangements can be found in the State Emergency Management Plan for State Level Recovery Coordination (WESTPLAN - Recovery Coordination, 2009).

PART 5 – EXERCISING and REVIEWING

5.1 The Aim of Exercising

Testing and exercising are essential to ensure that the LEMA are workable and effective for the LEMC. The testing and exercising of these arrangements and associated plans is also important to ensure that individuals and organisations remain appropriately aware of what is required of them during an emergency response situation.

The exercising of a HMA's response to an incident is a HMA responsibility; however it could be incorporated into the LEMC exercise.

Exercising the LEMA will allow the LEMC to:

- a. Test the effectiveness of the local arrangements;
- b. Bring together members of emergency management agencies and give them knowledge of, and confidence in, their roles and responsibilities;
- c. Help educate the community about local arrangements and programs;
- d. Allow participating agencies an opportunity to test their operational procedures and skills in simulated emergency conditions; and
- e. Test the ability of separate agencies to work together on common tasks, and to assess effectiveness of coordination between them.

5.2 Frequency of Exercises

The SEMC Policy No. 2.5 (*Emergency Management in Local Government*) and Policy No. 4.8 (*Exercise Management*) requires the LEMC to exercise their arrangements on an annual basis.

5.3 Types of Exercises

Some examples of exercise types include:

Desktop/Discussion Exercises - include orientation exercises, agency presentations, hypothetical and syndicate progressive exercises. Discussion exercises are low cost and usually involve few players.

Functional Exercises - are closely related to discussion exercises, but normally take place in an operational environment and require participants to actually perform the functions of their roles. They are commonly known as *table top exercises*.

Field Exercises - involve the deployment of personnel to a simulated incident or emergency. Field exercises can often follow a series of discussion or functional exercises.

Phone tree recall exercises – Testing contact numbers outside of business hours.

Testing the contacts and procedures associated with opening and closing evacuation center's or any facilities that might be operating during an emergency.

Locating and activating resources on the Emergency Resources Register.

5.4 Reporting of Exercises

Exercises will be reported to the DEMC via the LEMC Annual Report using the format as detailed in SEMP 4.11 Post Exercise Reports.

To ensure overall assessment of local communities' EM capability, all LEMCs must provide copies of their post-exercise reports for each local level exercise conducted to the DEMC Chair for referral to the SEMC for referencing in its annual report.

Once the exercises have been completed, they will be reported to the DEMC via the template found at 'Appendix C' of SEMP TP-1 Exercise Management.

5.5 Review of Local Emergency Management Arrangements

The LEMA shall be reviewed and amended in accordance with SEMP 2.5 – Emergency Management in Local Government Districts and replaced whenever the local government considers it appropriate (Section 42 of the *Emergency Management Act 2005*). According to SEMP 2.5, the LEMA (including recovery plans) are to be reviewed and amended as follows:

- After an event or incident requiring the activation of an Incident Support Group or after an incident requiring significant recovery co-ordination;
- Every five years; and
- Whenever the local government considers it appropriate.

If a major review takes place, a full approval process is required. If the amendments are minor, the local government is to make the amendments and ensure that these are distributed to members of the LEMC, the DEMC and the OEM.

5.6 Review of Local Emergency Management Committee Positions

The membership of the LEMC shall be reviewed annually to ensure relevancy to the committee, however members (depending on their relevancy) may be added or removed as required.

5.7 Review of Resources Register

The Executive Officer shall have the resources register checked and updated on an annual basis, but ongoing amendments may occur at any LEMC meeting.

5.8 Review Schedule

Document	Frequency
Local Emergency Management Arrangements (including Resource Register)	Annually and five yearly in accordance with the LGA's Compliance Calendar
Emergency Contact Details	Quarterly – LEMC Meetings
Resource Register	Annually – August

ANNEXURES

Annexure 1: Special Needs Sites (Aged Units and Schools)

Name	Description	Address	Contact 1	Contact 2	No People	Have they got an evacuation plan? Who manages the plan? Has a copy been provided to the LEMC?
Gingin Aged Units	4 x Self-contained units for independent living elderly residents.	Barlee Street Gingin	Nil		4	Nil
Lancelin Aged Units	11 x Self-contained units for independent living elderly residents.	2 Atkinson Way Lancelin	Nil		15	Nil
Gingin Primary/High School	Primary School	1 Daw Street, Gingin	Kevin Brady		TBA	TBA
Lancelin Primary School	Primary School	53 Gingin Road, Lancelin	Melissa Guy		TBA	TBA

Annexure 2: Shire of Gingin Community Risk Register Schedule

Risk #	RISK SOURCE	RISK STATEMENT	Likelihood	Consequence	Level	Priority	Confidence
1	BUSH FIRE	There is a risk that if a bushfire occurred, it may cause injury or death to people . People residing in bush land areas anywhere in the Shire are at risk and may require assistance. Smoking embers, dirt and dust may litter the Shire of Gingin causing an onset of respiratory conditions and increased demand on medical services. Medication supplies could run out. Some people may be stranded in areas that have poor emergency egress including people on walking and riding trails. Tourists may become stranded and disorientated, who knows where they are? Widespread environmental damage may destroy flora and fauna, Unallocated Crown Lands, privately owned lands and the National Park. Animals and wildlife may become homeless damaging the ecosystem; in some cases this may not be recoverable due to the nature of a catastrophic fire.	Likely	Major	High	1	High
		There is a risk that if a bush fire emergency occurred, it may cause disruption to the economy . People residing in coastal areas and inland areas, hostels, aged care facilities, schools or retirement villages, may require assistance. Some people may be stranded and displaced. The impact of a fire in the district would restrict the movement of people, freight, tourists, industry operations, plantation operations, market garden operation and all commercial / government enterprises. This may place stress on the economic welfare of the community structure.	Likely	Major	High	8	High
		There is a risk to public administration in the Shire of Gingin if a bushfire was not readily contained and had the added risk factors of high temperatures and strong winds to force the path into areas of high fuel locations within the Shire. The Shire in its response to the hazard, along with agencies would be stretched to provide only Critical Business Functions when enacting its Business Continuity Management Plan. Shire premises would be at risk along with employees that have been diverted to manage the operation. This stretches resources because the fire would be covering all hours of operational functionality. Many Shire premises would need to be manned to accommodate displaced persons and animals.	Likely	Moderate	High	11	High
		There is a risk that if a bush fire emergency occurred, social setting aspects of the community may be impacted in terms of road closures, inaccessibility to certain public buildings and open spaces. People may be hindered or prevented from returning home, accessing schools and returning children, major and minor roads. People would be stressed about the inability to gain access to their homes and animals. Industries would be affected by the inability to function normally causing employees to be stood down for	Likely	Moderate	High	17	High

		the period of the emergency. Some day care facilities may be closed displacing children and seniors from normal activities. Local business would be affected by the removal of employees who serve as emergency service volunteers and would be part of the emergency response. People may lose their homes and be forced to relocate until such time that their homes are replaced. People will be left behind with friends relocated.					
6	URBAN FIRE	There is a risk that if urban fire occurred in any of the rural living communities within the Gingin Shire, high density or buildings such as schools, retirement villages, sporting complexes and shopping centres, injury or multiple deaths may occur. Toxic fumes from the fires may cause people with respiratory issues or other health conditions to become ill in surrounding areas. Survivors would be displaced and emergency service personnel in attendance may be at risk of injury or death from fighting the fire and entering unsafe properties and buildings.	Likely	Moderate	High	2	High
1	ROAD TRANSPORT EMERGENCY	There is a risk that if a road transport emergency occurred, people in the accident may be seriously injured or killed. Other road users may be involved, with possible injuries and/or deaths. Toxic fumes from chemicals and hazardous material spills and/or subsequent fires etc. may cause people with respiratory issues or other health conditions to become ill in surrounding areas. Emergency response personnel are also at risk of injury or death in the event of an unforeseen explosion/s whilst attending to the injured, spillages and fires. Major arterial routes include Brand Highway, Indian Ocean Drive and many major roads to communities. There is also a network of 458 kms of sealed and 427 kms of unsealed roads in the Shire that service many communities, stations, and farms. The user mix is from heavy haulage, commuter and tourist buses, and 4WD and passenger vehicles.	Almost Certain	Major	Extreme	5	High
		There is a risk that if a road transport emergency occurred, it may cause disruption to the economy . People residing in coastal areas and inland areas, hostels, aged care facilities, schools or retirement villages, may require assistance. Some people may be stranded and displaced. The impact of a road transport emergency in the district would restrict the movement of people, freight, tourists, industry operations, plantation operations, market garden operation and all commercial/government enterprises. This may place stress on the economic welfare of the community structure. This may have short term effect on the community.	Likely	Moderate	High	2	High
4	FLOODING	There is a risk that if a flood occurred, it may cause injury or death to people . People residing in areas close to the Gingin Brook and the Moore River, hostels, aged care facilities, schools or retirement villages, may require assistance. Some people may be stranded and displaced, with many pets becoming homeless or being killed. Widespread debris, refuse and sewage may litter areas within the Shire of Gingin causing an onset of disease and pestilence. The old rubbish tip may be washed out and spread decaying refuse into neighbouring residential areas, adding to an increased chance of disease spreading and infection. Also consideration needs to be given to the impact from mining activities that are now taking place in the scarp and the products that may be released.	Likely	Major	High	3	High

	There is a risk of contaminants and/or pollutants, loss of soils caused by a flood emergency may impact on industry responsible for the production of the products, chemicals, fertiliser, agriculture, etc., which produce these products in the environment in the Gingin Shire. Industries may be severely impacted as the emergency may force temporary closures and cessation of production.	Likely	Major	High	10	High
	There is a risk that if a flood emergency occurred, it may cause disruption to the economy . People residing in coastal areas and inland areas, hostels, aged care facilities, schools or retirement villages, may require assistance. Some people may be stranded and displaced. The impact of a flood in the district would restrict the movement of people, freight, tourists, industry operations, plantation operations, market garden operation and all commercial/ government enterprises. This may place stress on the economic welfare of the community structure.	Likely	Major	High	13	High
	There is a risk to public administration in the Shire of Gingin if a flood emergency was not readily prepared for by the construction of temporary levy banks and early public warning to ensure preparation. The Shire in its response to the hazard, along with agencies would be stretched to provide only Critical Business Functions when enacting its Business Continuity Management Plan. Shire premises would be at risk along with employees who have been diverted to manage the operation. This stretches resources because the flood would be covering all hours of operational functionality. Many Shire premises would need to be manned to accommodate displaced persons and animals. Life Lines would be at risk of functional failure.	Likely	Moderate	High	12	High
	There is a risk that if a flood emergency occurred, social setting aspects of the community may be impacted in terms of road closures, inaccessibility to certain public buildings and open spaces. People may be hindered or prevented from returning home, accessing schools and returning children, major and minor Roads. People would be stressed about the inability to gain access to their homes and animals. Industries would be affected by the inability to function normally causing employees to be stood down for the period of the emergency. Some day care facilities may be closed displacing children and seniors from normal activities. Local business would be affected by the removal of employees who serve as emergency service volunteers and would be part of the emergency response. People may lose their homes and be forced to relocate until such time that their homes are replaced. People will be left behind with friends relocated.	Likely	Moderate	High	16	High

3	CYCLONE	There is a risk that if a cyclone occurred, it may cause injury or death to people . People residing in coastal areas, hostels, aged care facilities, schools or retirement villages, may require assistance. Some people may be stranded and displaced, with many pets becoming homeless or killed. People living in remote coastal and low lying coastal areas are most at risk from the force of wind, rain and possible storm surge from the natural weather event. Industries or tourists are at risk if they are at sea and should move to a safer location or secure harbour before the onset of strong winds and swells.	Almost Certain	Major	Extreme	4	High
		There is a risk that if a cyclone occurred, large areas of natural environment may be destroyed. Gingin has approximately 53,000 kms ² of bush land within the region in addition to marine land. Widespread environmental damage may destroy flora and fauna, Unallocated Crown Lands, privately owned lands and the National Parks. Animals and wildlife may become homeless damaging the ecosystem. In some cases this may not be recoverable due to the nature of damage that could be caused by a high end category 5 storm. Many years of a coordinated recovery response from environmental agencies would be needed to return the bushlands to pre-cyclone condition if possible.	Likely	Major	High	7	High
		There is a risk that if a cyclone occurred, it may cause disruption to the economy . People residing in coastal and inland areas, hostels, aged care facilities, schools or retirement villages, may require assistance. Some people may be stranded and displaced. The impact of a cyclone in the district would restrict the movement of people, freight, tourists, industry operations, plantation operations, market garden operation and all commercial/government enterprises. This may place stress on the economic welfare of the community structure.	Likely	Major	High	14	Medium
		There is a risk to public administration in the Shire of Gingin if a cyclone was not readily prepared for by the reduction of items in the community that could become projectiles. The Shire in its response to the hazard, along with agencies would be stretched to provide only Critical Business Functions when enacting its Business Continuity Business Management Plan. Shire premises would be at risk along with employees who have been diverted to manage the operation. This stretches resources because the cyclone would be covering all hours of operational functionality. Many Shire premises would need to be manned to accommodate displaced person and animals.	Likely	Major	High	15	High

		There is a risk that if a cyclone emergency occurred, social setting aspects of the community may be impacted in terms of road closures, inaccessibility to certain public buildings and open spaces. People may be hindered or prevented from returning home, accessing schools and returning children, major and minor roads. People would be stressed about the inability to gain access to their homes and animals. Industries would be affected by the inability to function normally causing employees to be stood down for the period of the emergency. Some day care facilities may be closed displacing children and seniors from normal activities. Local business would be affected by the removal of employees who serve as emergency service volunteers and would be part of the emergency response. People may lose their homes and be forced to relocate until such time that their homes are replaced. People will be left behind with friends relocated.	Likely	Moderate	High	18	High
2	MARINE SEARCH	There is a risk that if a marine search occurred, it could result in the loss of people , injury or illness to those that are missing and place those that search at risk of death, injury or illness. Person(s) or objects go missing on a regular basis. Depending on the need to recover those persons or objects, Police will coordinate a search from Lancelin. People who are sick and not from the area (Tourists) are most vulnerable. The region is a tourist destination and during the tourist season popular destinations can have a higher population than normal. This influx of tourists who do not usually have a good knowledge of the area and the boat that they are using can often lead to many problems requiring them to seek assistance.	Almost Certain	Major	Extreme	6	Medium

Annexure 3 – Resource Register

Shire of Gingin

Resources Schedule

Plant and equipment resources as at JUNE 2017

Location:	Shire Administration – 7 Brockman Street, Gingin	
Contact/s	Mr Allister Butcher	9575 5170
	Executive Manager Operations	0417 264 832

Item description	Number of items
Road Graders	3
Prime Movers with Side Tipping Trailers	3
Eight Wheel Tipper	1
Semi-trailer	1
Front End Loaders	3
Vehicle Carrier Trailer	1
Tractors	2
Backhoe	1
Table Top Truck	2
Coaster Bus	1
2009 Nissan Truck-PGG056	1

Annexure 4 – Evacuation Centres & Welfare Plan

WELFARE CENTRES IN THE SHIRE OF GINGIN			
NAME	ADDRESS	CONTACTS	CAPACITY
Primary Granville Civic Centre	LOT 326 Jones St near Weld St Gingin	Chief Executive Officer 0407 685 076 Coordinator Community Services 0427 193 409 Manager Building Services 0408 911 912	420 Short term
Secondary Gingin Recreation Complex	135 New St, near Weld St Gingin	Chief Executive Officer 0407 685 076 Coordinator Community Services 0427 193 409 Pat Elliot 0427 954 759	
Primary Guilderton Hall + Country Club	Wedge St near Hall Rd Guilderton	Chief Executive Officer 0407 685 076 Coordinator Community Services 0427 193 409 Cheryl Spiers 9577 1013	Short term
Primary Lancelin Community Sport & Rec Centre	Lot 255 Vins Way, btwn Gingin Rd & Atkinson Lancelin	Chief Executive Officer 0407 685 076 Coordinator Community Services 0427 193 409 Anita Jarvis 9655 1100	Short term Has air con
Secondary Lancelin Hall	Bay St Lancelin	Chief Executive Officer 0407 685 076 Coordinator Community Services 0427 193 409 Muriel Swan 9655 1399	Short term No air con

The Department of Child Protection and Family Services Local Emergency Management Plan for the provision of welfare support in the Moora district is located in this folder as a separate attachment under the tab Welfare Plans.

Annexure 5 – District Map



Annexure 6 – Emergency Contacts Directory**Annexure 6 – Emergency Contacts Directory**

Name	Organisation	Address	Phone	Mobile	After Hours	Email	Fax
Sgt. Iain Lind	Officer in Charge (OIC) WAPOL Police	4 Constable St Gingin	9575 5600	0417 637 514 or 0429 117 780	9575 3337	Iain.Lind@police.wa.gov.au	9575 2371
Sgt. Steve McCrea	Officer in Charge (OIC) WAPOL Police	Atkinson Way Lancelin	9655 1100	0427 030 461		steve.mccrea@police.wa.gov.au	
Jeremy Edwards	CEO Shire of Gingin	7 Brockman St Gingin	9575 2211	0407 685 076		mail@gingin.wa.gov.au	9575 2121
Phil Barrett	Community Emergency Services Manager/Chief Bush Fire Control Officer Shire of Gingin	7 Brockman St Gingin	9575 2211	0408 943 576		cesm@gingin.wa.gov.au	9575 2121
Linda Fidge	Community Development Officer/Recovery Coordinator Shire of Gingin	7 Brockman St Gingin	9575 2211	0427 193 409		mail@gingin.wa.gov.au	9575 2121
Nikki Woods	Captain Fire & Rescue Service Gingin	Robinson St Gingin		0429 152 129			
Sally Gifford	SJA Gingin/Bindoon	Weld St, Gingin	9575 2504	0428 742 329		Sally.gifford@bigpond.com	
Dennis Badcock	SJA Gingin/Bindoon	Weld St, Gingin	9571 9173	0437 703 007		Dennis.badcock@tronox.com	
Bob James	SJA Lancelin	28 Atkinson Way, Lancelin	9655 1922	0407 998 659			
Pat Shinnick	Lancelin Volunteer Marine Rescue	Hopkins Street, Lancelin	9655 1289	0408 085 516		pat@catalystrigging.com	
Kym Cramer	Manager Chandala Tronox Joint Venture	742 Brand Highway Muchea	9571 9308	0428 565 132 0437 703 007		Kym.Cramer@tronox.com	

	DAFWA Perth	2 Baron-Hay Ct	9368 3333				
	DAFWA Moora	South Perth 20 Roberts Street Moora	9651 0555				
Margaret Valentine	President Australian Red Cross	Fraser Street Gingin	9575 2231				
Leigh Sage	OPAW	Wenneroo	9405 0700	0400 070 230			9368 4299
Eric Anda	WA Country Health Service – Primary Manager					Erik.Anda@health.wa.gov.au	
Brad Slater	DFES – District Manager	108 Winton Rd, Joondalup	9301 3901	0409 082 905		Brad.Slater@dfes.wa.gov.au	

EMERGENCY CONTACTS DIRECTORY**ST JOHN AMBULANCE (24 HOURS)**

St John Ambulance (24 hours)	000	000
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COMMUNITY ASSOCIATIONS

Country Women's Association Koorunga Branch - Karyn Collins		0437 780 406
Red Cross - Margaret Vallentine		9575 2231
Karyn Collins		0437 780 406

DEPARTMENTAL

Australian Western Railroad, Ops Southwest	24 HRS	9326 2067
Australian Western Railroad, Ops Northern	24 HRS	9326 2932
Alinta Gas	24 HRS	13 1352
Australian Federal Police		9320 4444
DPaW (Moora)		9651 1424
Coroner's Office		9321 2491
Firearms		9223 7000
DCPFS (Moora)	A/H (BOTH)	9653 0100
Wheatbelt District Emergency Services Officer		1800 199 008
		0429 102 614
Department of Housing (Northam)	WK	9622 1500
Department of Housing Accommodation Manager		0427 080 302
Police Media		9222 1394
Road Safety Section		9227 6727
SES	24 HRS	132 500
Telstra Repairs & Faults	24 HRS	132 203
Water Corporation	24 HRS	131 375

DOCTOR

Gingin Medical Centre		9575 2300
Lancelin Medical Centre		9655 2202

FIRE

Shire of Gingin Bush Fire Brigades, CBFCO (Phil Barrett)		0408 943 576
DFES Operations	24 HRS	1800 198 140
Gingin VFRS Brigade Captain (Nikki Woods)		0429 152 129
Lancelin VFRS Brigade Captain (Tom Kuster)		0438 943 256

GARAGES/ROADHOUSES

Gingin Fuel and Tyres		9575 2339
Gingin GULL		9575 2364
Gingin Paint & Panel		9575 2016
Gull Lancelin		9655 1103
Moore River Roadhouse		9577 1023
Windmill Roadhouse (Regans Ford)		9655 0066

HOSPITALS

Joondalup Health Campus		9400 9400
Graylands		9389 3333
QE11 Medical Centre		9346 3333
Royal Perth		9224 2244
St John of God Midland Public & Private Hospital		9462 4000

MEDIA

North Coast Times – lucy.jarvis@communitynews.com.au		9233 3056
Northern Valley News		0419 045 783

MENTAL HEALTH

Mental Health Gingin		9575 2440
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Mental Health Northam		9621 0999
Regional Coordinator		9621 0999
MISCELLANEOUS		
RAAF Base Pearce		9571 7111
Tronox Muchea		9571 9333
Manager Russell Austen	A/H	9571 9273
POISONS		
Poisons Information	24 HRS	13 1126
POST OFFICES		
Bindoon		9576 1020
Gingin		9575 2227
Muchea		9571 4010
Bullsbrook		9571 1499
SCHOOLS		
Gingin District High School		9575 5300
Lancelin Primary		9655 1077
Yanchep District High School		9561 1155
Yanchep Beach Primary School		9561 6080
Bullsbrook College		9571 1220
SHIRE OF GINGIN		
7 Brockman Street, Gingin		9575 5140
Manager Building Services: Jonathan Whitely		0408 911 912
SHIRE RANGERS		
Gingin Rangers	All Hours	9575 5140
TOW TRUCKS		
Gingin Recovery		9575 2016

		0417 958 037
Gingin Tilt Tray		9575 2492
		0428 944 195
Swan Towing (Clint)		9274 4544
		1800 653 544
Terry's Towing		9575 2258
Victoria Plains Towing		9628 7106
		0415 778 235
VET		
Gingin		9575 2274
Dirk Bolsenbroek (Vet)		0428 912 337

11.1.5 UNBUDGETED EXPENDITURE - REFURBISHMENT OF LOT 103 (4) FEWSTER STREET, GINGIN

LOCATION: LOT 103 (4) FEWSTER STREET, GINGIN
FILE: BLD/1123
REPORTING OFFICER: JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE: 18 JULY 2017
REFER: NIL

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider approval of unbudgeted expenditure of \$20,000 to undertake refurbishment of Lot 103 (4) Fewster Street, Gingin.

BACKGROUND

Lot 103 is held in freehold title by the Shire of Gingin and has historically been utilised as staff accommodation. The property is currently vacant and was previously occupied by the Manager Operations and prior to that the Manager Health Services.

As Council is aware, the Shire has four properties within the Gingin townsite and these are usually provided to staff holding Management or Executive positions. The new position of Executive Manager Assets is nearing completion and the proposed incumbent has indicated a willingness to relocate and live within Gingin. It is proposed that Lot 103 be made available for this purpose.

However, following a recent inspection of the property it is evident that some refurbishment is required to make the house suitable for occupation. Lot 103 was last repainted in 2010, and apart from a new patio and minor laundry/bathroom renovations in the same period no further maintenance has been completed.

COMMENT

The inspection has revealed that the house will require repainting and new carpets, window treatments and light fittings throughout.

A quote has been obtained from a painting contractor which indicates that full internal painting along with outside eaves will cost in the vicinity of \$5,400. It is estimated that the remainder of the work will cost approximately \$14,600 and will consist of new carpets to all four bedrooms and living and dining areas, new vertical, roller and venetian blinds throughout and light fittings to all rooms within the property, and that the refurbishment, in total, will not exceed \$20,000.

Upon inspection it is apparent that the window treatments and carpets have reached their useful life and beyond repair and/or cleaning. Light fittings are missing in some rooms and old fluorescent fittings are also present in some bedrooms.

No provision has been made in Council's adopted 2017/18 budget for this project and if approved the unbudgeted expenditure will be dealt with as part of the budget review process.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 6 – Financial Management

Division 4 – General financial provisions

Section 6.8 – Expenditure from municipal fund not included in annual budget

POLICY IMPLICATIONS

Shire of Gingin Policy 3.10 Purchasing

BUDGET IMPLICATIONS

There is currently no provision in Council's adopted 2017/18 Budget for this project, and the required funds will be recovered from identified savings during the budget review process.

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

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

Account	Description	2017/2018 Budget \$	Proposed Amended Budget \$	Variation \$
9159005	4 Fewster Street – Building - Capital	0	\$20,000	\$20,000
	To be determined at Budget review		- \$20,000 -	- \$20,000 -
			\$20,000	\$20,000
			Net Effect	\$20,000

SUBSTANTIVE MOTION WITH AMENDMENT

Replace the words "To be determined at Budget review" with "To be sourced from Land and Building Reserve".

Moved Councillor Smiles, seconded Councillor Ammon that Council amend the adopted 2017/18 Budget in accordance with the following table:

Account	Description	2017/2018 Budget \$	Proposed Amended Budget \$	Variation \$
9159005	4 Fewster Street – Building - Capital	0	\$20,000	\$20,000
14769122	To be sourced from Land and Building Reserve		-\$20,000	-\$20,000
			Net Effect	\$20,000

CARRIED BY ABSOLUTE MAJORITY
8-0

REASON FOR AMENDMENT

Council was of the view that it would be more appropriate to source the funds from Reserve rather than a reallocation at mid year budget review.

11.2. CORPORATE AND COMMUNITY SERVICES

11.2.1 MONTHLY FINANCIAL STATEMENT FOR THE PERIOD ENDING 30 JUNE 2017

FILE: FIN/25
REPORTING OFFICER: KAYE LOWES - EXECUTIVE MANAGER CORPORATE & COMMUNITY SERVICES
REPORT DATE: 18 JULY 2017
REFER: NIL

OFFICER INTEREST DECLARATION

Nil

COMMENT

The Statement of Financial Position and investment information for the period to 30 June 2017 will not be available for presentation to this meeting due to staff resources being occupied with budget preparations. This information will be presented to Council's next meeting on 15 August 2017.

The List of Accounts Paid for the period to 30 June 2017 is attached as **Appendix 1**.

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 the List of Paid Accounts for the period ending 30 June 2017 as presented in Appendix 1.

RESOLUTION

Moved Councillor Elgin, seconded Councillor Fewster that Council receive the List of Paid Accounts for the period ending 30 June 2017 as presented in Appendix 1.

CARRIED UNANIMOUSLY

APPENDIX 1

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

TYPE	DATE PAID	NAME	DETAILS	AMOUNT
Chq/EFT				
EFT21710	01/06/2017	RSPCA WA (INC.)	PAYROLL DEDUCTIONS	10.00
EFT21711	01/06/2017	LGRCEU (WA DIVISION)	PAYROLL DEDUCTIONS	82.00
EFT21712	01/06/2017	HIF	PAYROLL DEDUCTIONS	157.55
EFT21713	01/06/2017	SOCIAL CLUB TRUST	PAYROLL DEDUCTIONS	1359.00
EFT21714	01/06/2017	PAYWISE	VEHICLE LEASE	2172.34
EFT21715	06/06/2017	GLENISE ANN RUSH	CLEANING OF SB ABLUTIONS	260.00
EFT21716	06/06/2017	STEWART AND HEATON CLOTHING	JUMPER AND BADGE	74.69
EFT21717	06/06/2017	GFA8	TURNTABLE DRILL HOLES FOR BOLTS	330.00
EFT21718	06/06/2017	COVS PARTS PTY LTD	BACK UP ALARM	113.14
EFT21720	06/06/2017	ASHDOWN- INGRAM	GG005 9GG GG050 GG070 UTE FIT OUT	998.76
EFT21721	06/06/2017	GINGIN FUEL AND TYRES	TYRE FIT AND BALANCE	90.79
EFT21722	06/06/2017	MOORE RIVER ELECTRICAL SERVICES	BBQ AT HAROLD PARK, LANCELIN	753.50
EFT21723	06/06/2017	SUNNY SIGNS COMPANY PTY LTD	SIGNS	14.30
EFT21724	06/06/2017	GINGIN TREE SERVICES PTY LTD	TREE LOPPING	6050.00
EFT21725	06/06/2017	LEDGE'S KANGA AND SKIP BIN HIRE	SKIP BIN HIRE LA CARAVAN PARK	660.00
EFT21726	06/06/2017	PACIFIC BRANDS WORKWEAR	STAFF UNIFORM	33.15
EFT21727	06/06/2017	MOORE STEPHENS	INTERIM AUDIT FEES 16/17	10353.75
EFT21728	06/06/2017	GINGIN ELECTRICAL PTY LTD	SECURITY LIGHTS GG OFFICE CARPARK	463.10
EFT21729	06/06/2017	JOANNE TONNA GRAPHIC DESIGN	ADVERTISING	150.00
EFT21730	06/06/2017	SCOTT DRUMMOND	GG070 AND GG070 UTE FIT OUTS	1064.00
EFT21731	06/06/2017	GINGIN FUEL AND TYRES	FIT TYRES	168.00
EFT21732	06/06/2017	LANCELIN SANDS	ROCK BREAKER SEABIRD ROAD	16940.00
EFT21733	06/06/2017	LET US SPRAY	GG070 ACCIDENT DAMAGE	1095.00
EFT21734	06/06/2017	HERSEY JR & A	PITEM ITEMS FOR UTE FIT OUTS	416.28
EFT21735	06/06/2017	ENZED PERTH	YARD PRESSURE WASHER	165.25
EFT21736	06/06/2017	WURTH AUSTRALIA PTY LTD	NUTS AND BOLTS FOR UTE FIT OUTS	770.76
EFT21737	06/06/2017	HEMPFIELD SMALL MOTORS	GENERATOR FOR LA TIP	2150.00
EFT21738	06/06/2017	T-QUIP	SERVICE	246.00
EFT21739	06/06/2017	TRUCK CENTRE WA PTY LTD	WIPER BLADES ,LIGHT PROTECTORS	317.42
EFT21740	06/06/2017	EASTERN HILLS SAWS & MOWERS	FAULTY COIL ON BLOWER	421.50
EFT21741	06/06/2017	ARROW BRONZE	X6 CAST BRONZE PLAQUE	1189.54
EFT21742	06/06/2017	COURIER AUSTRALIA	FRIEGHT	85.20
EFT21743	06/06/2017	GINGIN FUEL AND TYRES	DIESEL	79.53
EFT21744	07/06/2017	GREEN PLANET GRASS	SURFACE FOR LP BOWLING CLUB	38500.00
EFT21745	08/06/2017	ASHLEYS ELECTRICAL SERVICES	REPAIR HOT WATER SERVICE	99.00
EFT21746	08/06/2017	FV & M SMIT TRUST ACCOUNT	MATERIALS	5615.98
EFT21747	08/06/2017	ROSEBROOK EMBROIDERY	GINGIN LOGO EMBROIDERY X 14	119.00
EFT21748	08/06/2017	RODNEY & JOY VENESS	CLEANING OF TOILETS AT SEABIRD	260.00
EFT21750	08/06/2017	OFFICEWORKS	STATIONARY	170.32
EFT21751	08/06/2017	REGENTS ISUZU UTE	DRIVERS LIGHT FOR 5GG	206.00
EFT21752	08/06/2017	DEFS	ESL MAY 2017	2332.56
EFT21753	08/06/2017	OCEAN FARM COMM & REC ASS INC	COMMUNITY GRANT HALL RENOVATIONS	3000.00
EFT21754	08/06/2017	ADVANCED TRAFFIC MANAGEMENT	TRAFFIC CONTROL	7518.66
EFT21755	08/06/2017	SAFETY BARRIERS WA	CARRY OUT WORKS TO BOOM GATE	4290.00
EFT21756	13/06/2017	TONY PISCONERI	SEABIRD LANDFILL SITE - MAY 2017	15180.00
EFT21757	13/06/2017	(HENRY) HAROLD ARNOLD MORRIS	PUSHING UP LANDFILLS	19800.00
EFT21758	13/06/2017	AXIOM PEST CONTROL	PEST CONTROL TREATMENT	7215.67
EFT21759	13/06/2017	DARRYL BRENDON FERGUSON	CONSTRUCT BUS STOP OF DRIVE	7700.00
EFT21760	13/06/2017	MICHAEL LIDDELOW	PREPARATION OF GRAVE	715.00
EFT21761	13/06/2017	WREN OIL	WASTE OIL REMOVAL - SB LANDFILL	33.00
EFT21762	13/06/2017	GINGIN TREE SERVICES PTY LTD	TREE REMOVAL	6380.00
EFT21763	13/06/2017	LEDGE'S KANGA AND SKIP BIN HIRE	MAY 2017 ACCOUNT	1760.00
EFT21764	13/06/2017	ECOWATER SERVICES	QUARTERLY SERVICE	221.50
EFT21765	13/06/2017	SHIELDS POWER CLEAN	CLEANING	675.00
EFT21766	13/06/2017	LEARNING HORIZONS	LEADERSHIP PROCESSES	330.00
EFT21769	13/06/2017	PT WITH ALI G	UNDERTAKE FITNESS 1HR SESSIONS	900.00
EFT21770	13/06/2017	K G COMMUNITY AND COMMUNICATION	GG COMMUNICATION PLAN	1045.00
EFT21771	13/06/2017	GINGIN FUEL AND TYRES	0GG NEW TYRE	397.60
EFT21772	13/06/2017	STEWART AND HEATON CLOTHING	DFES JACKET DFES BADGES	84.01
EFT21773	13/06/2017	ASHLEYS ELECTRICAL SERVICES	REPLACE HOT WATER ELEMENT	170.50
EFT21774	13/06/2017	MARKETFORCE PRODUCTIONS	ADVERTISING	932.21
EFT21775	13/06/2017	LANCELIN FABRICATION	ROOF RACK FOR GG020	2490.00
EFT21776	13/06/2017	WATERLOGIC AUSTRALIA PTY LTD	FILTRATION UNITS - JUNE 2017	133.10
EFT21777	13/06/2017	DUDDY CHEMICALS PTY LTD	CLEANING PRODUCTS AND TOILETRIES	996.60
EFT21778	13/06/2017	RON FULLER'S AIR	WORKSHOP HOIST INSPECTION	521.40
EFT21779	13/06/2017	COMMERCIAL LOCKSMITHS	NEW MASTER KEY SYTEM FOR BUILDINGS	536.80
EFT21780	13/06/2017	OUTDOOR WORLD SHEDFORCE LA	BUS SHED	2760.00
EFT21781	13/06/2017	BRIGHTHOUSE	ASSESS GU C/PARK EXTRA ACCOMM	1555.31
EFT21782	13/06/2017	PACIFIC BRANDS WORKWEAR	STAFF UNIFORM	327.65
EFT21783	13/06/2017	GRANTS EMPIRE	PAYMENT 2 OF 2	660.00
EFT21784	13/06/2017	TECHNOLOGYONE LIMITED	AIR PHOTO OVER GINGIN COASTAL AREA	429.00
EFT21785	13/06/2017	N M AVEY AND E M PAUL	MANAGEMENT SERVICE FEE - LA C/PARK	13998.80
EFT21786	14/06/2017	HERSEY JR & A	BRUSHES, SPRAY PAINTS, PAINT MARKER	322.28
EFT21787	14/06/2017	MARKETFORCE PRODUCTIONS	ADVERTISING	1329.10
EFT21788	14/06/2017	COMMERCIAL AIR SOLUTIONS (CAS)	MAY 2017 SCHEDULED MAINTENANCE	929.23
EFT21790	14/06/2017	JANET KAY DUXBURY	REFUND FOR TRAP	50.00
EFT21791	14/06/2017	NORTHERN VALLEY NEWS	ADVERTISING	800.00
EFT21792	14/06/2017	NEO INFRASTRUCTURE PTY LTD	PROGRESS CLAIM MURRAY ROAD BRIDGE	32144.20
EFT21793	14/06/2017	EAST PERTH WOMEN'S FBALL CLUB	APPROVED APPLICATION X 1	200.00
EFT21794	14/06/2017	LANDGATE	LAND ENQUIRIES	149.10
EFT21795	14/06/2017	ENZED PERTH	GG056 SPRAYER SET UP	1353.55
EFT21796	14/06/2017	LEDGE POINT HARDWARE	STORM WATER PIPE AND OUTLETS	46.25
EFT21797	14/06/2017	DIRECTIONS WORKFORCE	SALARY N MICALFE	3704.95
EFT21798	14/06/2017	GOLDFIELDS DEANS AUTOGLASS	GG088 NEW SCREEN	825.00
EFT21799	14/06/2017	TONER PLUS	LC73 VALUE PACK	48.50
EFT21800	14/06/2017	PEDDERS SUSPENSION - JOONDALUP	GG009 NEW SUSPENSION OLD U/S	500.00
EFT21801	14/06/2017	GINGIN FUEL AND TYRES	4 NEW DRIVE TYRES FOR GG088	5834.60
EFT21802	14/06/2017	IT VISION AUSTRALIA PTY LTD	MONTHLY HOSTING FEE FOR CPM	220.00
EFT21803	14/06/2017	PRACSYS	BUSINESS PLAN FOR DISPOSAL OF LAND	6545.00
EFT21804	14/06/2017	HERSEY JR & A	BOOTS	380.60
EFT21805	14/06/2017	MARKETFORCE PRODUCTIONS	ADVERTISING	2299.43
EFT21806	14/06/2017	GR THOMSON TRUCK HIRE	TRUCK HIRE	15936.25
EFT21807	14/06/2017	MOORE RIVER ELECTRICAL	ELECTRICAL WORK GU FORESHORE	1595.00

EFT21808	14/06/2017	AVON WHEATBELT DEVELOP COMM	AGRI INDUSTRY PROCESSING HUB - 1	77000.00
EFT21809	14/06/2017	SUNNY SIGNS COMPANY PTY LTD	BOLLARDS & BASES FOR EXTRA STOCK	192.50
EFT21810	14/06/2017	OFFICEMAX AUSTRALIA LTD	STATIONERY	1147.08
EFT21811	14/06/2017	BULLSBROOK AND DISTRICTS GLASS	GLASS/SECURITY SCREEN AT RP HALL	731.50
EFT21812	14/06/2017	GINGIN ELECTRICAL PTY LTD	ELEC WORKS TO GG FIRE STATION	1271.60
EFT21813	14/06/2017	GINGIN FUEL AND TYRES	4 NEW GRADER TYRES FOR GG003	5628.00
EFT21814	14/06/2017	JE MIEL T/AS GINGIN IGA EXPRESS	MAY 2017 ACCOUNT	724.05
EFT21815	14/06/2017	LANDGATE	VALUATIONS	202.90
EFT21816	15/06/2017	CARABAN LIMESTONE	SUPPLY AND LOADING OF LIMESTONE	90790.92
EFT21817	15/06/2017	FUEL DISTRIBUTORS OF WA PTY LTD	DIESEL	13757.53
EFT21819	15/06/2017	PAYWISE	VEHICLE LEASE	2172.34
EFT21820	19/06/2017	AUSTRALIA POST	POSTAGE	2463.61
EFT21821	20/06/2017	RSPCA WA (INC.)	PAYROLL DEDUCTIONS	10.00
EFT21822	20/06/2017	LGRCEU (WA DIVISION)	PAYROLL DEDUCTIONS	82.00
EFT21823	20/06/2017	HIF	PAYROLL DEDUCTIONS	157.55
EFT21824	20/06/2017	SOCIAL CLUB TRUST	PAYROLL DEDUCTIONS	1359.00
EFT21825	20/06/2017	STEWART AND HEATON CLOTHING	PPE	140.29
EFT21826	20/06/2017	COMMUNITY NEWSPAPER GROUP	ADVERTISING	2136.81
EFT21827	20/06/2017	ASHLEYS ELECTRICAL SERVICES	WORKS AT LA C/PARK	1160.50
EFT21828	20/06/2017	CU@PARK	CATERING	2296.80
EFT21829	20/06/2017	WURTH AUSTRALIA PTY LTD	NUTS BOLTS RIVNUTS AND BODY FIXINGS I	366.84
EFT21830	20/06/2017	WHEELS & KEELS AUTO ELECTRICAL	WORKSHOP DUTIES	2843.67
EFT21831	20/06/2017	SCORPION TRAINING	SAFETY & HEALTH REPRESENTATIVES	1496.00
EFT21832	20/06/2017	PRIMARY PAINTING AND DECORATING	PAINTING OF CHALETs	25040.00
EFT21833	20/06/2017	ACS SWAN EXPRESS PRINT	PRINTING FIREFIGHTING TRAINING MANUA	2090.00
EFT21834	20/06/2017	DUNCAN SOLUTIONS	PARKING METERS	20885.24
EFT21835	20/06/2017	GINGIN EAGLES FOOTBALL CLUB	KIDSPORT APPROVED APPLICATION X1	60.00
EFT21836	20/06/2017	STEWART AND HEATON CLOTHING	PPE	25.60
EFT21837	20/06/2017	GINGIN CRC	SUPPORT FOR BRITISH CAR CLUB DAY	4400.00
EFT21838	20/06/2017	DVG WANNEROO MITSUBISHI	SCHEDULED SERVICES	893.51
EFT21839	20/06/2017	WURTH AUSTRALIA PTY LTD	PAN SCREW HEAD	30.56
EFT21840	20/06/2017	APACE AID (INC)	PLANTS FOR LEDGE POINT	1551.00
EFT21841	20/06/2017	HEMPFIELD SMALL MOTORS	2 NEW WATER PUMPS	1765.00
EFT21842	20/06/2017	GOLDFIELDS DEANS AUTOGLASS	SUPPLY & FIT WINDSCREEN TO GG046	605.00
EFT21843	20/06/2017	COVS PARTS PTY LTD	GG063 SCHEDULED SERVICE	258.40
EFT21844	20/06/2017	OFFICEWORKS	PRINTER	349.00
EFT21845	20/06/2017	GUTTER CLEAN PERTH	GUTTER CLEANING	8140.00
EFT21846	20/06/2017	CLASSIC COUNTRY TILING	PAINTING OF ABLUTIONS	4290.00
EFT21847	20/06/2017	WANT PLUMBING SERVICES	EMERGENCY PLUMBING REPAIRS	2705.00
EFT21848	20/06/2017	MARKETFORCE PRODUCTIONS	ADVERTISING	190.59
EFT21849	20/06/2017	GULL GINGIN	CATERING	68.00
EFT21850	20/06/2017	ECOWATER SERVICES	BARE DIAPHRAGM SET HP200	839.30
EFT21851	20/06/2017	MOORE RIVER SKIP BINS	TRANSPORT OF RECYCLABLES	1320.00
EFT21852	20/06/2017	JOHN DUPONT	GATE FOR ACCESS TO THE DOG POUND	777.70
EFT21853	21/06/2017	COO-EE COURIERS	FREIGHT	125.94
EFT21854	21/06/2017	KUSTERS, THOMAS	CLEAN LINE AT LANCELIN DEPOT	1154.50
EFT21855	21/06/2017	LEDGE POINT HARDWARE	SPRINKLERS FOR LA PARKS	470.00
EFT21856	21/06/2017	ADVANCED TRAFFIC MANAGEMENT	TRAFFIC CONTROL	1899.98
EFT21857	21/06/2017	LANCELIN GULL ROADHOUSE	FUEL	666.05
EFT21858	21/06/2017	GINGIN TREE SERVICES PTY LTD	TRIM TREES	14630.00
EFT21859	21/06/2017	OUTDOOR WORLD SHEDFORCE LA	RAINBORD RETICULATION CONTROLLER	355.00
EFT21860	21/06/2017	TROY'S PLUMBING PTY LTD	LEAKING PIPE TO CISTERN AT G DARLING	71.50
EFT21861	21/06/2017	JASON INDUSTRIES & SIGNMAKERS	MULTI MESSAGE SIGN ORDER	6289.14
EFT21862	21/06/2017	LANCELIN TRADE & RURAL SUPPLIES	MAY ACCOUNT 2017	2915.98
EFT21863	21/06/2017	MOORE RIVER ROADHOUSE	ACCOUNT 2017	498.26
EFT21864	21/06/2017	OMEGA ASPHALT	SHIRE OF GINGIN CEMETERY ASPHALT	17999.30
EFT21865	21/06/2017	STEWART AND HEATON CLOTHING	PPE	119.52
EFT21866	21/06/2017	GRAHAM LESLIE RIVERS	REIMBURSEMENT FOR BROKEN GLASSES	539.10
EFT21867	21/06/2017	CU@PARK	CLEANING OF ABLUTION	627.56
EFT21868	21/06/2017	DUDLEY CHEMICALS PTY LTD	CLEANING MATERIALS AND CHEMICALS	4994.99
EFT21869	21/06/2017	VERENA (FRAN) HAENNI	PLANTS FOR POOL GARDEN	130.53
EFT21870	21/06/2017	COASTLINE CLEANING SERVICES	CLEANING OF ABLUTION BLOCKS	4388.00
EFT21871	21/06/2017	TRUCK CENTRE WA PTY LTD	HEAD LIGHT	35.96
EFT21872	21/06/2017	OUTDOOR WORLD SHEDFORCE LA	INSTALLATION OF ROLLER DOOR	1527.00
EFT21873	21/06/2017	MR FLOORS & FURNISHINGS	BLINDS AND SKIRTING BOARDS	1120.00
EFT21874	21/06/2017	SHIELDS POWER CLEAN	CLEANING HALL AND BUS	1500.00
EFT21875	21/06/2017	GINGIN FUEL AND TYRES	GLYPHOSATE GREEN (PALLET)	4493.36
EFT21876	21/06/2017	JASON INDUSTRIES & SIGNMAKERS	DFES DOOR DECALS	117.15
EFT21877	21/06/2017	LANCELIN TRADE & RURAL SUPPLIES	MAY 2017 ACCOUNT	97.80
EFT21878	14/06/2017	SHIRE OF GINGIN CREDIT CARDS	MAY TRANSACTIONS - JUNE 2017 INVOICE	4548.31
EFT21880	22/06/2017	BUILDING COMMISSION	BUILDING COMMISSION MAY 2017	2296.06
EFT21881	22/06/2017	GINGIN CRC	MID YEAR GRANT	1383.80
EFT21882	22/06/2017	HELEN MARIE SAMPSON	WASTE MANAGEMENT	2411.60
EFT21883	22/06/2017	GFA B	GG088 NCHAIN HINGES/MODIFY TRAILER	478.50
EFT21884	22/06/2017	LEDGE'S KANGA AND SKIP BIN HIRE	SKIP BIN HIRE FOR LANCELIN JETTY	1760.00
EFT21885	22/06/2017	KEVIN VINE	CLEANING SERVICES	3380.54
EFT21886	22/06/2017	CANOPIES WA	GG046 NEW CANOPY FOR UTE	2950.00
EFT21887	22/06/2017	GRO-TURF PTY LTD	TURF MAINTENANCE - APRIL 2017	34392.08
EFT21888	23/06/2017	DAVE'S PROPERTY IMPROVEMENTS	CHANGING PLACES FACILITY - 2ND PAY	51565.50
EFT21889	23/06/2017	SORENSEN SHORT AND ASSOCIATES	MONITORING SEABIRD SEAWALL	1991.00
EFT21890	23/06/2017	SUNNY SIGNS COMPANY PTY LTD	SIGNS	20.90
EFT21891	23/06/2017	JANET RUTH RICHARDS	CATERING FOR PLANTING DAY	150.00
EFT21892	23/06/2017	TROY'S PLUMBING PTY LTD	INSTALL A NEW 'DUMP EZI' DUMP POINT	3742.90
EFT21893	23/06/2017	PEDDERS SUSPENSION	WHEEL ALIGNMENT	99.00
EFT21894	23/06/2017	COVS PARTS PTY LTD	BATTERY CHARGERS	964.03
EFT21895	23/06/2017	HERITAGE ADVICE AUSTRALIA PTY LTD	FINALISATION OF CHMP	1481.44
EFT21896	23/06/2017	STRATAGREEN	SEABIRD SEAWALL REHABILITATION	1231.21
EFT21897	23/06/2017	COURIER AUSTRALIA	FREIGHT	143.93
EFT21898	23/06/2017	MCINTOSH AND SON	PGG006 NEW REAR BONNET CATCH	191.49
EFT21899	23/06/2017	PHILLIP BRUCE BARRETT	REIMBURSEMENT FOR FUEL	380.00
EFT21900	26/06/2017	RYLAN PTY LTD	INSTALL KERB KING DRIVE WOODRIDGE	5135.90
EFT21901	26/06/2017	DARRYL BRENDON FERGUSON	GRADE BEERMULLAH WEST ROAD	1355.75
EFT21902	26/06/2017	GULL GINGIN	CATERING	455.20
EFT21903	26/06/2017	FV & M SMIT TRUST ACCOUNT	DOCTOR'S SUPPORT	2299.48
EFT21904	26/06/2017	LANCELIN IGA XPRESS	MAY 2017 ACCOUNT	157.59
EFT21905	26/06/2017	ECERTIT (COMPUTER TRAINING)	IT TRAINING BUNDLE FROM ECERTIT	1373.90
EFT21906	26/06/2017	WEST COAST SHADE PTY LTD	SHADE SAIL TO TODDLER POOL ENTRY	30657.00
EFT21907	26/06/2017	M P ROGERS & ASSOCIATES PTY LTD	LANCELIN BOAT RAMP CONCEPT DESIGN	1741.88

EFT21908	26/06/2017	GINGIN PREMIUM MEATS	CATERING	155.00
EFT21909	26/06/2017	WANT PLUMBING SERVICES	GINGIN BRITISH CAR DAY - PLUMBING CALL	330.00
EFT21910	26/06/2017	DARRYL BRENDON FERGUSON	RETENTION BASIN & CHAIN WIRE FENCE	66550.00
EFT21911	26/06/2017	LEDGE POINT COMMUNITY ASS	COMMUNITY GRANT	1000.00
EFT21912	26/06/2017	LEDGE POINT HARDWARE	CONCRETE	35.50
EFT21913	26/06/2017	SOVEREIGN HILL COMMUNITY ASS	2016/2017 CLEANING/MOWING	4440.00
EFT21914	26/06/2017	ADVANCED TRAFFIC MANAGEMENT	TRAFFIC CONTROL	3638.26
EFT21915	26/06/2017	NEERGABBY COMMUNITY ASS	FIREWORKS NIGHT - COMMUNITY GRANT	3575.00
EFT21916	26/06/2017	FORPARK AUSTRALIA	PLAYGROUND EQUIP AT THE SHCA HALL	1694.00
EFT21917	26/06/2017	GINGIN FUEL AND TYRES	GG034 NEW TYRE FOR MOWER	225.00
EFT21918	26/06/2017	GINGIN PANEL AND PAINT	GG046 NEW WELL BODY FOR UTE	1100.00
EFT21919	26/06/2017	LEDGE POINT COUNTRY CLUB INC	COMMUNITY GRANT	2249.82
EFT21920	26/06/2017	STATE LAW PUBLISHER	ADVERTISING	3855.10
EFT21921	26/06/2017	SEABIRD VFB	SEABIRD HAZARD REDUCTION BURN	300.00
EFT21922	26/06/2017	RED GULLY BUSHFIRE BRIGADE	GUILDERTON HAZARD REDUCTION BURN	1000.00
EFT21923	26/06/2017	GUILDERTON VOLUNTEER BFB	GUILDERTON HAZARD REDUCTION BURN	1750.00
EFT21924	26/06/2017	GFAB	INSTALL DISABLED ACCESS RAMP	940.50
EFT21925	26/06/2017	IRIS CONSULTING GROUP	RECORDS DISPOSAL C CHADWICK	420.00
EFT21926	26/06/2017	GINGIN TRADING	ACCOUNT 2017	249.50
EFT21927	26/06/2017	GUILDERTON GENERAL STORE	CATERING	445.23
EFT21928	26/06/2017	VERNICE PTY LTD	CRUSH 3,000 TONNES OF GRAVEL	40524.00
EFT21929	28/06/2017	DALLCON	BOX DRAINAGE PRODUCTS	57535.50
EFT21930	28/06/2017	ANSPACH	TRUCK HIRE	32447.25
EFT21931	28/06/2017	AVON WASTE	WASTE COLLECTION	10581.70
EFT21932	28/06/2017	ADVANCED TRAFFIC MANAGEMENT	TRAFFIC CONTROL	7757.49
EFT21934	28/06/2017	KLEENHEAT GAS PTY LTD	LPG BULK REFILL FOR THE LA C PARK	1214.84
EFT21935	28/06/2017	LANCELIN SANDS	CONCRETE SOAK WELLS IN GU C/PARK	10756.32
EFT21936	28/06/2017	VERNICE PTY LTD	TEST HOLE ON FYNES ROAD	484.00
EFT21937	28/06/2017	MICHAEL ASPINALL	TRAVEL	807.44
EFT21938	28/06/2017	MOORE RIVER ELECTRICAL	FLURO LIGHTS, EXHAUST FAN LA DEPOT	473.00
EFT21939	28/06/2017	VALERIE JOY AMMON	TRAVEL	481.86
EFT21940	28/06/2017	WA POLICE SERVICE	POLICE CLEARANCE CHECKS	29.80
EFT21941	28/06/2017	ROAD SIGNS AUSTRALIA	GUILDERTON CARPARK SIGNAGE	3327.50
EFT21942	28/06/2017	SANDRA SMILES	TRAVEL	685.91
EFT21943	28/06/2017	RAVI CONCRETE CONTRACTORS	CONCRETE FORM WORK FOR PATHING	2126.00
EFT21944	28/06/2017	FRANK JOSEPH PECZKA	TRAVEL	329.57
EFT21945	28/06/2017	GINGIN PREMIUM MEATS	CATERING	154.91
EFT21946	28/06/2017	GINGIN TRADING	SPRINKLERS FOR PARKS	4189.92
EFT21947	28/06/2017	HITACHI	GG001 GRADER 250 HR SERVICE KIT	546.78
EFT21948	28/06/2017	MIDLAND SNAP ON	REPLACEMENT TOOLS	83.00
EFT21949	28/06/2017	ENZED PERTH	PGG072 NEW VALVE	587.19
EFT21950	28/06/2017	JCB CONSTRUCTION EQUIPMENT	PGG011 CLIPS AND WASHERS	104.75
EFT21951	28/06/2017	DVG WANNEROO MITSUBISHI	SERVICE PARTS	1168.00
EFT21952	28/06/2017	DIRECTIONS WORKFORCE	SALARY N MICALLEF	1771.06
EFT21953	28/06/2017	COVS PARTS PTY LTD	TRAILER PLUG AND SOCKET	64.15
EFT21954	28/06/2017	ASHDOWN- INGRAM	SUPPLIES FOR UTE FIT OUTS	993.74
EFT21955	28/06/2017	CANOPIES WA	NEW UTE LINERS FOR GG046 AND 5GG	1914.00
EFT21956	28/06/2017	HIGHGATE INDUSTRIES	GG088 COMPRESSOR, FLUSHING BOTTLE	2285.91
EFT21957	28/06/2017	GINGIN FUEL AND TYRES	GG034 NEW TYRE	281.30
EFT21958	28/06/2017	ROBBRO ROAD CONSTRUCTION	TRUCK HIRE	29631.25
EFT21959	28/06/2017	LGIS RISK MANAGEMENT	PREP OF GG BUSINESS CONTINUITY PLAN	2750.00
EFT21960	28/06/2017	LANCELIN CWA	REIMBURSEMENT OF ELECTRICITY	172.15
EFT21961	28/06/2017	JANICE COURT	TRAVEL	1303.16
EFT21962	28/06/2017	GINGIN CRC	ROOM HIRE AT THE CRC	210.00
EFT21963	28/06/2017	CU@PARK	CATERING	1388.00
EFT21964	28/06/2017	TUTT BRYANT	GG016 HOSE FOR INTERCOOLER	270.80
EFT21965	28/06/2017	CHITTING SEPTIC SERVICE	SEPTIC PUMPING	80.00
EFT21966	28/06/2017	REDBACK ELECTRICAL SERVICES	LOCATING AND MARKING UNDERGROUND I	1408.00
EFT21967	28/06/2017	GUILDERTON COUNTRY CLUB INC.	REIMBURSEMENT FOR ELECTRICITY	1803.50
EFT21968	28/06/2017	COLIN WAYNE FEWSTER	TRAVEL	1047.05
EFT21969	28/06/2017	AVON WASTE	WASTE COLLECTION	10508.60
EFT21971	28/06/2017	RECALL	RECORD RETENTION	193.14
EFT21972	28/06/2017	FRONTLINE FIRE EQUIPMENT	PPE	8920.70
EFT21973	29/06/2017	STEWART AND HEATON CLOTHING	PPE	1043.21
EFT21974	29/06/2017	ENZED PERTH	PGG022 TRAILER HYDRAULICS	231.00
EFT21975	29/06/2017	NICOLE SIEMON AND ASSOCIATES	SEABIRD SEAWALL - SPRAYING	330.00
EFT21976	29/06/2017	DVG WANNEROO MITSUBISHI	PGG046 REVERSE CAMERA	647.37
EFT21977	29/06/2017	ADVANCED TRAFFIC MANAGEMENT	TRAFFIC CONTROL	1657.43
EFT21978	29/06/2017	GINGIN TREE SERVICES PTY LTD	REMOVE TREE OVERHANGING BACKYARD	1760.00
EFT21979	29/06/2017	COVS PARTS PTY LTD	FUSE KIT	65.44
EFT21980	29/06/2017	DUNCAN SOLUTIONS	PEMS LICENCE FEE	132.00
EFT21981	29/06/2017	COURIER AUSTRALIA	FREIGHT	229.44
EFT21982	29/06/2017	GINGIN FUEL AND TYRES	GG009 1 NEW TYRE FOR FRONT OF VAN	341.30
EFT21983	29/06/2017	PAYWISE	VEHICLE LEASE	522.34
EFT21984	29/06/2017	RSPCA WA (INC.)	PAYROLL DEDUCTIONS	10.00
EFT21985	29/06/2017	LGRCEU (WA DIVISION)	PAYROLL DEDUCTIONS	82.00
EFT21986	29/06/2017	HIF	PAYROLL DEDUCTIONS	157.55
EFT21987	29/06/2017	SOCIAL CLUB TRUST	PAYROLL DEDUCTIONS	1359.00
EFT21988	29/06/2017	GRO-TURF PTY LTD	MOWING	67809.98
EFT21989	29/06/2017	MR FLOORS & FURNISHINGS	SUPPLY AND FIT NEW CARPET	1126.50
EFT21990	30/06/2017	PLANNING INSTITUTE AUSTRALIA	KYLIE BACON AFFILIATION WITH PLANNING	536.00
EFT21991	30/06/2017	WANT PLUMBING SERVICES	TWO HOT WATER UNITS	3855.50
EFT21992	30/06/2017	KUSTERS, THOMAS	SERVICE OF GAS FITTINGS	80.00
EFT21993	30/06/2017	STEWART PETER WILSON	RATES REFUND FOR ASSESSMENT A5620	602.90
EFT21994	30/06/2017	COMMERCIAL LOCKSMITHS	NEW MASTER KEY SYTEM	3920.84
EFT21995	30/06/2017	GFAB	PGG022 TRAILER MODIFICATIONS	462.00
EFT21996	30/06/2017	WHEELS & KEELS AUTO ELECTRICAL	ELECTRICAL WORK ON VEHICLES	3742.07
EFT21997	30/06/2017	GINGIN MEN'S SHED INC	MID YEAR GRANT	3300.00
EFT21998	30/06/2017	GINGIN ELECTRICAL PTY LTD	REPLACE SMOKE DETECTOR	239.25
EFT21999	30/06/2017	F&R CLASSIC CABINETS (WA) PTY LTD	KITCHENS TO CHALETs + SINKS AND TAPS	9047.50
EFT22000	30/06/2017	WOODRIDGE COMMUNITY ASSOC	POST OFFICE RENTAL REIMBURSEMENT	3000.00
EFT22001	30/06/2017	STEWART AND HEATON CLOTHING	PPE	422.03
EFT22002	30/06/2017	GINGIN CRC	HIRE OF CRC BOARDROOM	126.50
EFT22003	30/06/2017	LOWER MOORE RIVER GROUP	MID YEAR GRANT	5000.00
EFT22004	30/06/2017	MERCURY FIRE SAFETY PTY LTD	4AC BUNDED STORAGE PALLETS	4241.60
EFT22005	30/06/2017	SANDRA SMILES	REFUND OF BUILDING APPLICATION	157.65
EFT22006	30/06/2017	JB HI-FI	UHD LED LCD TV. OF FIRE SHED"	1236.10
EFT22007	30/06/2017	SCAVENGER FIRE AND SAFETY	THERMAL CAMERA	2303.40

EFT22008	30/06/2017 JASON INDUSTRIES & SIGNMAKERS	MATTE BLACK SELCALL NUMBERS	91.85
EFT22009	30/06/2017 LANCELIN SANDS	TRUCK HIRE	605.00
EFT TOTAL			1,242,349.16

CHEQUES

115220	01/06/2017 DONNA ELIZABETH HUGHES	RATES REFUND FOR ASSESSMENT A3273	1433.81
115221	01/06/2017 SHIRE OF GINGIN	PAY ENDING 30/5/2017	2220.00
115222	07/06/2017 SYNERGY	LA CARAVAN PARK	2935.15
115223	08/06/2017 WATER CORPORATION	LA CARAVAN PARK	13366.52
115224	08/06/2017 PERTHEXPO	FURNITURE DISPLAY SCREEN	291.06
115225	14/06/2017 UNICARE HEALTH	NEW CHAIR LA OFFICE	510.00
115226	14/06/2017 DEPT OF RACING GAMINGLIQUOR	GAMING FEE FOR LA HALL	74.00
115227	14/06/2017 COLIN JOHN HADFIELD	REFUND FOR INSPECTION OF PATIO	400.00
115228	14/06/2017 MINT TINT	OBSCURING FILM TO OFFICE WINDOWS.	220.00
115229	14/06/2017 ANDRE BURRESS	REFUND GU CPARK	116.50
115230	15/06/2017 SHIRE OF GINGIN	SALARIES & WAGES - PE 13.06.17	2220.00
115231	20/06/2017 GRAVITY DISCOVERY CENTRE	2016 SCIENCE FESTIVAL GRANT	2076.00
115232	20/06/2017 TELSTRA	FIRE FIGHTING PHONES AND DATA	205.24
115233	22/06/2017 OFFICE OF STATE REVENUE	REFUND CLAIM MADE IN ERROR	590.25
115234	23/06/2017 GINGIN MEDICAL CENTRE	FLU VAX	470.00
115235	23/06/2017 CITY OF GREATER GERALDTON	3000 SEEDLINGS - SB SEAWALL REHAB	8910.00
115236	26/06/2017 LILYDALE BOOKS	2 X TAFE BOOKS	137.85
115237	26/06/2017 UNITING CHURCH	COMMUNITY GRANT	2068.00
115238	26/06/2017 NILGEN VOLUNTEER BFB	SEABIRD HAZARD REDUCTION BURN	600.00
115239	26/06/2017 GINGIN WEST VOLUNTEER BFB	GUILDERTON HAZARD REDUCTION BURN	1250.00
115240	26/06/2017 LEDGE POINT VOLUNTEER BFB	GUILDERTON HAZARD REDUCTION BURN	1500.00
115241	26/06/2017 CONSTRUCTION TRAINING FUND	BCITF COLLECTION MAY 2017	3034.95
115242	28/06/2017 SYNERGY	LANCELIN CARAVAN PARK	3854.65
115243	28/06/2017 BINDOON AGENCIES	GG007 ANNUAL INSPECTION	154.25
115244	28/06/2017 LJ AND H HUGHES	WATER CHARGES LA OFFICE	148.00
115245	28/06/2017 OCEAN FARM VOLUNTEER BFB	SEABIRD HAZARD REDUCTION BURN	600.00
115246	28/06/2017 DEPT OF MINES AND PETROLEUM	DANGEROUS GOODS LICENCE	199.00
115247	29/06/2017 SHIRE OF GINGIN	PAY ENDING 27/6/2017	2220.00
115248	29/06/2017 SHIRE OF GINGIN	VEHICLE REGISTRATION	67223.15
115249	30/06/2017 JUDITH KAYE BRACK	RATES REFUND FOR ASSESS A987	568.91
115250	30/06/2017 MONTE, MICHELE	REFUND OF APPLICATION FEE	320.00
115251	30/06/2017 PETTY CASH SHIRE OF GINGIN	PETTY CASH RE-COUP JUNE 2017	681.55
115252	30/06/2017 PETTY CASH SHIRE OF GINGIN	EOFY SUSPENSE	1262.47
115253	30/06/2017 SHIRE OF GINGIN	BSL ACCOUNT EOFY 2017	4373.87
115254	30/06/2017 PETTY CASH SHIRE OF GINGIN	EOFY SHORT TERM BONDS	1050.00
115255	30/06/2017 SHIRE OF GINGIN	BSL EOFY 2017	423.32

CHEQUES TOTAL**127,708.50****DIRECT DEBIT**

DD21641.1	01/06/2017 SYNERGY	JONES ST, LEDGE POINT	281.55
DD21643.1	01/06/2017 SYNERGY	ROBERTSON ROAD, LEDGE POINT	787.70
DD21645.1	01/06/2017 SYNERGY	U A 3 DE BURGH ST, LEDGE POINT	86.65
DD21647.1	01/06/2017 FINES ENFORCEMENT REGISTRY	FER2401266 - 31/05/2017	174.00
DD21649.1	01/06/2017 FINES ENFORCEMENT REGISTRY	FER2401152 - MAY 2017	3074.00
DD21660.1	06/06/2017 WATER CORPORATION	4 FEWSTER ST, GG	92.33
DD21662.1	06/06/2017 WATER CORPORATION	57 LEFROY ST, GG	893.34
DD21664.1	06/06/2017 WATER CORPORATION	37A LEFROY ST, GG	445.94
DD21666.1	06/06/2017 WATER CORPORATION	3 FEWSTER ST, GG	126.15
DD21670.1	06/06/2017 WA TREASURY CORPORATION	LOAN 124A	15680.20
DD21673.1	06/06/2017 TELSTRA	GUILDERTON CARAVAN PARK	589.58
DD21682.1	07/06/2017 TELSTRA	OFFICE PHONE ACCOUNT - MAY 2017	2529.56
DD21690.1	08/06/2017 WATER CORPORATION	MEDICAL CENTRE	442.33
DD21692.1	08/06/2017 WATER CORPORATION	HALL AT 6 CONSTABLE ST, GG	72.19
DD21694.1	08/06/2017 WATER CORPORATION	SHIRE OFFICES - 15 MAR - 17 MAY 2017	139.87
DD21696.1	09/06/2017 WATER CORPORATION	GINGIN REC CENTRE - MAY 2017	448.94
DD21698.1	09/06/2017 WATER CORPORATION	AGED HOMES COMPLEX - GG	397.06
DD21700.1	09/06/2017 WATER CORPORATION	HOUSE AT GUILDERTON CARAVAN PARK	197.51
DD21702.1	09/06/2017 WATER CORPORATION	CU @ PARK - 1 WELD ST, GG	792.92
DD21704.1	09/06/2017 WATER CORPORATION	FIRE STATION - GINGIN - MAY 2017	6.77
DD21706.1	09/06/2017 T-QUIP	MONTHLY RENTAL - STREET SWEEPER	3771.83
DD21730.1	09/06/2017 ADVANCE OFFICE SOLUTIONS	QRTLTY PAYMENT - POSTAGE	643.50
DD21708.1	12/06/2017 TELSTRA	MOBILE TELEPHONE - EXECS & MANAGERS	1133.75
DD21718.1	13/06/2017 WATER CORPORATION	STANDPIPE - 60 KING DR, WOODRIDGE	54.14
DD21720.1	13/06/2017 WATER CORPORATION	WOODRIDGE HALL	568.51
DD21722.1	13/06/2017 WATER CORPORATION	SHED AT WOODRIDGE	9.02
DD21771.1	13/06/2017 CLICKSUPER	PAYROLL DEDUCTIONS	2800.65
DD21771.2	13/06/2017 CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	130.94
DD21771.3	13/06/2017 CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	120.30
DD21771.4	13/06/2017 CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	228.86
DD21771.5	13/06/2017 CLICKSUPER	PAYROLL DEDUCTIONS	468.63
DD21771.6	13/06/2017 CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	198.76
DD21771.7	13/06/2017 CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	198.76
DD21771.8	13/06/2017 CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	265.32
DD21771.9	13/06/2017 CLICKSUPER	PAYROLL DEDUCTIONS	696.54
DD21771.10	13/06/2017 CLICKSUPER	PAYROLL DEDUCTIONS	1140.54
DD21771.11	13/06/2017 CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	206.86
DD21771.12	13/06/2017 CLICKSUPER	PAYROLL DEDUCTIONS	496.21
DD21771.13	13/06/2017 CLICKSUPER	PAYROLL DEDUCTIONS	18529.15
DD21771.14	13/06/2017 CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	531.83
DD21771.15	13/06/2017 CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	745.60
DD21771.16	13/06/2017 CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	1256.84
DD21771.17	13/06/2017 CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	347.12
DD21771.18	13/06/2017 CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	148.44
DD21771.19	13/06/2017 CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	161.70
DD21745.1	14/06/2017 WATER CORPORATION	GUILDERTON CARAVAN PARK	5829.50
DD21748.1	14/06/2017 WATER CORPORATION	TOILETS AT MOORE RIVER	9.02
DD21750.1	14/06/2017 WATER CORPORATION	RESERVE - EDWARDS ST, GU	559.49
DD21752.1	14/06/2017 WATER CORPORATION	GUILDERTON HALL	332.76
DD21754.1	14/06/2017 WATER CORPORATION	SHOP AT GUILDERTON	626.34
DD21761.1	15/06/2017 WATER CORPORATION	FIRE STATION - SEABIRD	9.02

DD21763.1	15/06/2017	WATER CORPORATION	SEABIRD PARK	428.64
DD21765.1	15/06/2017	WATER CORPORATION	STANDPIPE - SEABIRD	41.74
DD21775.1	16/06/2017	WATER CORPORATION	LA STANDPIPE - 21 MAR - 25 MAY 2017	41.74
DD21777.1	16/06/2017	WATER CORPORATION	HYDRANT - LEDGE POINT RESERVE	15.79
DD21779.1	16/06/2017	WATER CORPORATION	PARK LEDGE POINT	45.12
DD21781.1	16/06/2017	WATER CORPORATION	CLUB AT LEDGE POINT	448.94
DD21789.1	16/06/2017	WATER CORPORATION	1/2 ATKINSON WAY LANCELIN	226.13
DD21791.1	16/06/2017	WATER CORPORATION	2/2 ATKINSON WAY, LANCELIN	219.79
DD21793.1	16/06/2017	WATER CORPORATION	3/2 ATKINSON WAY, LANCELIN	229.30
DD21795.1	16/06/2017	WATER CORPORATION	4/2 ATKINSON WAY, LANCELIN	232.47
DD21797.1	16/06/2017	WATER CORPORATION	5/2 ATKINSON WAY, LANCELIN	217.40
DD21799.1	16/06/2017	WATER CORPORATION	6/2 ATKINSON WAY, LANCELIN	222.16
DD21801.1	16/06/2017	WATER CORPORATION	7/2 ATKINSON WAY, LANCELIN	235.64
DD21803.1	16/06/2017	WATER CORPORATION	8/2 ATKINSON WAY, LANCELIN	234.06
DD21805.1	16/06/2017	WATER CORPORATION	9/2 ATKINSON WAY, LANCELIN	224.54
DD21807.1	16/06/2017	WATER CORPORATION	10/2 ATKINSON WAY, LANCELIN	256.78
DD21811.1	16/06/2017	WATER CORPORATION	11/2 ATKINSON WAY, LANCELIN	222.96
DD21813.1	16/06/2017	WATER CORPORATION	COMMON AREA - ATKINSON WAY	55.51
DD21815.1	16/06/2017	WATER CORPORATION	ADD SERVICE - 2 ATKINSON WAY	39.48
DD21822.1	19/06/2017	SYNERGY	STANDPIPE - REDFIELD PARK	639.65
DD21824.1	19/06/2017	SYNERGY	SOVEREIGN HILL DRIVE	116.20
DD21826.1	19/06/2017	SYNERGY	SOVEREIGN HILL	93.15
DD21828.1	19/06/2017	SYNERGY	WOODRIDGE HALL	1843.50
DD21742.1	19/06/2017	WA TREASURY CORPORATION	LOAN 120	19775.92
DD21830.1	20/06/2017	SYNERGY	EDWARDS ST, SEABIRD	29.05
DD21832.1	20/06/2017	SYNERGY	LOT 197 CHALON AVE, SEABIRD	1111.15
DD21834.1	20/06/2017	SYNERGY	EDWARDS ST, SEABIRD	116.55
DD21836.1	20/06/2017	WATER CORPORATION	PARK AT GINGIN RD, LANCELIN	1339.39
DD21838.1	20/06/2017	WATER CORPORATION	CLUB @ HOKPKINS ST, LANCELIN	278.68
DD21840.1	20/06/2017	WATER CORPORATION	TOILETS AT 4 HOPKINS ST, LANCELIN	110.54
DD21857.1	21/06/2017	SYNERGY	WANGAREE PARK	736.10
DD21859.1	21/06/2017	SYNERGY	GU CPARK RESIDENCE	317.60
DD21861.1	21/06/2017	SYNERGY	STANDPIPE GUILDERTON	384.90
DD21863.1	21/06/2017	SYNERGY	GUILDERTON - ABLUTIONS FORESHORE	73.30
DD21866.1	21/06/2017	WATER CORPORATION	CENTRE AT 131 GINGIN RD	144.38
DD21868.1	21/06/2017	WATER CORPORATION	TOILETS AT L500 FISHER WAY	72.19
DD21861.1	22/06/2017	SYNERGY	GUILDERTON FIRE SHED	158.50
DD21862.1	22/06/2017	SYNERGY	GABBADAH PAR	180.30
DD21863.1	22/06/2017	SYNERGY	STREET LIGHTING	10994.60
DD21864.1	22/06/2017	SYNERGY	LOT 47 CHALON AVE, SEABIRD	478.55
DD21865.1	22/06/2017	SYNERGY	BROCKMAN ST, GUILDERTON	356.00
DD21866.1	22/06/2017	WATER CORPORATION	LANCELIN DEPOT	27.07
DD21867.1	22/06/2017	WATER CORPORATION	PARK AT ATKINSON WAY	1401.50
DD21868.1	22/06/2017	WATER CORPORATION	LANCELIN HALL - 27 MAR - 31 MAY 2017	137.49
DD21900.1	23/06/2017	TELSTRA	LEDGE POINT VFB BIGPOND	25.95
DD21902.1	23/06/2017	TELSTRA	EXECUTIVE MOBILES	484.93
DD21905.1	23/06/2017	SENSIS PTY LTD	GU CARAVAN PARK - YELLOW PAGES LIST	81.40
DD21907.1	23/06/2017	WATER CORPORATION	LA STANDPIPE	43.99
DD21910.1	23/06/2017	WATER CORPORATION	HALL - HEFFRON WAY, GABBADAH	478.27
DD21912.1	23/06/2017	WATER CORPORATION	HALL AT SEAVIEW DRIVE, KARAKIN	6.77
DD21918.1	26/06/2017	TELSTRA	SEABIRD FIRE STATION	84.32
DD21920.1	26/06/2017	SYNERGY	60 KING DRIVE, WOODRIDGE	190.45
DD21949.1	27/06/2017	CLICKSUPER	PAYROLL DEDUCTIONS	2467.52
DD21949.2	27/06/2017	CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	97.77
DD21949.3	27/06/2017	CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	120.30
DD21949.4	27/06/2017	CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	228.86
DD21949.5	27/06/2017	CLICKSUPER	PAYROLL DEDUCTIONS	472.84
DD21949.6	27/06/2017	CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	198.76
DD21949.7	27/06/2017	CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	198.76
DD21949.8	27/06/2017	CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	283.26
DD21949.9	27/06/2017	CLICKSUPER	PAYROLL DEDUCTIONS	696.54
DD21949.10	27/06/2017	CLICKSUPER	PAYROLL DEDUCTIONS	1140.54
DD21949.11	27/06/2017	CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	206.87
DD21949.12	27/06/2017	CLICKSUPER	PAYROLL DEDUCTIONS	496.21
DD21949.13	27/06/2017	CLICKSUPER	PAYROLL DEDUCTIONS	18227.59
DD21949.14	27/06/2017	CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	531.83
DD21949.15	27/06/2017	CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	777.48
DD21949.16	27/06/2017	CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	1256.84
DD21949.17	27/06/2017	CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	347.12
DD21949.18	27/06/2017	CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	130.06
DD21949.19	27/06/2017	CLICKSUPER	SUPERANNUATION CONTRIBUTIONS	161.70
DD21938.1	28/06/2017	SYNERGY	NEERGABBY PARK	305.35
DD21940.1	28/06/2017	WATER CORPORATION	OCEAN FARM RESERVE	288.77
DD21942.1	28/06/2017	WATER CORPORATION	STANDPIPE - OCEAN FARM	39.48
DD21951.1	29/06/2017	SYNERGY	SEAVIEW DRIVE, KARAKIN	373.95
DD21952.1	29/06/2017	PHILLIP YUKICH	REFUND OF APPLICATION FEE	147.00

DIRECT DEPOSIT

144,704.45

TOTAL MUNICIPAL

1,514,762.11

TRUST

0.00

BANK STATEMENT TOTALS			
	STATEMENT DEBITS	BANK FEES AND CHARGES	1,713.99
	PAYS	WAGES AND SALARIES	278,777.83
	ELECTRONIC PAYMENTS	POLICE LICENCING	97681.15
		LA OFFICE RENT	643.38
		GG DOCTORS RESIDENCE	1,000.00
		FLEXIRENT	212.14
		LA DOCTORS RESIDENCE	1,600.00
		LA DOCTORS VEHICLE	623.52
			<u>382,252.01</u>
TOTAL EXPENDITURE			
			<u>1,897,014.12</u>
CREDIT CARD BREAK-UP			
May-17	BANK CHARGES	MONTHLY CARD FEE X 9	36.00
	REFRESHMENTS/RECEPTIONS	O/SIDE STAFF TOOLBOX MTG, EMCCS MTG WITH LA STAFF	295.00
	TRAINING/CONFERENCE	OHS - C CHADWICKS HENNINGS, WHITE CARD - TRAINEE, TAFE - O EDWARDS, VOLUNTEER FIRE TRAINING	1,403.70
	IT SUPPORT	DROPBOX, HEADSETS, WESTNET, TV WALL MOUNT	338.59
	LICENCING	PGG070 & PGG005 CHANGE OF PLATES	66.40
	UNIFORMS	INSIDE OFFICE STAFF - CASUALS	174.76
	VEHICLES	5GG FUEL, DONGLES	270.36
	STATIONERY	TONERS - CEO, DATE STAMP RECORDS, LANYARDS	215.32
	PARKING	CEO MTGS, SERVICE TRAINING	35.00
	OFFICE	FROST FILM PAYROLL OFFICE	21.98
	GUILDERTON CARAVAN PARK		
	CESM	DASHCAM FOR GG005	463.00
	CEO RESIDENCE	GAS BOTTLE REFILL	130.00
	LANCELIN CARAVAN PARK	LA CPARK UTE HIRE MONTHLY	1291.06
	REFUNDS	CAMPBELL (CEO)	<u>-188.86</u>
			<u>4,552.31</u>

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

CHIEF EXECUTIVE OFFICER

PRESIDENT

11.3. REGULATORY SERVICES

11.3.1 APPLICATION FOR DEVELOPMENT APPROVAL AND RETROSPECTIVE DEVELOPMENT APPROVAL - PROPOSED OUTBUILDING AND RETROSPECTIVE APPROVAL FOR THE PERMANENT USE OF A 20FT SEA CONTAINER, RURAL PURSUIT (KEEPING OF TEN HORSES) AND RECREATION PRIVATE (HORSE RIDING SCHOOL) ON LOT 58 (NO. 25) ASHBY ROAD, LENNARD BROOK

Item considered as first item of business by resolution of Council.

11.3.2 APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED ANCILLARY ACCOMMODATION ON LOT 199 NICKLAUS AVENUE, WOODRIDGE

FILE:	BLD/6824
APPLICANT:	COLIN GOFTON AND NICOLETTE GOFTON
LOCATION:	LOT 199 (NO. 173) NICKLAUS AVENUE, WOODRIDGE
OWNER:	COLIN GOFTON AND NICOLETTE GOFTON
ZONING:	RURAL LIVING 2
WAPC NO:	N/A
AUTHOR:	JAMES BAYLISS – COMPLIANCE/STATUTORY PLANNER
REPORTING OFFICER:	LISA EDWARDS – EXECUTIVE MANAGER PLANNING AND DEVELOPMENT
REPORT DATE:	18 JULY 2017
REFER:	NIL

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider a Development Application for a proposed Ancillary Accommodation on Lot 199 (No.173) Nicklaus Avenue, Woodridge.

BACKGROUND

The subject lot is 2 hectares in area and is zoned Rural Living 2. The site is bound by similar sized Rural Living zoned lots and comprises of an existing single house and outbuildings. The Shire issued conditional development approval for Bed and Breakfast to operate from the dwelling on 7 June 2017. The ancillary accommodation is not to be used for the Bed and Breakfast land use.

The applicant seeks to convert the existing garage into an ancillary dwelling. The proposal does not alter the exterior of the existing single house with the exception of the installation of windows and an entry door. The floor plan demonstrates that the room is completely self-contained with the provision of a kitchen, laundry, bathroom, living area, and two bedrooms.

The application is referred to Council for consideration due to the floor area exceeding that required as per Local Planning Policy 1.7 – Ancillary Accommodation (LPP 1.7).

A location plan, site plan, floor plan and elevations 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 surrounding landowners for a period of 14 days. The Shire did not receive any response from the advertising process.

PLANNING ASSESSMENT

Local Planning Scheme No. 9 (LPS 9)

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

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

LPS 9 outlines Ancillary Accommodation as a 'D' (Discretionary) use within Rural Living zoned land.

Local Planning Policy 1.7 – Ancillary Accommodation (LPP 1.7)

The proposal is subject to the provision of LPP 1.7, the objectives of which are to:

1. *Provide for a range of criteria that will distinguish an ancillary accommodation from independent additional dwellings in the Shire of Gingin;*
2. *To provide a form of housing that does not compromise the amenity and character of the locality.*

LPP 1.7 provides for ancillary accommodation to have the same meaning as 'ancillary dwelling' as defined in the Residential Design Codes, which states:

'Self-contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from the single house'.

The general policy provisions outlined in LPP 1.7 are provided below:

'2.1 An ancillary accommodation shall be associated with a Single House, which either exits or will be developed concurrently on the property'.

The proposed ancillary accommodation is associated with an existing single house located on the subject property.

'2.2 The development will not result in more than one ancillary accommodation being constructed on the property'.

The site currently contains a Single House with no ancillary accommodation.

'2.3 The plot ratio area of any ancillary accommodation shall not exceed 70m² except on lots greater than 4,000m² in area where the plot ratio area of any ancillary accommodation may be up to 100m²'.

The subject property is 20,271m² (2 hectares) and as such may accommodate an ancillary dwelling up to 100m². The proposed area dedicated to the ancillary accommodation is 144.6m² and is therefore non-compliant with LPP 1.7. It should be noted that the floor area dedicated to the ancillary accommodation is existing, although being used as a garage. The change of use from a garage to a habitable space will not result in any additional structures on the property or be visible on the exterior.

Given the overall floor area is existing, the proposal is considered to meet the objectives of LPP 1.7 outlined above. The amenity and character of Woodridge will be unaffected.

'2.4 An ancillary accommodation shall contain a bathroom, toilet, laundry and kitchen facility'.

The proposed ancillary accommodation contains the above facilities.

Planning in Bushfire Prone Areas

'State Planning Policy 3.7 – Planning in Bushfire Prone Areas' (SPP 3.7) provides a foundation for land use planning to address bushfire risk management. The subject lot is designated as being bushfire prone.

While the ancillary accommodation does not result in any additional structures being built onsite, it is considered a separate land use from the single dwelling and therefore results in the intensification of land use

In the event Council approves the application, a condition of the planning approval will require the Applicant to submit a BAL Assessment and in the event the BAL Assessment has a BAL Rating of 40 or higher, the proposal shall be provide a Bushfire Management Statement to be approved by the Shire of Gingin.

Servicing

Any additional servicing requirements will be the applicant's responsibility, however it is noted that the existing dwelling is connected to the relevant services.

Summary

In view of the above assessment Administration is of the view that the variation to the floor area (144.6m² in lieu off 100m²) is acceptable given the ancillary accommodation will be occupying an existing area of the dwelling. The proposal is consistent with the objectives of LPS 9 and Local Planning Policy 1.7 as the proposal does not alter the character or amenity of Woodridge.

Advice Notes

In the event that Council approve this Development Application, the following Advice Notes will apply:

- A. Further to this Approval, the Applicant will be required to submit working drawings and specification to comply with the requirements of the *Building Act 2011* and *Building Regulations 2012* and the *Public Health Act 2016*, which are to be approved by the Shire of Gingin.
- B. The applicant/landowner is advised to refer to the requirements of the *Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974*.

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

4.8 General Development Standards

4.8.5 Rural Living Zone

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

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>
Outcome	<i>3.3 High quality and well utilised community facilities and assets</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council grant Development Approval for the Proposed Ancillary Accommodation on Lot 199 (No. 173) Nicklaus Avenue, Woodridge, 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 otherwise conditioned by this approval;
2. This approval is for Ancillary Accommodation only as indicated on the approved plans; and
3. The Ancillary Accommodation is not to be used for any form of short stay accommodation including the existing bed and breakfast operating from the single dwelling.
4. A Bushfire Attack Level (BAL) Assessment shall be provided prior to the issuing of a Building Permit. In the event of the BAL being Level 40 or greater, a bushfire management statement shall be provided and approved by the Shire of Gingin prior to the commencement of development. The bushfire management statement, if required, shall be implemented to the satisfaction of the Shire of Gingin;
5. Prior to the commencement of site works for the development, the Applicant/Owner shall execute and provide to the Shire of Gingin a notification pursuant to Section 70A of the *Transfer of Land Act 1893* to be registered on the title to the land as notification to prospective purchasers that the proposed lot is located in a Bushfire Prone Area and may be subject to the Bushfire Management Statement.

RESOLUTION

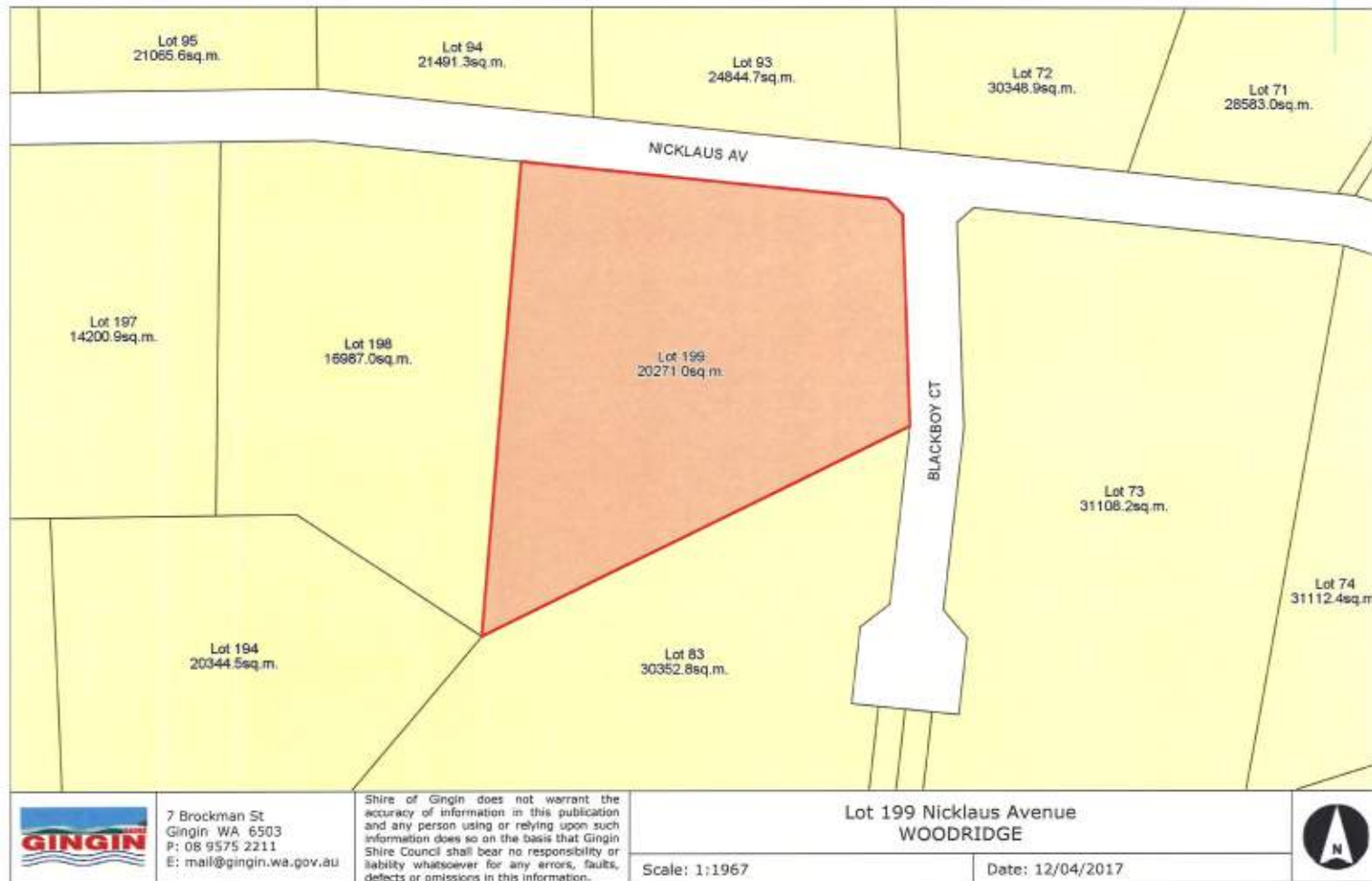
Moved Councillor Smiles, seconded Councillor Fewster that Council grant Development Approval for the Proposed Ancillary Accommodation on Lot 199 (No. 173) Nicklaus Avenue, Woodridge, subject to the following conditions:

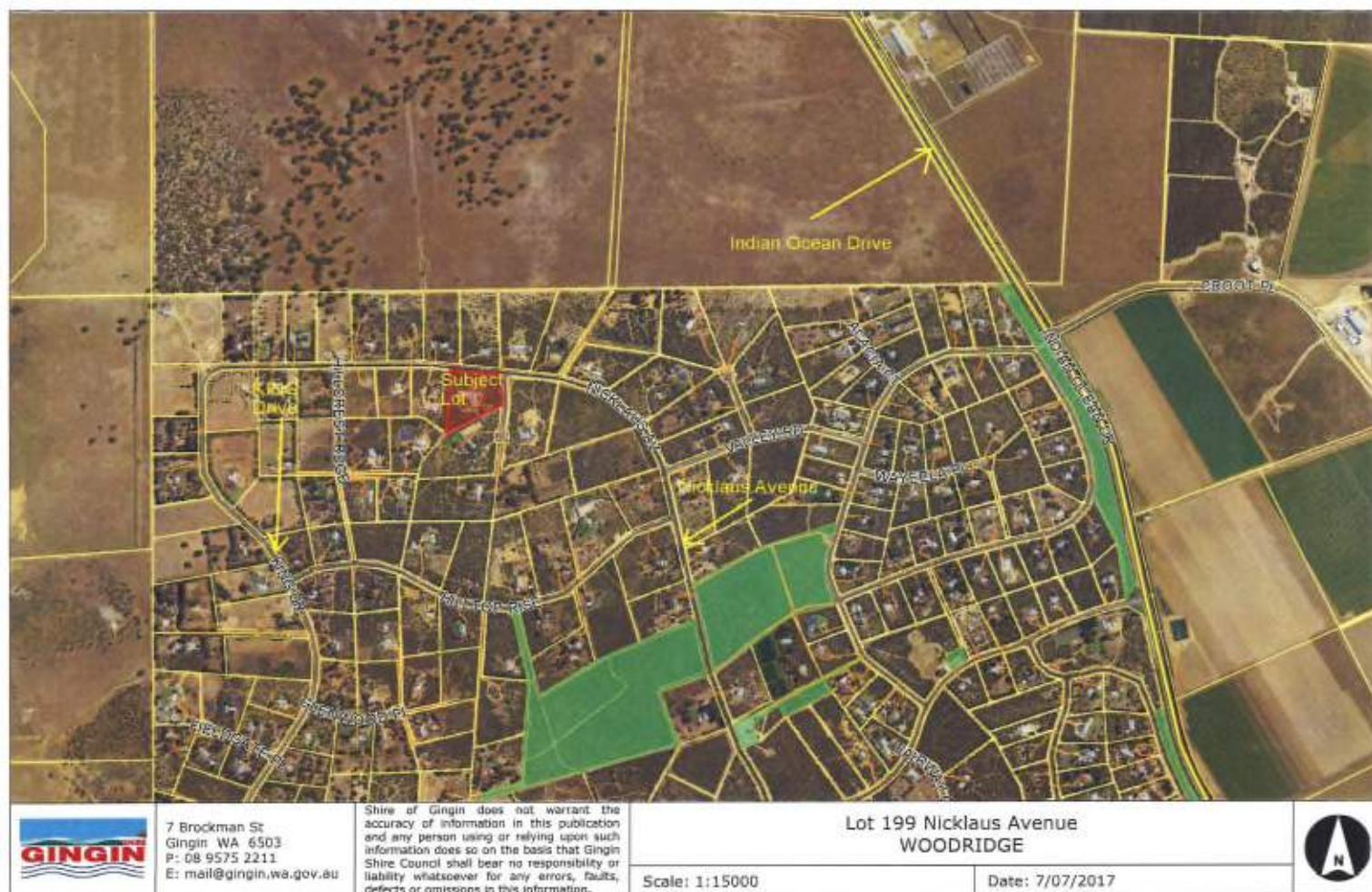
1. **The land use and development shall be in accordance with the approved plans and specifications (including any amendments marked in RED) unless otherwise conditioned by this approval;**

- 2. This approval is for Ancillary Accommodation only as indicated on the approved plans; and**
- 3. The Ancillary Accommodation is not to be used for any form of short stay accommodation including the existing bed and breakfast operating from the single dwelling.**
- 4. A Bushfire Attack Level (BAL) Assessment shall be provided prior to the issuing of a Building Permit. In the event of the BAL being Level 40 or greater, a bushfire management statement shall be provided and approved by the Shire of Gingin prior to the commencement of development. The bushfire management statement, if required, shall be implemented to the satisfaction of the Shire of Gingin;**
- 5. Prior to the commencement of site works for the development, the Applicant/Owner shall execute and provide to the Shire of Gingin a notification pursuant to Section 70A of the *Transfer of Land Act 1893* to be registered on the title to the land as notification to prospective purchasers that the proposed lot is located in a Bushfire Prone Area and may be subject to the Bushfire Management Statement.**

CARRIED UNANIMOUSLY

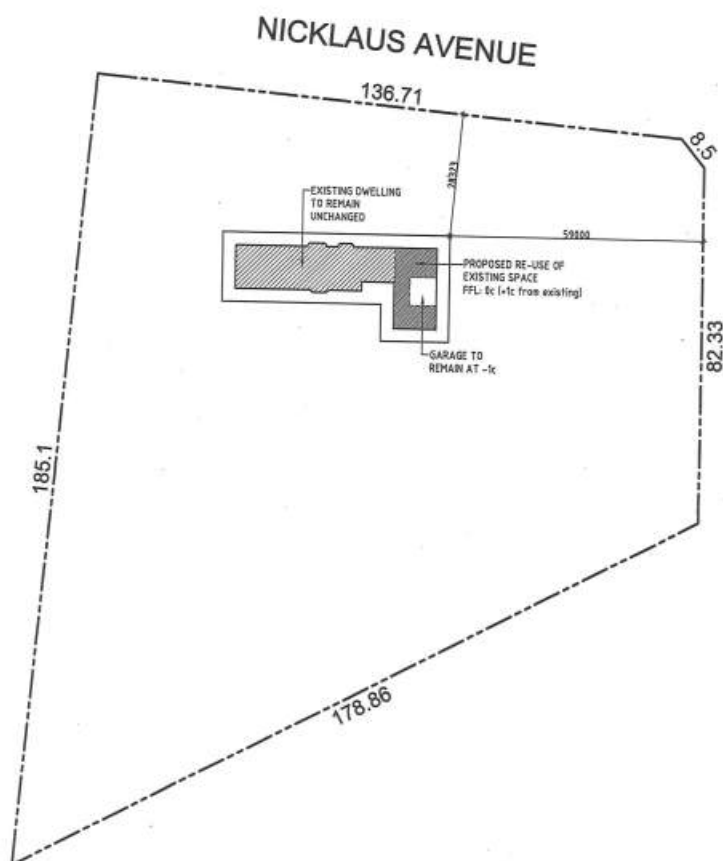
APPENDIX 1





10

SHIRE OF GINGIN	
SCAN #	RECEIVED
FILE #	1 JAN
DOC #	102 INT 1
OFFICER	#
SCAN #	#



1 SITE PLAN
A101 1:1000 AT A3



REV	DATE	COMMENTS
A	28-03-2016	CONSTRUCTION DRAWINGS



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www.gmdesign.net.au

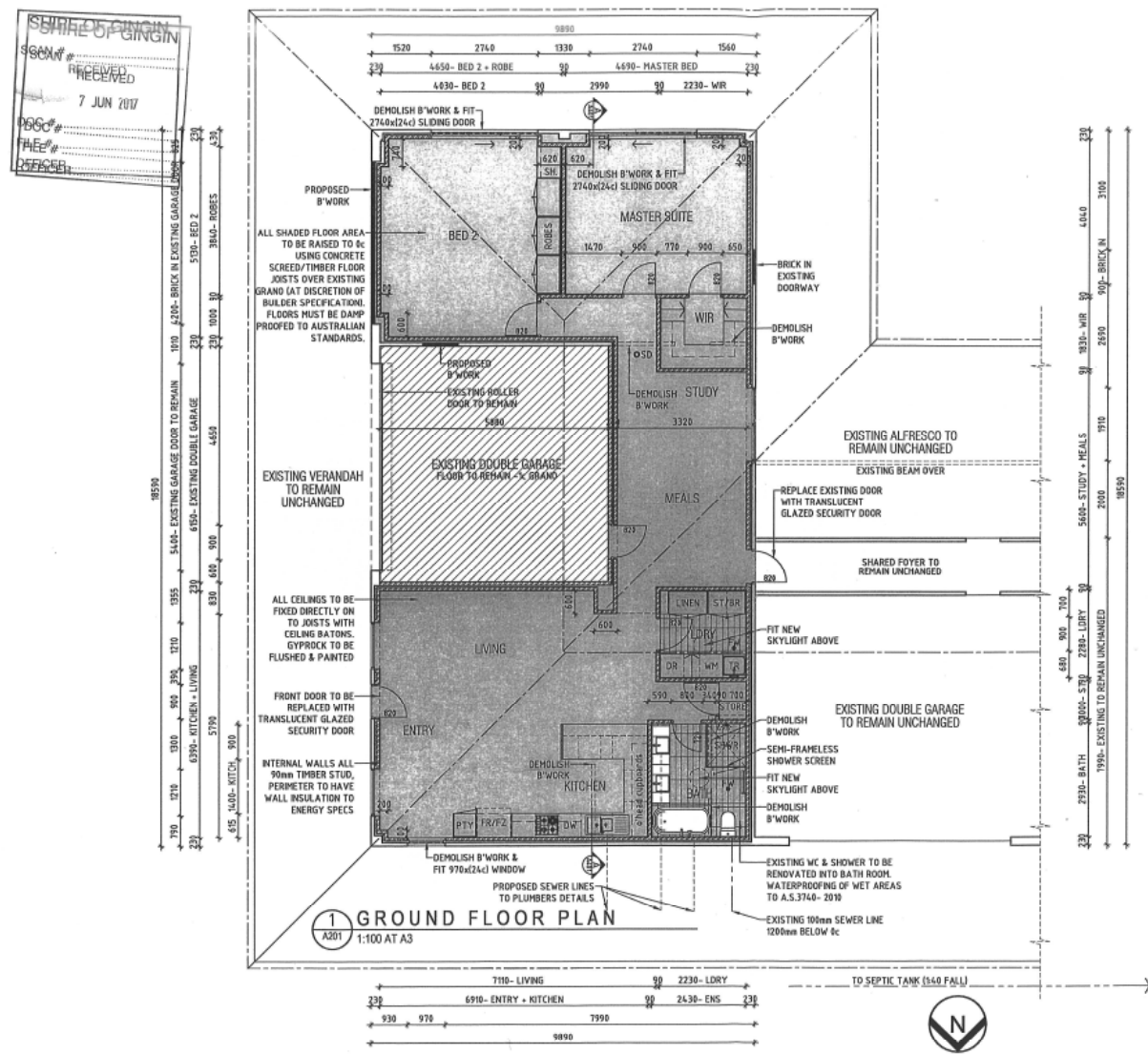
CONSTRUCTION DRAWINGS

DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN ALL DIMENSIONS. ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. OWNER SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

PROJECT:
GOFTON RE-USE
RE-USE OF AN EXISTING GARAGE & WORKSHOP
LOT 199 (4173) NICKLAUS AVENUE, WOODBRIDGE
CLIENT:
COLIN & NICKY GOFTON

DRAWING SITE PLAN

DRAWN:	G.M.	DATE:	28-03-2016
SCALE:	1:200	REVISION:	A
SHEET:	A3	DRAWING No:	A101
PROJECT No:			



AREA SCHEDULE	
GARAGE (existing)	39.24m ²
REMAINING FLOOR AREA	14.61m ²
TOTAL FLOOR AREA	93.85m ²
AREA OF FLOOR TO BE RAISED	137.17m ²
NEW WET FLOOR AREA	11.91m ²

A	20-03-2016	CONSTRUCTION DRAWINGS
REV	DATE	COMMENTS



GRAHAM MALONE
+61 8 (0)432 420 841
gmalonedesign@gmail.com
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CONSTRUCTION DRAWINGS

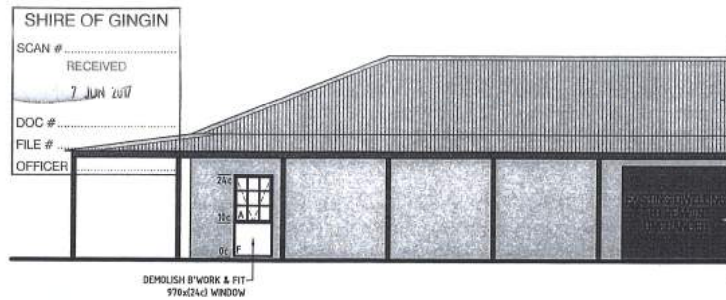
DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. OWNER SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

PROJECT:
GOFTON RE-USE
RE-USE OF AN EXISTING GARAGE & WORKSHOP
LOT 199 (B173) NICKLAUS AVENUE, WOODBRIDGE

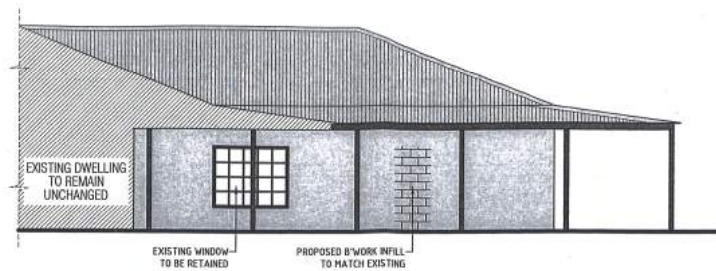
CLIENT:
COLIN & NICKY GOFTON

DRAWING:
FLOOR PLAN

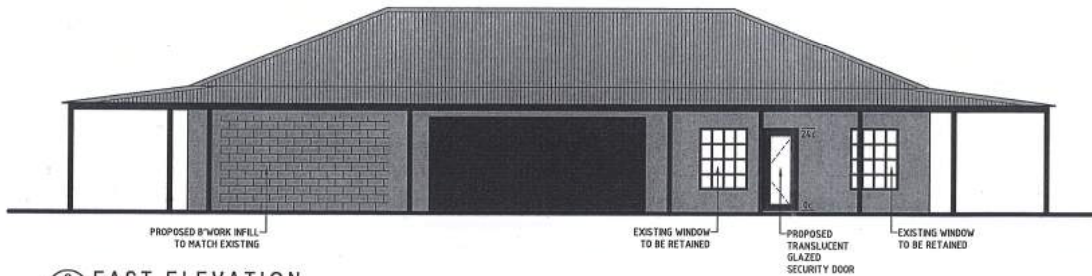
DRAWN: G.M.	DATE: 20-03-2016
SCALE: 1:100	REVISION: A
SHEET: A3	DRAWING No: A201
PROJECT No:	



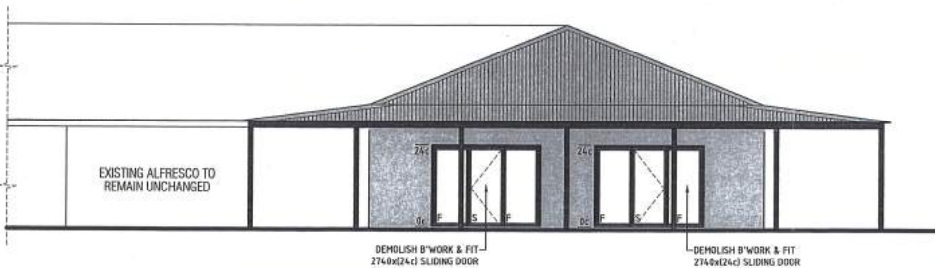
1 NORTH ELEVATION
A301 1:100 AT A3



4 WEST ELEVATION
A301 1:100 AT A3



2 EAST ELEVATION
A301 1:100 AT A3



3 SOUTH ELEVATION
A301 1:100 AT A3

A	20-03-2016	CONSTRUCTION DRAWINGS
REV	DATE	COMMENTS



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CONSTRUCTION DRAWINGS

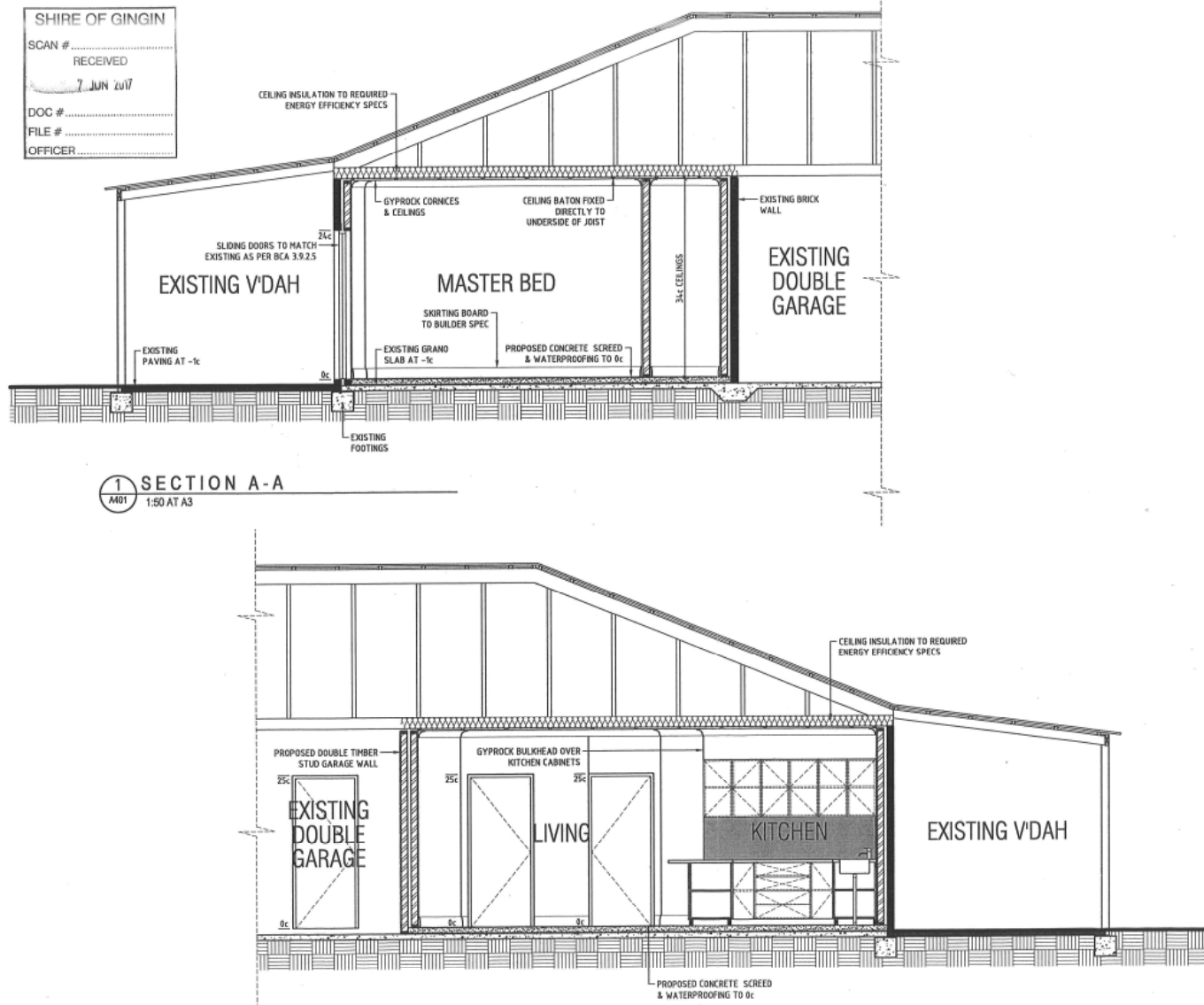
DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GIVEN. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL DIMENSIONS SHALL BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK. OWNER SHALL BE NOTIFIED IN WRITING OF ANY DISCREPANCIES. THIS DRAWING MUST BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS, REPORTS AND DRAWINGS.

PROJECT:
GOFTON RE-USE
RE-USE OF AN EXISTING GARAGE & WORKSHOP
LOT 199 181731 NICKLAUS AVENUE, WOODRIDGE

CLIENT:
COLIN & NICKY GOFTON

DRAWING:
ELEVATIONS

DRAWN	G.M.	DATE	20-03-2016
SCALE	1:100	REVISION	A
SHEET	A3	DRAWING No	A301
PROJECT No			



REV	DATE	COMMENTS
A	20-03-2016	CONSTRUCTION DRAWINGS



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CONSTRUCTION DRAWINGS

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PROJECT:
GOFTON RE-USE
RE-USE OF AN EXISTING GARAGE & WORKSHOP
LOT 199 (H173) NICKLAUS AVENUE, WOODBRIDGE

CLIENT:
COLIN & NICKY GOFTON

DRAWING SECTION A-A

DRAWN	G.M.	DATE	20-03-2016
SCALE	1:50	REVISION	A
SHEET	A3	DRAWING No.	A401
PROJECT No.			

11.3.3 APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED OVER HEIGHT OUTBUILDING ON LOT 169 (NO. 93) GINGIN ROAD, LANCELIN

FILE:	BLD/6841
APPLICANT:	NORTHWEST SHEDMASTERS PTY LTD
LOCATION:	LOT 169 (NO. 93) GINGIN ROAD, LANCELIN
OWNER:	WAYNE HADDON AND GAYNA HADDON
ZONING:	RESIDENTIAL R12.5/20
WAPC NO:	N/A
AUTHOR:	JAMES BAYLISS – COMPLIANCE / STATUTORY PLANNER
REPORTING OFFICER:	LISA EDWARDS – EXECUTIVE MANAGER PLANNING AND DEVELOPMENT
REPORT DATE:	18 JULY 2017
REFER:	NIL

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider a Development Application for a proposed Outbuilding on Lot 169 (93) Gingin Road, Lancelin (subject lot).

BACKGROUND

The Shire received a Development Application on 30 May 2017 for a proposed outbuilding at the subject lot, which is 1214.1m² in area and contains an existing dwelling. The outbuilding design is 12 metres in length, 10 metres in width (120m²) and has a wall height of 4.2 metres tapering to a ridge height of 4.9 metres. The outbuilding is located at the rear of the existing dwelling, setback 4.05 metres from the side (northern and southern) boundaries and 2 metres from the rear (eastern) boundary.

The original design of the Outbuilding was 13.5m in length, 11m in width (148.5m²) with a wall height of 4.8m and an overall height of 5.68m. Administration negotiated with the applicant and landowner to reduce the size of the Outbuilding and subsequently received amended plans. The amended design still proposes a variation to Local Planning Policy 2.1 – Residential Outbuildings (LPP 2.1) as the wall height is 4.2m in lieu of the required 3.6m. As such, Council consideration is required.

A location plan, site plan, floor plan and elevations are attached as **Appendix 1**.

COMMENT

Community Consultation

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

The Shire did not receive any response from the advertising process.

PLANNING ASSESSMENT

Local Planning Scheme No. 9 (LPS 9)

The subject lot is zoned Residential under LPS 9, the objectives of which are to:

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

Clause 5.2.2 states:

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

State Planning Policy 3.1 – Residential Design Codes of Western Australia

The subject lot is zoned Residential R12.5/20 under the Residential Design Codes of Western Australia (R-Codes). An outbuilding is defined as:

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

The outbuilding complies with the setback requirements as stipulated in 'Table 2a - Boundary Setbacks' of the R-Codes which requires a minimum 1.5m side and rear setback from the lot boundaries. The applicant has proposed a setback of 4.05 metres from the side boundaries and 2 metres from the rear boundary.

The deemed-to-comply provisions of the R-Codes relating to Outbuildings stipulate a wall height of 2.4m and an overall height of 4.2m is not to be exceeded. The wall height proposed is 4.2m with a ridge height of 4.9m. Given the proposal does not satisfy the deemed-to-comply provisions the application is assessed against the associated 'Design Principle' which states:

"Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties."

The existing streetscape remains relatively unaffected given the outbuilding is located at the rear of the lot. The large side and rear setback alleviates the impact to the amenity of adjoining properties. This notwithstanding, LPP 2.1 has prescribed maximum dimensions that have considered the Design Principle.

Local Planning Policy 2.1 – Residential Outbuildings

The Shire adopted Local Planning Policy 2.1 – Residential Outbuildings (LPP 2.1) in January 2013 to complement the provisions of the R-Codes relating to outbuildings to better reflect community expectations.

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

TOWNSITE	STANDARD	MAXIMUM	PROVIDED
Coastal town sites (1001m ² – 4000m ² lot sizes)	Area	120m ²	120m ² – compliant
	Wall Height	3.6m	4.2m – non-compliant
	Overall Height	5.0m	4.9m – compliant

The proposed development does not comply with the maximum wall height provided for in LPP 2.1 as outlined in the table above. There are no relevant objectives under LPP 2.1 to assess the variations against.

LPP 2.1 provides dimensions for the maximum allowable standards that are considered to be acceptable throughout the Shire as stated in Clause 3.5. The dimensions in the above table were created having regard to the Design Principles outlined in the R-Codes and the associated impacts in terms of building bulk / scale. The maximum standards were created to prevent unwanted built form and prescribed standards to prevent excessive outbuildings being constructed. Therefore any variation that exceeds these requirements does not satisfy the intent of the Policy.

Applicant's Justification

The applicant has advised that they seek a variation to the wall height outlined in LPP 2.1 to store a boat. The boat height on the trailer is approximately 3.6m *therefore a small clearance has been allowed for.*

A copy of the applicant's justification is attached as **Appendix 2**.

Conclusion

In summary, the application seeks variation to 'Local Planning Policy 2.1 – Residential Outbuildings' and the R-Codes. The variations are not considered to be in accordance with the intent of LPP 2.1 given the maximum allowable standards have been exceeded. The proposed application for an Outbuilding at the subject lot is not supported in this instance.

Advice Notes

In the event that Council approves the 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* and *Building Regulations 2012* and the *Public Health Act 2016*, which are to be approved by the Shire of Gingin.
- B. Any noise generated from the outbuilding is not to exceed the levels as set out under the *Environmental Protection (Noise) Regulations 1997*.
- C. This Approval is for the proposed Outbuilding only. In the 'Residential R12.5/20' zone, further approval is required for most land uses and building construction. The Shire's Planning Department should be contacted for further information.

STATUTORY ENVIRONMENT

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

Local Planning Scheme No. 9
State Planning Policy 3.1 – Residential Design Codes of Western Australia
Local Planning Policy 2.1- Residential Outbuildings

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>
Outcome	<i>3.3 High quality and well utilised community facilities and assets</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council refuse Development Approval for a Proposed Outbuilding on Lot 169 (No. 93) Gingin Road, Lancelin because the wall height of the Outbuilding does not comply with Local Planning Scheme No. 9 as the wall height exceeds that prescribed in Local Planning Policy 2.1 – Residential Outbuildings.

ALTERNATIVE MOTION

Move Councillor Ammon, seconded Councillor Elgin that Council grant Development Approval for a Proposed Outbuilding on Lot 169 (No. 93) Gingin Road, Lancelin subject to the following conditions:

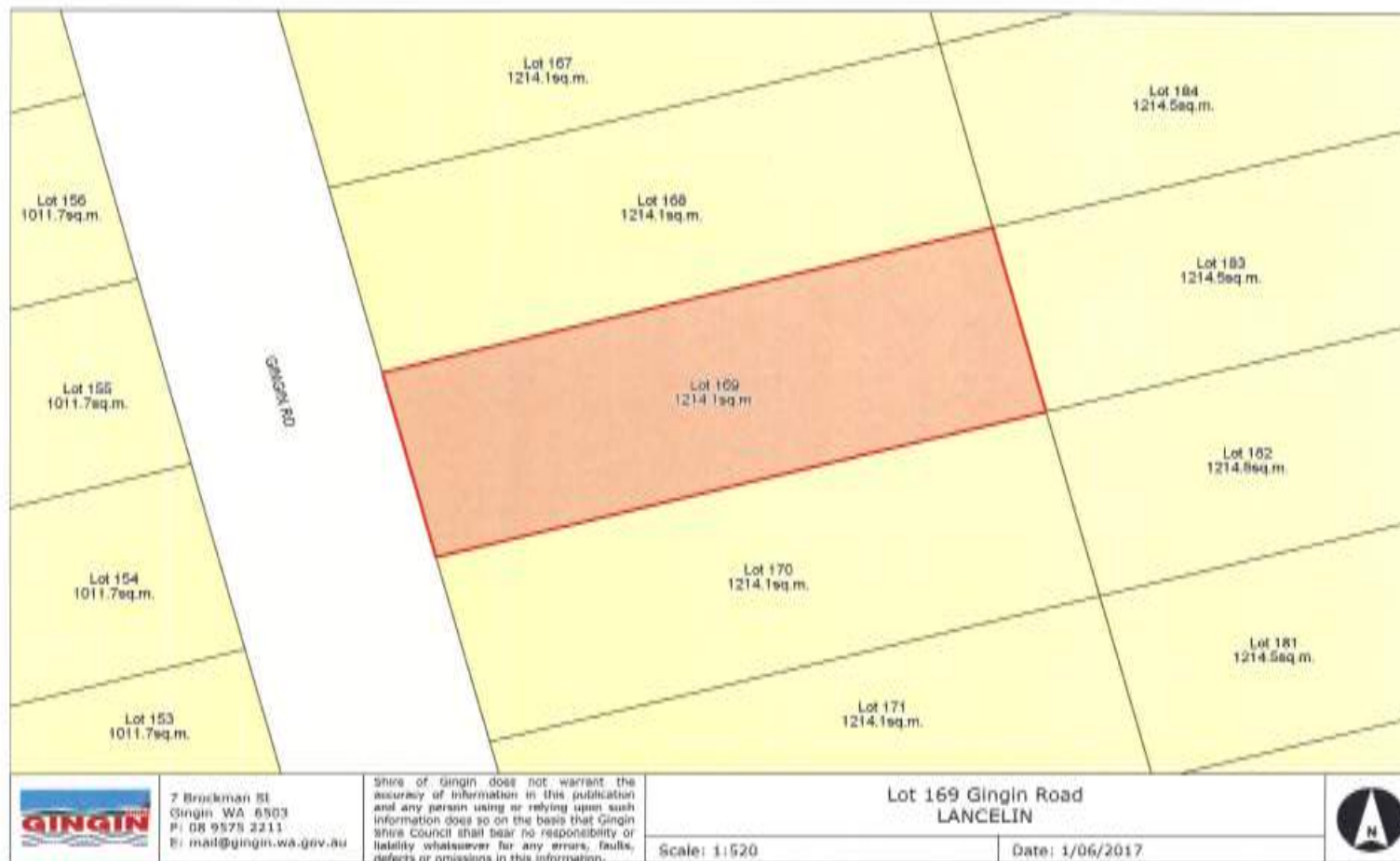
- 1. All development being in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;**
- 2. This Approval is for an Outbuilding only;**
- 3. The Outbuilding shall not be used for human habitation, commercial or industrial purposes; and**
- 4. Stormwater from all roofed and paved areas shall be collected and contained onsite to the satisfaction of the Shire.**

CARRIED UNANIMOUSLY

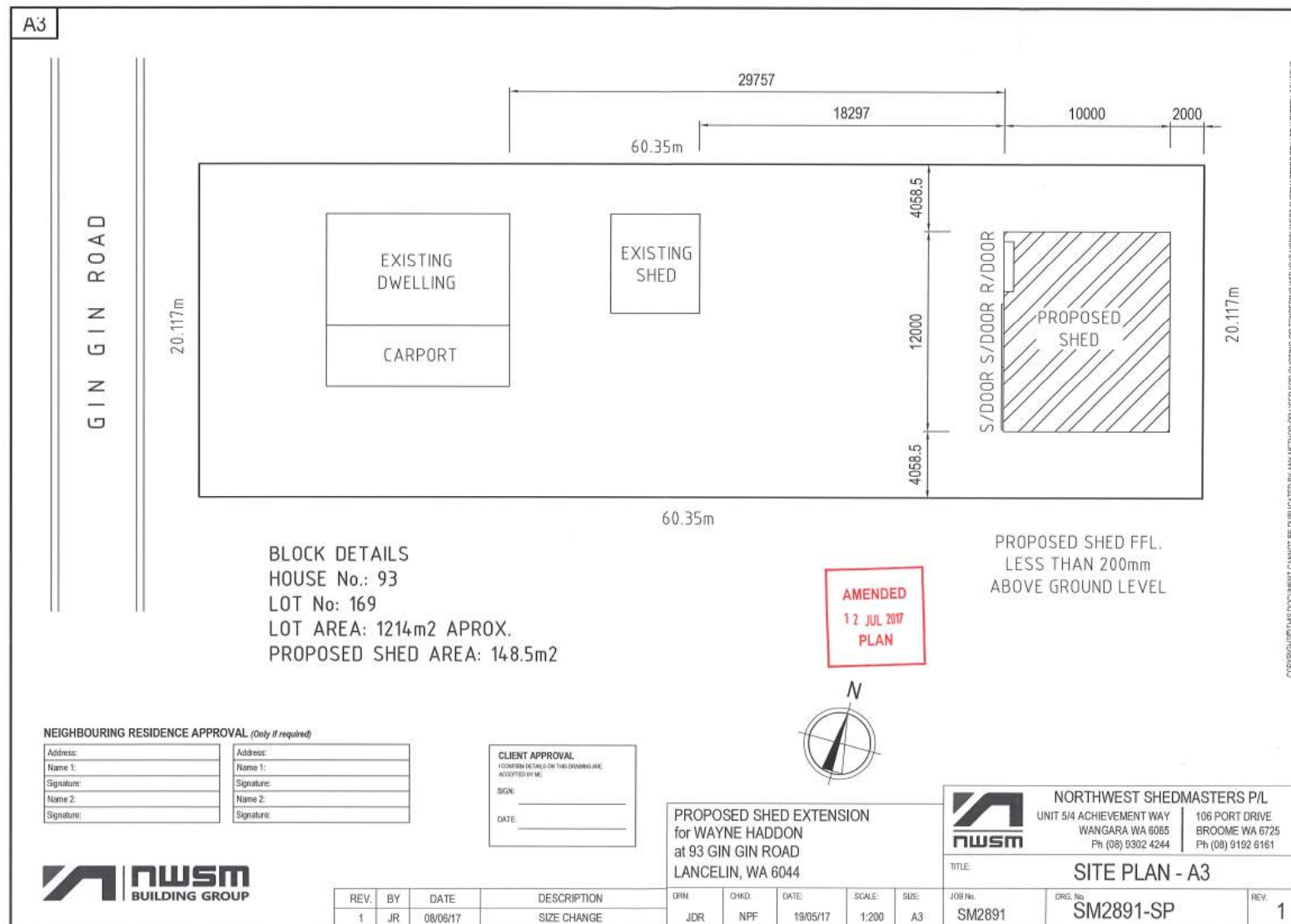
REASON FOR ALTERNATIVE MOTION

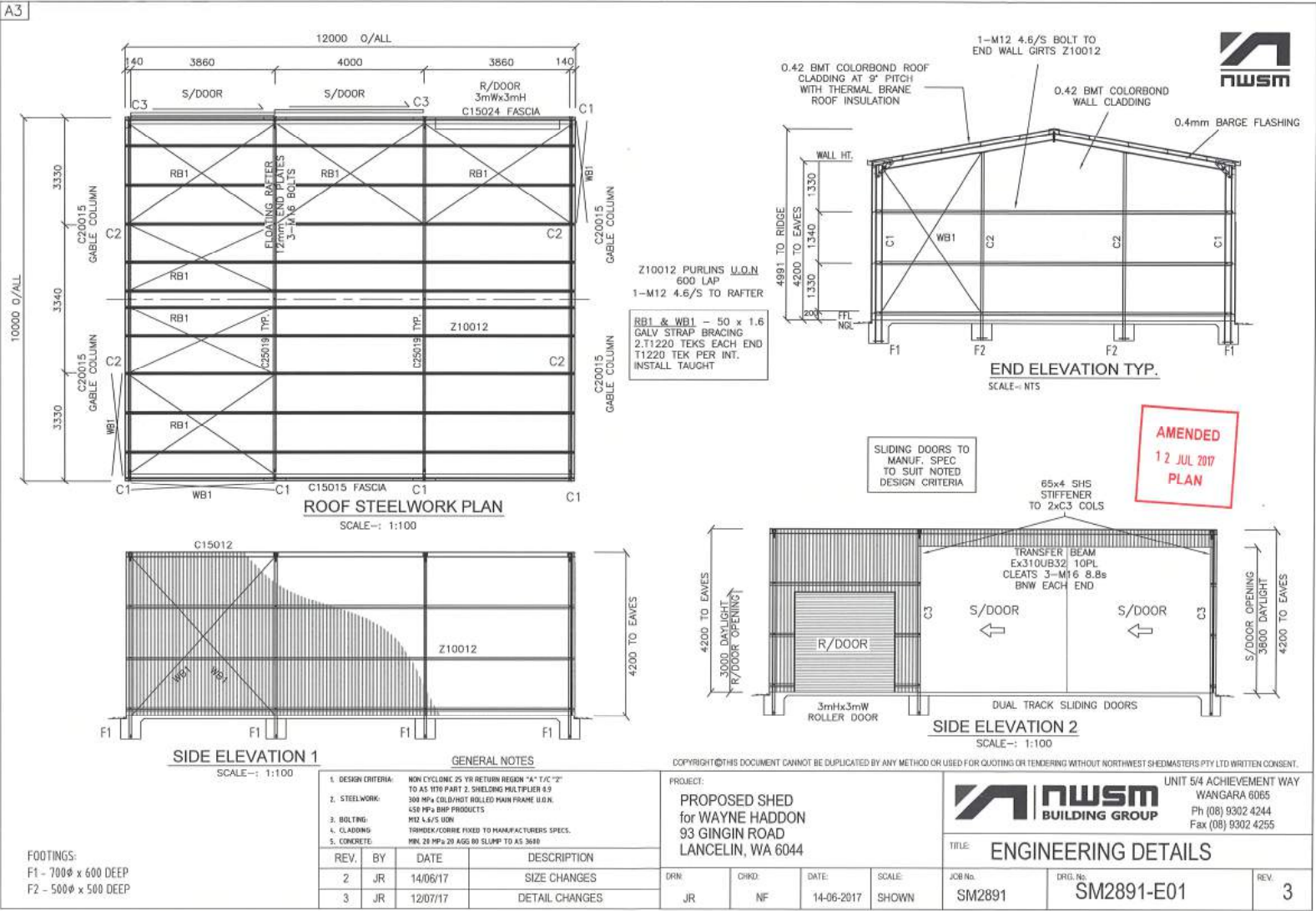
Council was of the view that the application should be approved, given that the shed would not be visible from the road or obstructing neighbouring properties.

APPENDIX 1











APPENDIX 2

12th July 2017

Gayna & Wayne Haddon
Lot 169 No 93 Gingin Road
Lancelin
WA 6044

New Proposed Gable Roof Shed

Dear Council,

Regarding the Development application for the proposed 10m Wide x 12m Long gable roof shed (120m²) that Northwest Shedmasters are constructing at (LOT 169) 93 Gingin Rd, Lancelin

The justification for the new proposed shed to have a wall height of 4.2m high. We've down sized the shed to comply with the max. area of 120m² & changed the pitch to suit, having the ridge/overall height under 5m. The reasoning we propose to have a wall height of 4.2m is for a clear opening access of 3.8m high. We require this access due to storage of our boat, trailer & future proposed caravan. We've lowered the wall height as much as we can, though the head room needed for the sliding doors is 400mm, hence why the 4.2m wall height to allow a 3.8m high opening. So having a 3.6m wall height would only allow for a 3.2m opening which not practical.

Regarding our residence, we've discussed & confirmed with our neighbours the proposed shed & it does not impose on our neighbours at all & we've come off our boundaries as best possible. Our Lot (LOT 169) has a large set-back in which we thought would be a positive & in no means does it affect the street scape.

We're happy to work with you to help reach what we propose. Understanding that we're trying to be as practical as possible.

Should you require any further information please feel free to contact me on 0400 200 864

Kind regards

Gayna & Wayne Haddon.

11.3.4 APPLICATION FOR DEVELOPMENT APPROVAL FOR A PROPOSED OVER SIZE OUTBUILDING ON LOT 277 (NO. 2) O'NEIL STREET, LANCELIN

FILE:	BLD/6787
APPLICANT:	NILS STOKKE AND KAREN STOKKE
LOCATION:	LOT 277 (NO. 2) O'NEIL, LANCELIN
OWNER:	NILS STOKKE AND KAREN STOKKE
ZONING:	RESIDENTIAL R12.5/20
WAPC NO:	N/A
AUTHOR:	JAMES BAYLISS – COMPLIANCE / STATUTORY PLANNER
REPORTING OFFICER:	LISA EDWARDS – EXECUTIVE MANAGER PLANNING AND DEVELOPMENT
REPORT DATE:	18 JULY 2017
REFER:	NIL

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider a development application for a proposed Outbuilding on Lot 277 (2) O'Neil Street, Lancelin (subject lot).

BACKGROUND

The Shire received a development application on 17 May 2017 for a proposed outbuilding at the subject lot, which is 993.4m² in area and contains an existing dwelling. The outbuilding is 14 metres in length, 6.5 metres in width (91m²) and has a wall height of 4.35 metres tapering to a ridge height of 4.98 metres. The outbuilding is located at the rear of the existing dwelling, setback 1 metre from the side (southern) and rear (western) boundary.

The application is referred to Council for consideration due to a variation to Local Planning Policy 2.1 – Residential Outbuildings (LPP 2.1). The application includes rescinding a previous development approval issued for an Outbuilding on the subject lot.

On 20 December 2016 the Shire issued development approval for a proposed Garage / Outbuilding at the subject lot which was located adjacent to the existing dwelling with a nil setback to the side boundary. The garage was intended to be used for the purpose of an outbuilding, however given the structure was attached to the existing dwelling it did not satisfy the definition of an outbuilding. The application was advertised to the adjoining landowner and no objections were raised. The proposal was subsequently approved under delegation. It should be noted that the development standards for a garage are different from those to an outbuilding.

In accordance with Schedule 2, Part 9, Clause 77 of the deemed provisions the landowner of which development approval has been granted can make an application to the local government to cancel the approval. The landowner has advised the Shire in writing that the previous approval referenced above will not be constructed and consents to the Shire cancelling the approval.

A location plan, site plan, floor plan and elevations are attached as **Appendix 1**.

COMMENT

Community Consultation

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

The Shire received one submission from an adjoining landowner advising of no objection to the proposal. The Schedule of Submissions and Recommended Responses has been included as **Appendix 2**.

PLANNING ASSESSMENT

Local Planning Scheme No. 9 (LPS 9)

The subject lot is zoned Residential under LPS 9, the objectives of which are to:

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

Clause 5.2.2 states:

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

State Planning Policy 3.1 – Residential Design Codes of Western Australia

The subject lot is zoned Residential R12.5/20 under the Residential Design Codes of Western Australia (R-Codes). An outbuilding is defined as:

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

The outbuilding varies the setback requirements as stipulated in 'Table 2a - Boundary Setbacks' of the R-Codes which requires a minimum 1.5m rear setback and a 1.1m side setback from the lot boundary. The applicant has proposed a 1m setback from the side and rear boundary.

The deemed-to-comply provisions of the R-Codes relating to Outbuildings stipulate a wall height of 2.4m and an overall height of 4.2m is not to be exceeded. The wall height proposed is 4.35m, a ridge height of 4.98m. Given the proposal does not satisfy the deemed-to-comply provisions the application is assessed against the associated 'Design Principle' which states:

'Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties'.

The existing streetscape remains relatively unaffected given the outbuilding is located in the furthest corner of the property from the primary / secondary street frontages. This notwithstanding, LPP 2.1 has prescribed maximum dimensions that have considered the above Design Principle.

Local Planning Policy 2.1 – Residential Outbuildings

The Shire adopted Local Planning Policy 2.1 – Residential Outbuildings (LPP 2.1) in January 2013 to complement the provisions of the R-Codes to better reflect community expectations.

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

TOWNSITE	STANDARD	MAXIMUM	PROVIDED
Coastal town sites (601m ² – 1000 m ² lot size)	Area Wall Height Overall Height	90m ² 3.6m 5.0m	91m ² – non-compliant (1m ² variation) 4.35m – non-compliant (0.75m variation) 4.98m – complies

The proposed development does not comply with the area or wall height provided for in LPP 2.1 as outlined in the table above. There are no relevant objectives under LPP 2.1 to assess the variations against.

LPP 2.1 provides dimensions for the maximum allowable standards that are considered to be acceptable throughout the Shire as stated in Clause 3.5. The dimensions in the above table were created having regard to the Design Principles outlined in the R-Codes and the associated impacts in terms of building bulk / scale. The maximum standards were created to prevent unwanted built form and prescribed standards to prevent excessive outbuildings being constructed. Therefore any variation that exceeds these requirements does not satisfy the intent of the Policy.

Applicant's Justification

"Dear Councillors,

I would like to bring to your attention the reasons I have applied to Council to have a wall height of 4.35m in lieu of the 3.6m requirement. The shed is to include a mezzanine floor as my Lot is 6.6sqm short of allowing a 120sqm shed of which I would prefer.

The proposed shed being 90sqm and the additional height would allow me to increase my storage capacity so I can utilise the area available to store my boat and trailer, camping gear, gardening equipment and have a room for my personal workshop as well as room to store the normal things people store.

- 1. The location of the shed is in the rear corner adjacent to the neighbours shed*
- 2. I have had no objection raised during the advertised period*
- 3. The overall height of the shed is compliant with Council*
- 4. The shed does not block any views*

I have been in Lancelin for nearly 60 years and involved in the fishing industry and from experience sheds are never big enough.

Hoping for a favourable response."

Conclusion

In summary, the application seeks variation to 'Local Planning Policy 2.1 – Residential Outbuildings' and the R-Codes. The variations are not considered to be in accordance with the intent of LPP 2.1 given the maximum allowable standards have been exceeded. The proposed application for an Outbuilding at the subject lot is not supported in this instance.

Advice Notes

In the event that Council approves the development 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* and *Building Regulations 2012* and the *Public Health Act 1911*, which are to be approved by the Shire of Gingin.
- B. Any noise generated from the outbuilding is not to exceed the levels as set out under the *Environmental Protection (Noise) Regulations 1997*.
- C. This Approval is for the proposed Outbuilding only. In the 'Residential R12.5/20' zone, further approval is required for most land uses and building construction. The Shire's Planning Department should be contacted for further information.

STATUTORY ENVIRONMENT

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

Local Planning Scheme No. 9
State Planning Policy 3.1 – Residential Design Codes of Western Australia
Local Planning Policy 2.1- Residential Outbuildings

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>
Outcome	<i>3.3 High quality and well utilised community facilities and assets</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY**RECOMMENDATION**

It is recommended that Council refuse Development Approval for a Proposed Outbuilding on Lot 277 (No. 2) O'Neil Street, Lancelin because the wall height of the Outbuilding does not comply with Local Planning Scheme No. 9 as the wall height exceeds that prescribed in Local Planning Policy 2.1 – Residential Outbuildings.

ALTERNATIVE MOTION

Moved Councillor Ammon, seconded Councillor Smiles that Council:

- 1. Cancel Development Approval issued on 20 December 2016 for an Outbuilding / Garage (P 1475) on Lot 277 (No. 2) O'Neil Street, Lancelin.**
- 2. Grant Development Approval for a Proposed Outbuilding on Lot 277 (No. 2) O'Neil Street, Lancelin subject to the following conditions:**
 - a. All development being in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;**
 - b. This Approval is for an Outbuilding only;**
 - c. The Outbuilding shall not be used for human habitation, commercial or industrial purposes; and**
 - d. Stormwater from all roofed and paved areas shall be collected and contained onsite to the satisfaction of the Shire.**

CARRIED
7-1

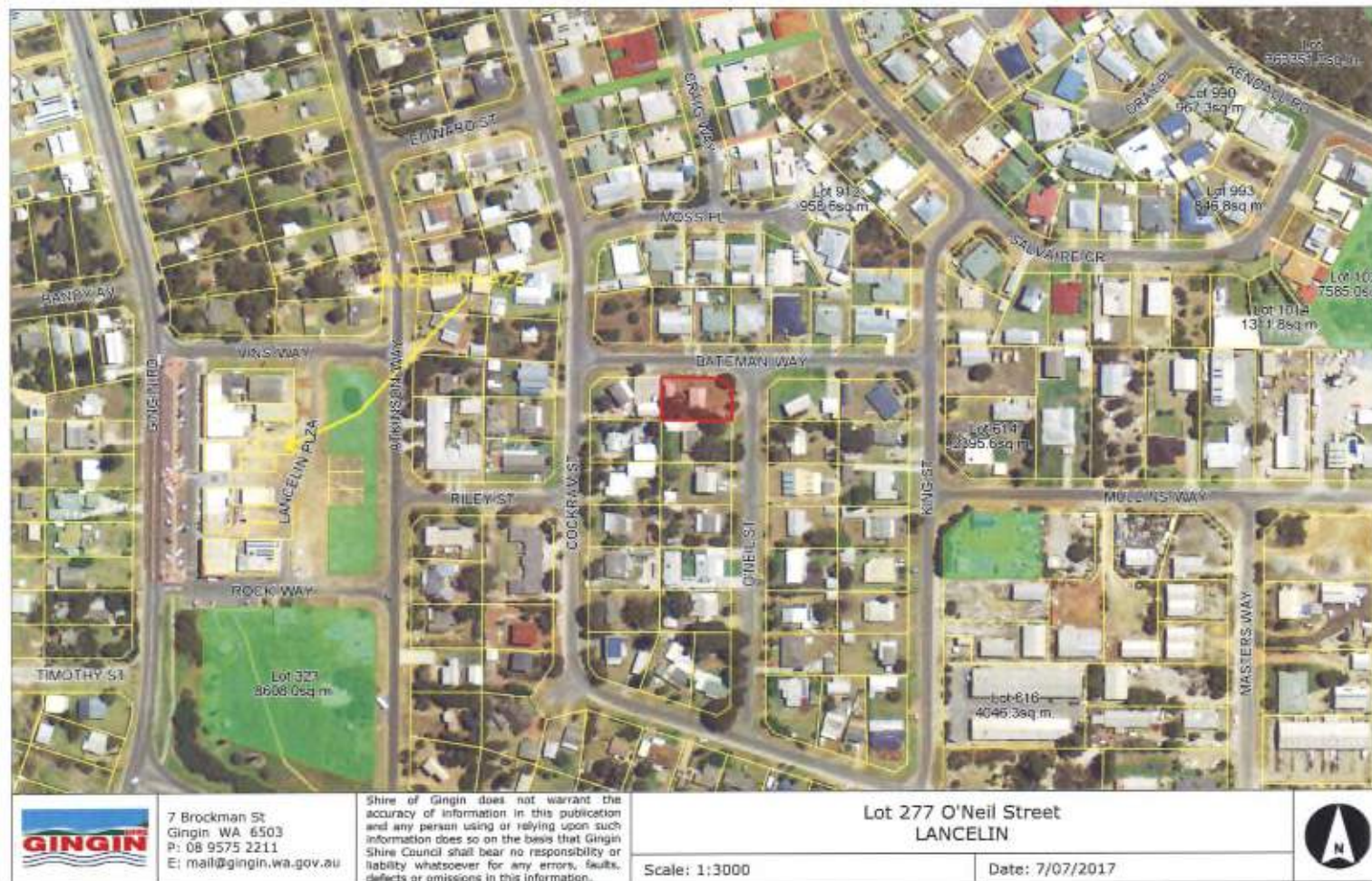
For: Councillor Elgin, Smiles, Peczka, Roe, Collard, Fewster and Ammon
Against: Councillor Aspinall

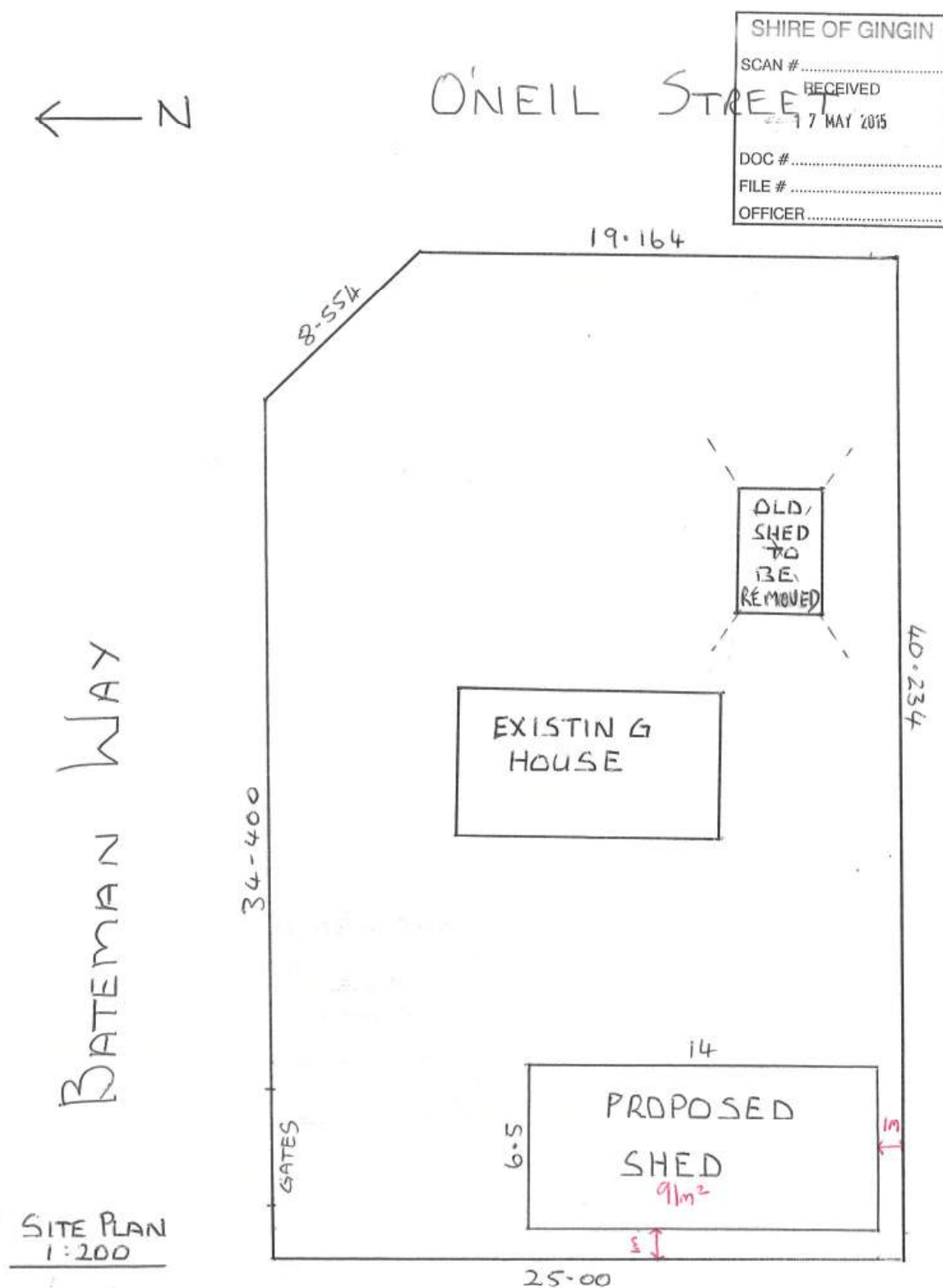
REASON FOR ALTERNATIVE MOTION

Council was of the view that the application should be approved, given that the shed would not be visible from the road or obstructing neighbouring properties.

APPENDIX 1

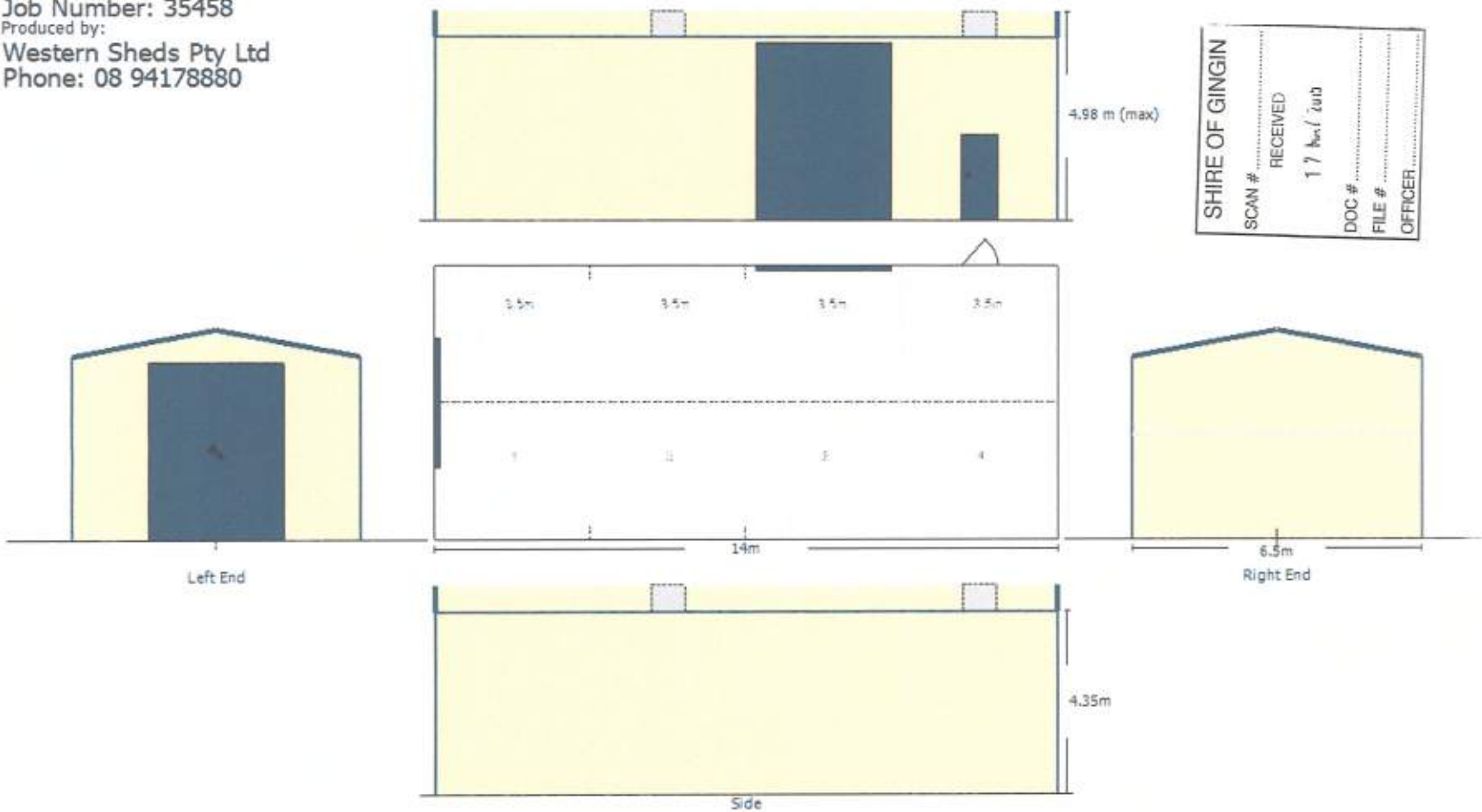






PROPOSED NEW SHED FOR N+K STORKE
2 O'NEIL ST LANCELIN

Building For:
Nils Stokke
Lancelin
Job Number: 35458
Produced by:
Western Sheds Pty Ltd
Phone: 08 94178880



The local distributor you are dealing with is an authorised independent distributor of Fair Dinkum Sheds' products and enters into agreements with its customers on its own behalf and not as an agent of Fair Dinkum Sheds.

APPENDIX 2

SCHEDULE OF SUBMISSIONS AND RECOMMENDED RESPONSES

**APPLICATION FOR A DEVELOPMENT APPROVAL FOR A PROPOSED OUTBUILDING (SHED) ON LOT 277 O'NEIL STREET,
LANCELIN**

No.	Submitter	Submission Detail	Recommended Response
1.	Ratepayer	The Submitter supports the above proposal and makes the following comments: <i>Being the immediate Western Block, I have no concerns for works proposed.</i>	Noted.

11.3.5 APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED SECOND DWELLING/STAFF WORKERS ACCOMMODATION ON LOT 3688 (NO. 208) AIRFIELD ROAD, BAMBUN

FILE:	BLD/1556
APPLICANT:	MARK TRELOAR
LOCATION:	LOT 3688 (NO. 208) AIRFIELD ROAD, BAMBUN
OWNER:	MARK TRELOAR AND JUDY TRELOAR
ZONING:	GENERAL RURAL (GR40)
WAPC NO:	N/A
AUTHOR:	JAMES BAYLISS – COMPLIANCE/STATUTORY PLANNER
REPORTING OFFICER:	LISA EDWARDS – EXECUTIVE MANAGER PLANNING AND DEVELOPMENT
REPORT DATE:	18 JULY 2017
REFER:	NIL

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider an application for development approval for a proposed Second Dwelling / Staff Workers Accommodation on Lot 3688 (No. 208) Airfield Road. (Subject lot).

BACKGROUND

The Application for Development Approval proposes a Second Dwelling / Staff Workers Accommodation to house family members who work on the existing poultry farm. The nature of the poultry farm requires someone to be on the property full time. At present there is only one dwelling, therefore additional accommodation is necessary to house family members who work on the property to provide the required round-the-clock presence.

The subject lot is located at the southern end of the Shire of Gingin with frontage to Airfield Road on its southern boundary, with access to Brand Highway approximately 2km to the east of the property. The site is currently used as a poultry farm with a total of five natural and tunnel ventilated sheds currently in operation and supporting infrastructure. The approved farm capacity is 326,100 birds.

There is an existing dwelling located at the southern end of the property towards Airfield Road. Council's consideration is required as Administration does not have the authority to approve this application under delegation.

A location plan, and aerial photograph are provided as **Appendix 1**.

A copy of the Applicant's proposal and photographs are provided as **Appendix 2**.

COMMENT

Community Consultation

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

The Shire did not receive any response from the advertising process.

PLANNING ASSESSMENT

Local Planning Scheme No. 9 (LPS 9)

The subject land is zoned General Rural (GR40) 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.*

LPS 9 outlines Staff Workers Accommodation as an 'A' use within the General Rural zone.

Clause 4.8.6.2 of LPS 9 states:

"No more than one single dwelling house shall be erected on a lot zoned General Rural unless the Local Government is satisfied that an additional house is necessary or desirable for the continuation of a bona fide agricultural activity, and is satisfied that the land can be adequately serviced, surrounding amenity is not adversely impacted on or any other consideration it considers relevant."

The poultry farm operation requires a worker to be onsite 24 hours a days, 7 days a week and it is acknowledged that it is preferable to have employees reside at the property. In order to facilitate the continuation of the agricultural activity at the subject site the provision of an additional dwelling is considered necessary.

Setbacks

In accordance with Table 2 – Site Requirements of LPS 9, the dwelling is located more than 20m from all lot boundaries. The structure will be setback approximately 220m from the front boundary (Airfield Road) and approximately 300m from the side boundaries.

Applicant's Justification

The applicant has advised that the broiler farm has been operating since 1998 and the farm has grown somewhat, so the need to accommodate a full time manager on the property is required to continue operations due to the seven day a week, 24 hour per day nature of the land use.

Planning in Bushfire Prone Areas

'State Planning Policy 3.7 – Planning in Bushfire Prone Areas' (SPP 3.7) provides a foundation for land use planning to address bushfire risk management. The subject lot is designated as being bushfire prone. The applicant has provided a Bushfire Attack Level (BAL) Assessment as part of the submission that demonstrates a rating of 12.5 which is considered to be low.

Servicing

Any additional servicing requirements will be the applicant's responsibility, however it is noted that the existing dwelling and poultry sheds are connected to the relevant services.

Summary

In view of the above assessment the Administration is of the view that the site is capable of accommodating the Second Dwelling / Staff Workers Accommodation on Lot 3695 (417) Airfield Road, Bambun. The proposal satisfies LPS 9 and the objectives of the General Rural zone.

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*, and the *Building Regulations 2012* and the *Public Health Act 2016*, which are to be approved by the Shire of Gingin.
- B. The Department of Health advises that any form of pest control using pesticides must comply with the *Health (Pesticides) Regulations 2011*.
- C. It is an offence to clear native vegetation without the authority of a permit from the Department of Environment Regulation unless the clearing is exempt from a permit. It is recommended that the applicant liaise with the Department of Environment Regulation in relation to whether a clearing permit or exemption applies.

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

State Planning Policy 2.5 – Rural Planning Policy

Western Australian Broiler Growers Association and Poultry Farmers Association of Western Australia – Environmental Code of Practice for Poultry Farms in Western Australia, May 2004

Environmental Protection Authority Guidance Statement No. 3 – Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses

National Environmental Management System for the Meat Chicken Industry Version 2 (2014)

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

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>
<i>Outcome</i>	<i>3.3 High quality and well utilised community facilities and assests</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council grant Development Approval for a Second Dwelling/ Staff Workers Accommodation on Lot 3688 (No. 208) Airfield Road, Bambun, subject to the following conditions:

1. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED), unless conditioned otherwise by this approval;
2. This Approval is for a Second Dwelling/Staff Workers Accommodation only as indicated on the approved plans;
3. The Second Dwelling/Staff Workers Accommodation is not to be used for any form of short stay accommodation;
4. The Second Dwelling/Staff Workers Accommodation must be connected to a potable water supply to the satisfaction of the Shire of Gingin; and
5. The Second Dwelling/Staff Workers Accommodation is to comply and be maintained in accordance with the Bushfire Attack Level (BAL) Assessment Report dated 1 September 2017 submitted with the application to maintain the 12.5 BAL Rating.

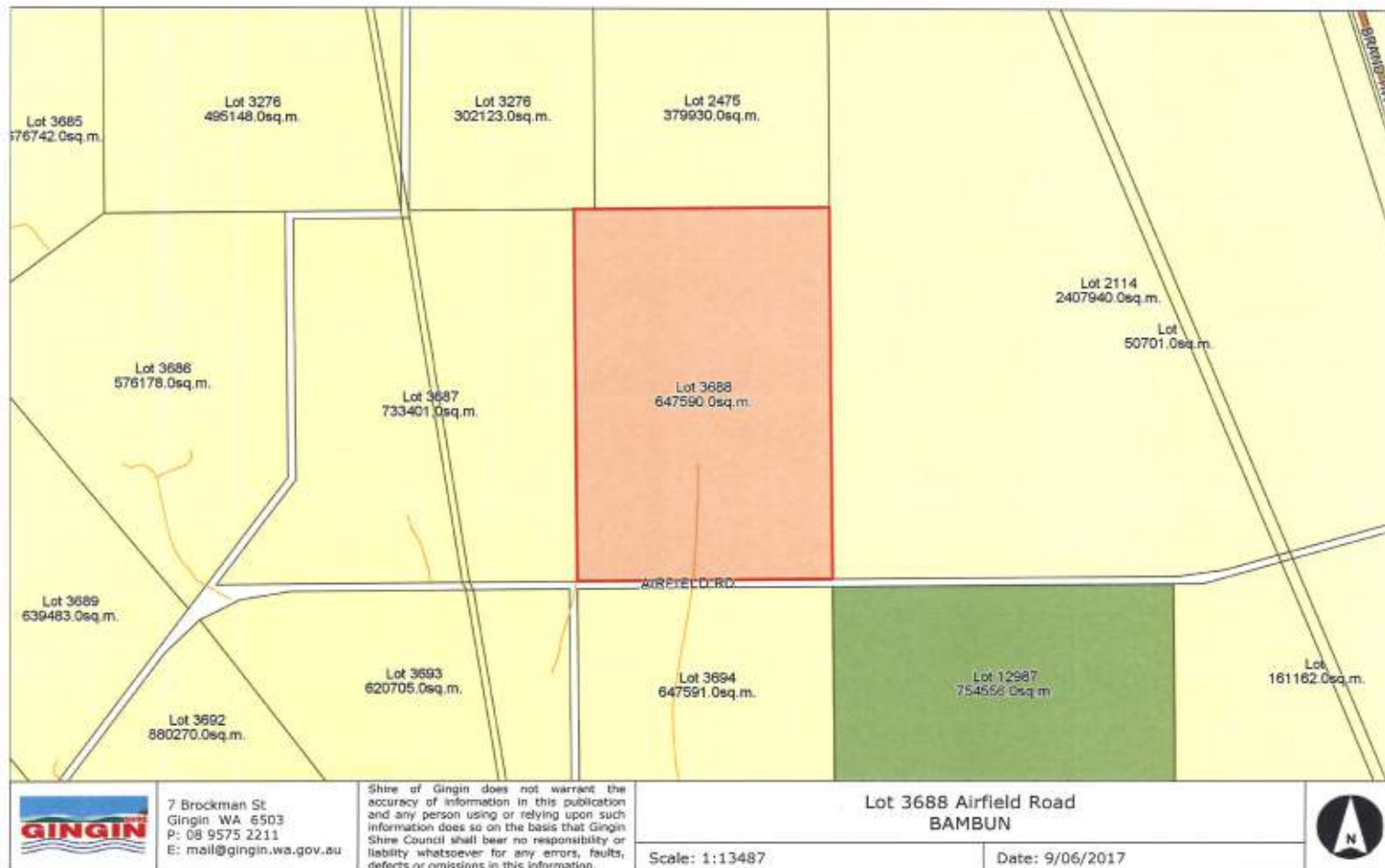
RESOLUTION

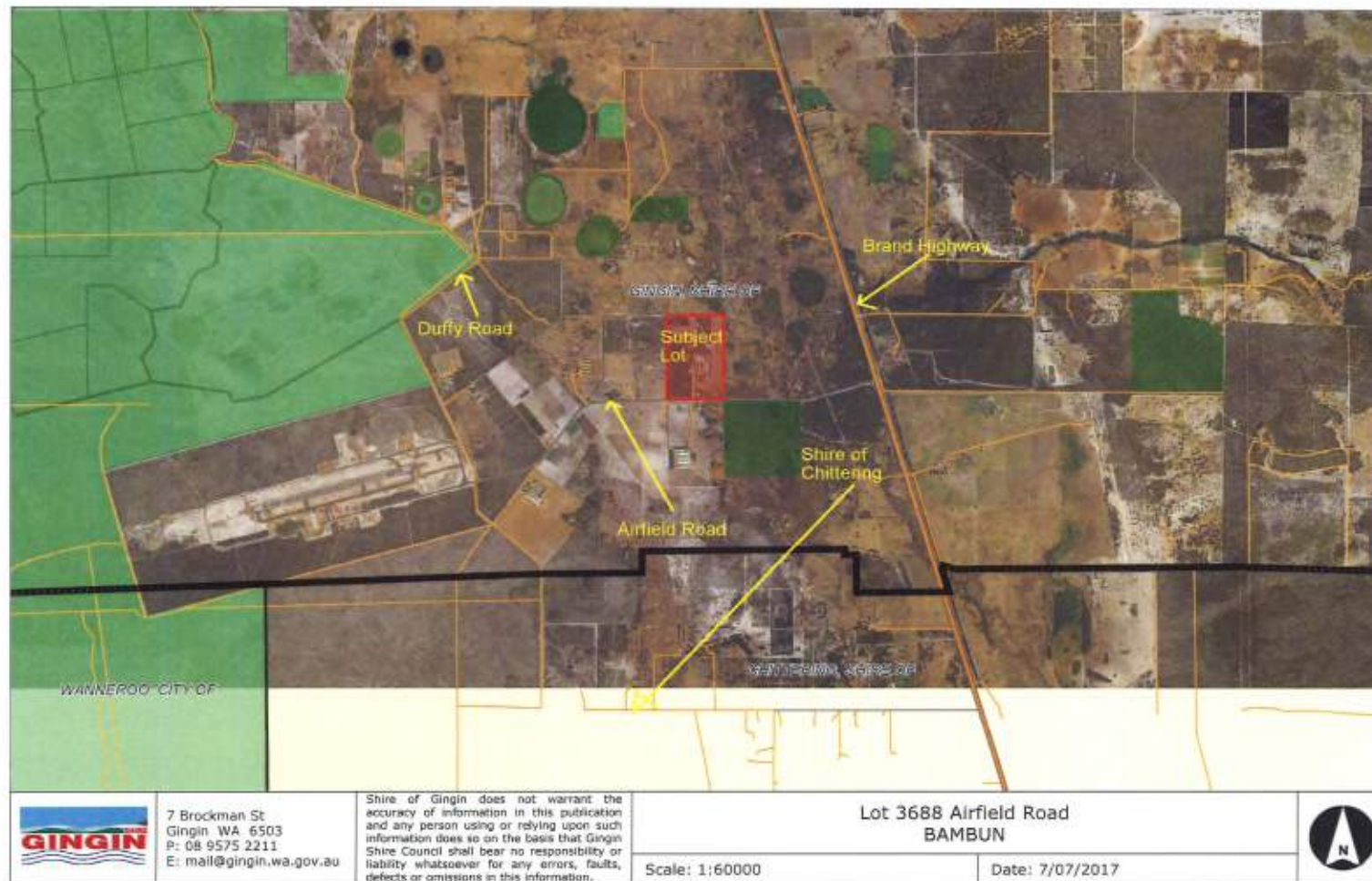
Moved Councillor Aspinall, seconded Councillor Fewster that Council grant Development Approval for a Second Dwelling/Staff Workers Accommodation on Lot 3688 (No. 208) Airfield Road, Bambun, subject to the following conditions:

1. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED), unless conditioned otherwise by this approval;
2. This Approval is for a Second Dwelling/Staff Workers Accommodation only as indicated on the approved plans;
3. The Second Dwelling/Staff Workers Accommodation is not to be used for any form of short stay accommodation;
4. The Second Dwelling/Staff Workers Accommodation must be connected to a potable water supply to the satisfaction of the Shire of Gingin; and
5. The Second Dwelling/Staff Workers Accommodation is to comply and be maintained in accordance with the Bushfire Attack Level (BAL) Assessment Report dated 1 September 2017 submitted with the application to maintain the 12.5 BAL Rating.

CARRIED UNANIMOUSLY

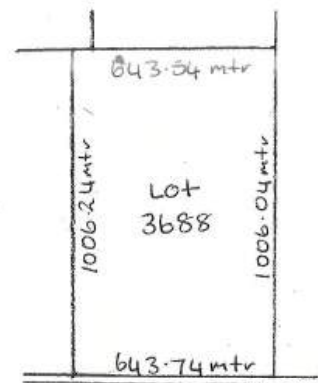
APPENDIX 1



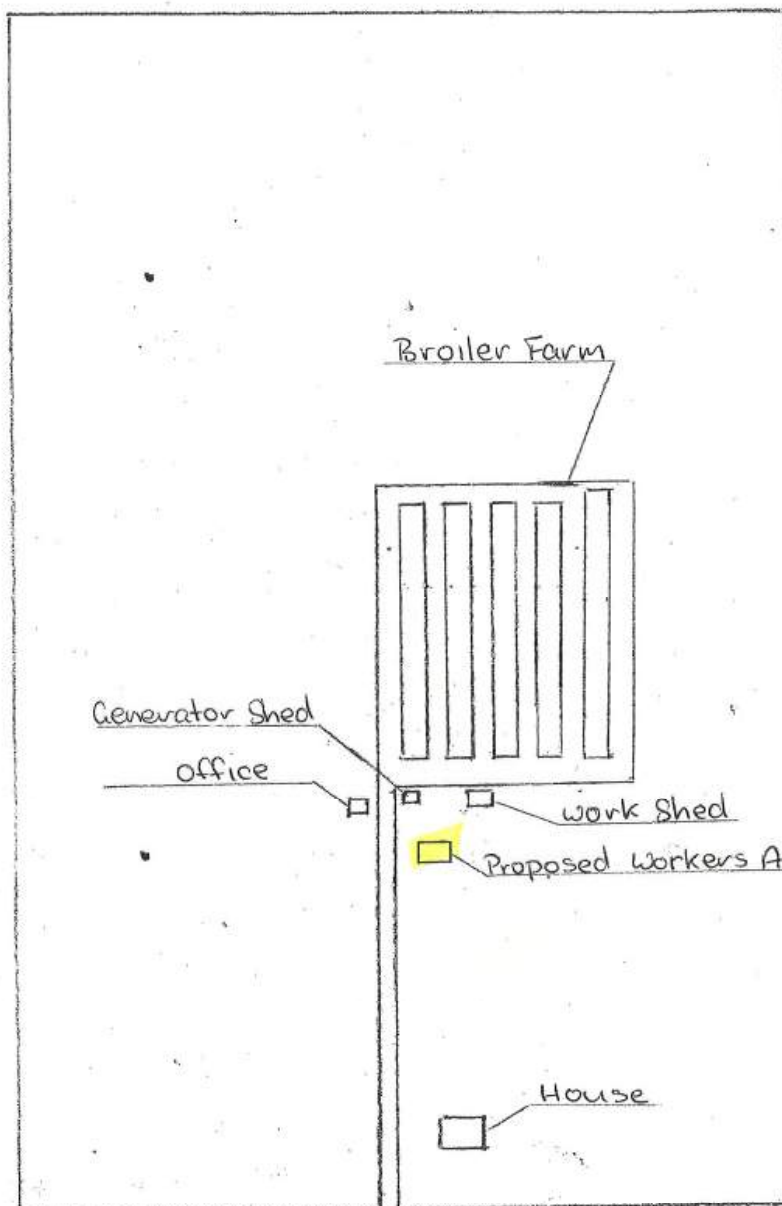


APPENDIX 2

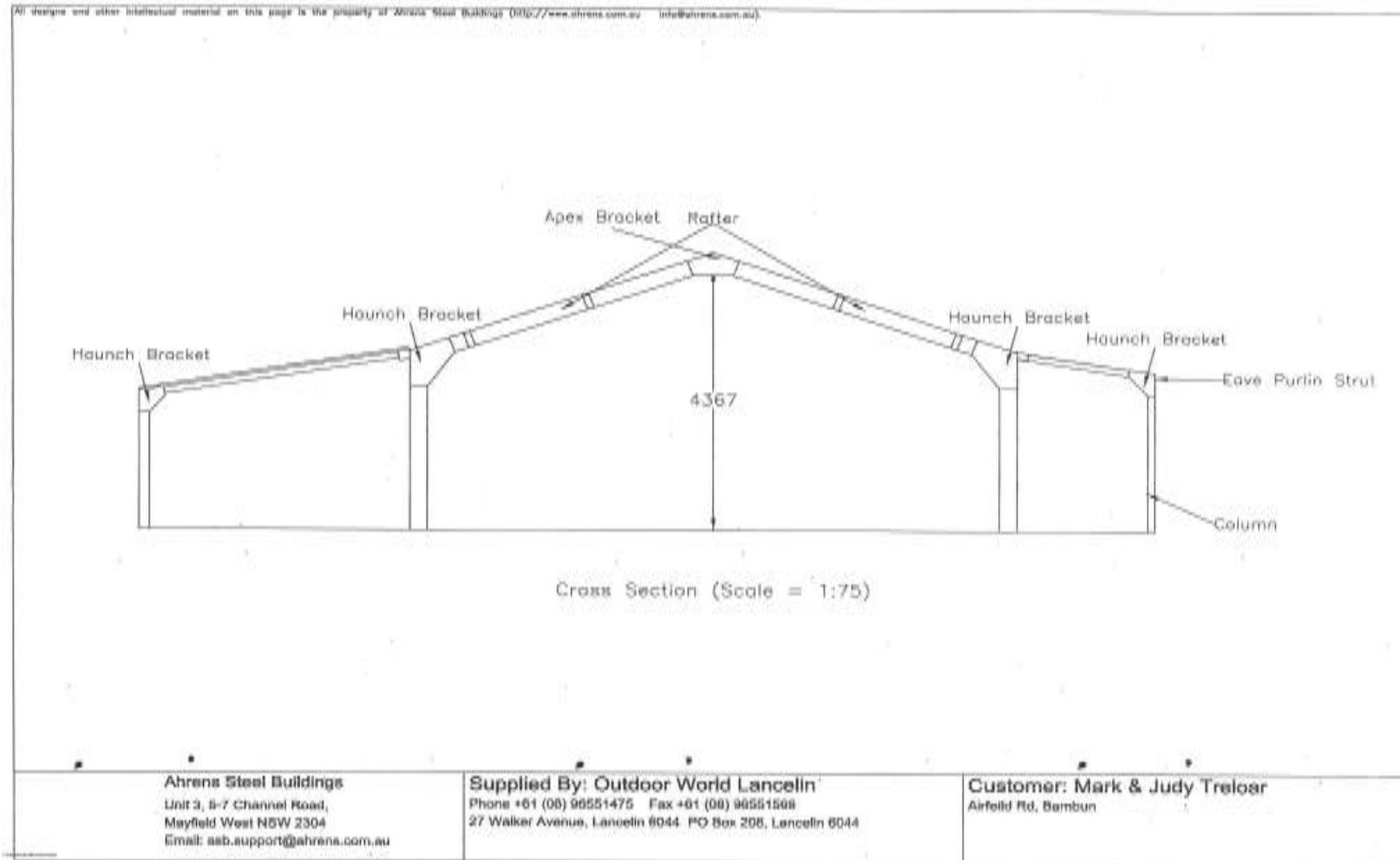
Mark + Judy Trelor
208 Airfield Rd
Bambun

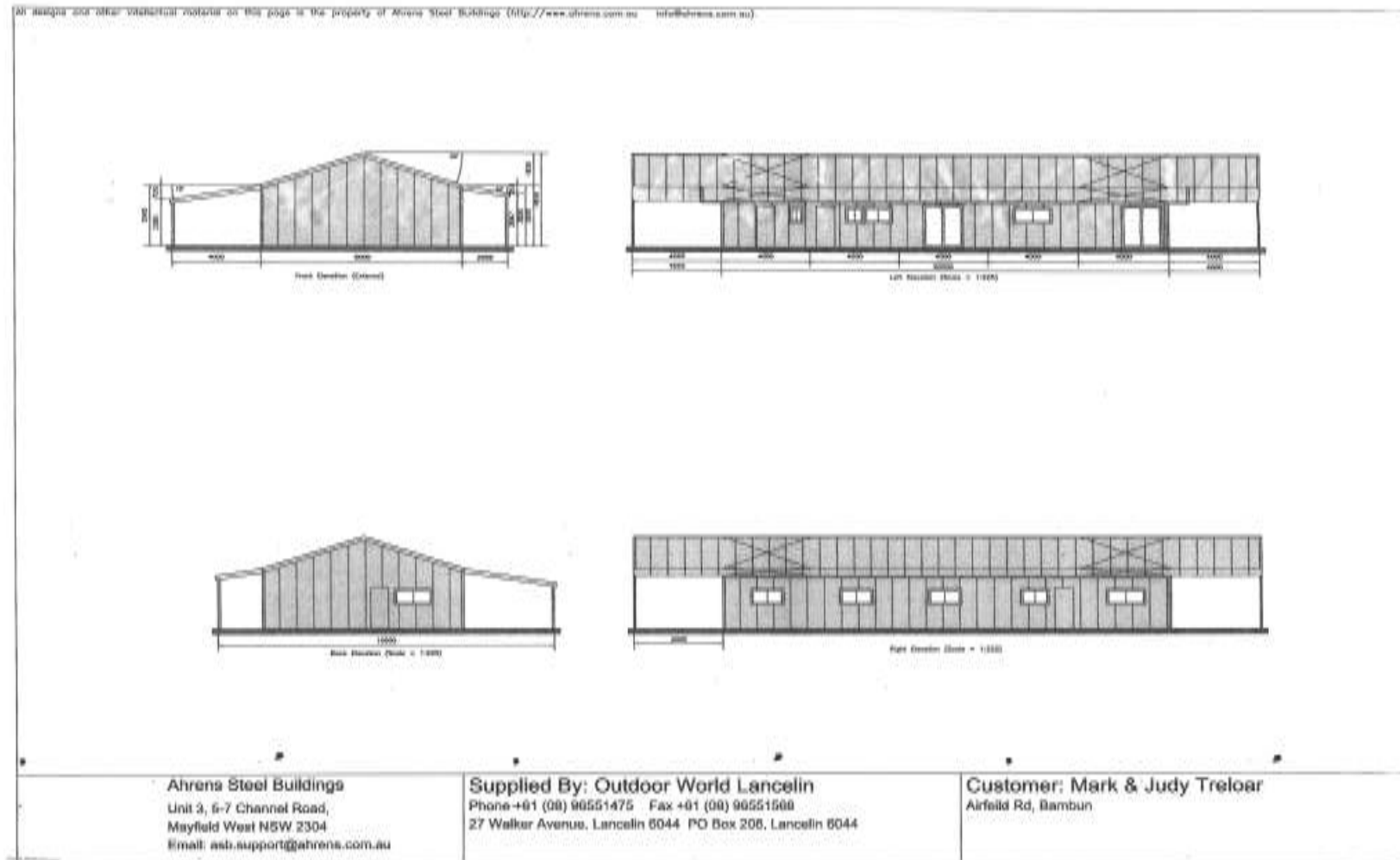


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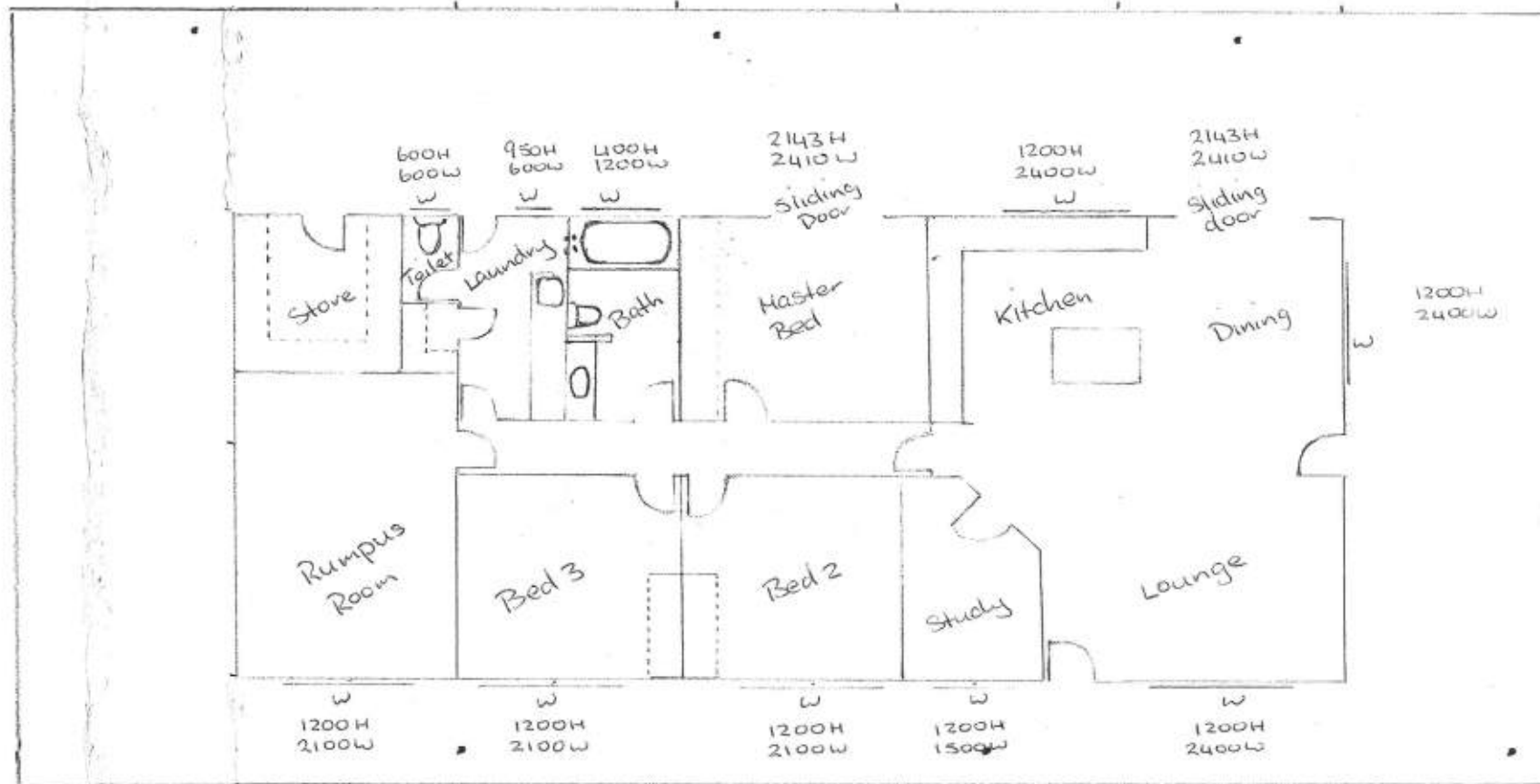


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House 180sqm
Verandah 240sqm.



11.3.6 SUBLEASE ON RESERVE 49174 ON LOT 14226 NILGEN ROAD, NILGEN TO OPTUS MOBILE PTY LTD FOR THE PURPOSES OF INSTALLING LOW IMPACT TELECOMMUNICATIONS INFRASTRUCTURE

FILE:	EST/2
APPLICANT:	OPTUS MOBILE PTY LTD
LOCATION:	RESERVE 49174 ON LOT 14226 NILGEN ROAD, NILGEN
OWNER:	CROWN LAND
ZONING:	RESERVE
WAPC NO:	N/A
AUTHOR:	KYLIE BACON – MANAGER STATUTORY PLANNING
REPORTING OFFICER:	LISA EDWARDS – EXECUTIVE MANAGER PLANNING AND DEVELOPMENT
REPORT DATE:	18 JULY 2017
REFER:	NIL

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider subleasing sublease on Reserve 49174 on Lot 14226 Nilgen Road, Nilgen to Optus Mobile Pty Ltd for the purposes of installing low impact telecommunications infrastructure.

BACKGROUND

The Shire currently leases Reserve 49174 from the Department of Parks and Wildlife (DPAW) for the purpose of constructing, maintaining and operating a radio communications network and radio communications and telecommunications networks service and uses incidental thereto (non-residential) (Lease No. 1922-100).

The mast in place on the reserve is the property of the Shire of Gingin, and Telstra currently subleases both space on the mast for telecommunications equipment and an area of land at the foot of the mast to accommodate an equipment shelter. .

Optus has approached the Shire to sublease a portion of the mast for the installation of low impact telecommunications which includes three Optus antennas and ancillary equipment at approximately 27 metres, a new Optus headframe and three outdoor units on the ground abutting the Telstra compound to the north.

Optus consultants have prepared a preliminary structural report and estimate the structural capacity of the mast including existing, reserved and proposed equipment is 100%.

Optus seeks a 20 year sublease term with the standard terms of agreement between the licensee and licensor regarding both parties' rights to termination.

A copy of the Location Plan, Site Plan, Mast Elevation and Structural Engineers Report are as **Appendix 1**.

COMMENT

As mentioned above Optus has approached the Shire to install low impact telecommunications equipment on the existing mast and grounds (an approximate 6.3m x 3.2m area) for the purposes of an equipment shelter and associated infrastructure located on Reserve 49174.

Telstra currently subleases a portion of the Reserve for the same purposes. Should Council wish to enter into a sublease agreement with Optus, then non-objection from Telstra will be required for Optus to co-locate their infrastructure on the same mast.

Optus advises it is a licenced telecommunications carrier in Australia and has a licence to use specific radio frequencies that are owned by Optus and has exclusive use of those frequencies. The use of different radio frequencies across the spectrum is managed and regulated by the Australian Communications and Media Authority (ACMA) under the *Radiocommunications Act 1992*. In the unlikely event that any interference occurs, there are processes and investigation procedures that are followed to identified the source or cause of the interference and rectify it.

Optus has also provided a structural engineer's report certifying the structural capacity to be able to accommodate the additional infrastructure.

Allowing for the sublease to proceed will provide increased telecommunications coverage for ratepayers and visitors to the locality.

It is pointed out that the proposed sublease is a disposition of property for the purposes of the *Local Government Act 1995* (the Act). The Act specifies that a local government can only dispose of property to either the highest bidder at public auction or via a public tender process unless, before agreeing to dispose of the property, it gives local public notice of the proposed disposition and invites public submissions with respect to the proposal.

The terms of the Shire's lease from DPAW also require that any sublease must be endorsed by the Department.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 3 – Functions of Local Governments

Division 3 – Executive functions of Local Governments

Section 3.58 – Disposing of property

Land Administration Act 1997

Part 2 – General administration

Division 3 – General

Section 18 – Crown land transactions that need Minister's approval

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015 – 2025

Focus Area	<i>Community Wellbeing</i>
Objective	<i>1. To support the Shire of Gingin community to be inclusive, vibrant and healthy</i>
Outcome	<i>1.2 Vibrant Community</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council:

1. Agree in principle to sublease a portion of Reserve 49174 on Lot 14226 Nilgen Road, Nilgen to Optus Pty Ltd for the purpose of installing low impact telecommunications infrastructure, subject to the requirements of section 3.58 (3) of the Local Government Act 1995 first being met, and provided:
 - a. Optus agrees to meet the cost of ascertaining the market value of the disposition and advertising costs applicable to complying with section 3.58 of the *Local Government Act* 1995, and to pay the Shire's legal fees for the preparation and completion of the lease documents;
 - b. Telstra does not object to the sublease between Optus and the Shire of Gingin; and
 - c. The Department of Parks and Wildlife approves and executes the sublease.
2. Authorise the Chief Executive Officer to progress the requirements of section 3.58(3) of the Local Government Act 1995 with respect to the proposed sub-lease and report back to Council in the event that any submissions are received at the close of the public notice period
3. In the event that no submissions are received, authorize the Chief Executive Officer to negotiate an appropriate sublease agreement with Optus Pty Ltd.
4. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal of the Shire of Gingin to the resulting sublease document.

Councillor Smiles left Council Chambers at 4:16pm.

RESOLUTION

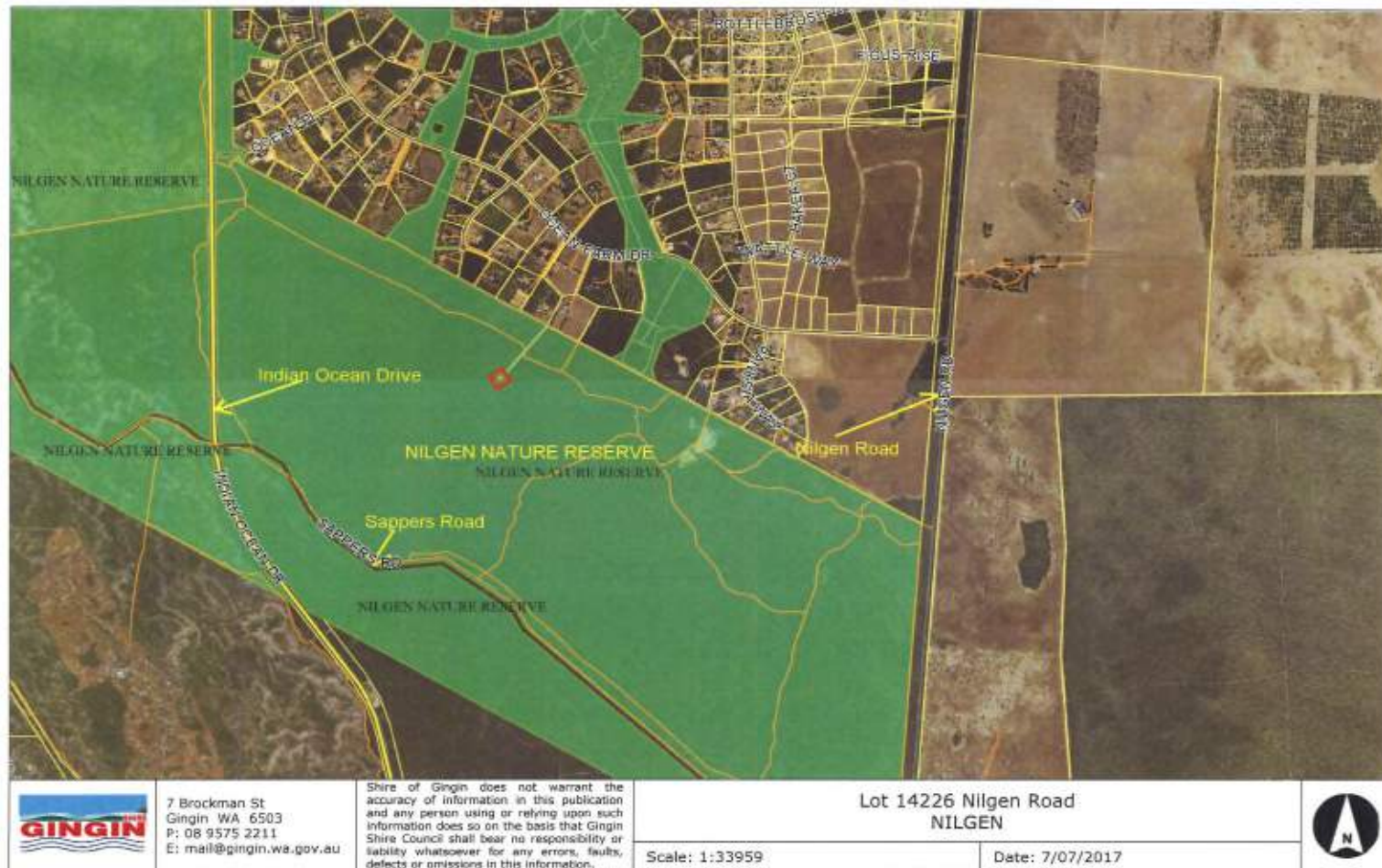
Moved Councillor Peczka, seconded Councillor Collard that Council:

- 1. Agree in principle to sublease a portion of Reserve 49174 on Lot 14226 Nilgen Road, Nilgen to Optus Pty Ltd for the purpose of installing low impact telecommunications infrastructure, subject to the requirements of section 3.58 (3) of the Local Government Act 1995 first being met, and provided:**
 - a. Optus agrees to meet the cost of ascertaining the market value of the disposition and advertising costs applicable to complying with section 3.58 of the *Local Government Act* 1995, and to pay the Shire's legal fees for the preparation and completion of the lease documents;**
 - b. Telstra does not object to the sublease between Optus and the Shire of Gingin; and**
 - c. The Department of Parks and Wildlife approves and executes the sublease.**
- 2. Authorise the Chief Executive Officer to progress the requirements of section 3.58(3) of the Local Government Act 1995 with respect to the proposed sub-lease and report back to Council in the event that any submissions are received at the close of the public notice period**
- 3. In the event that no submissions are received, authorize the Chief Executive Officer to negotiate an appropriate sublease agreement with Optus Pty Ltd.**
- 4. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal of the Shire of Gingin to the resulting sublease document.**

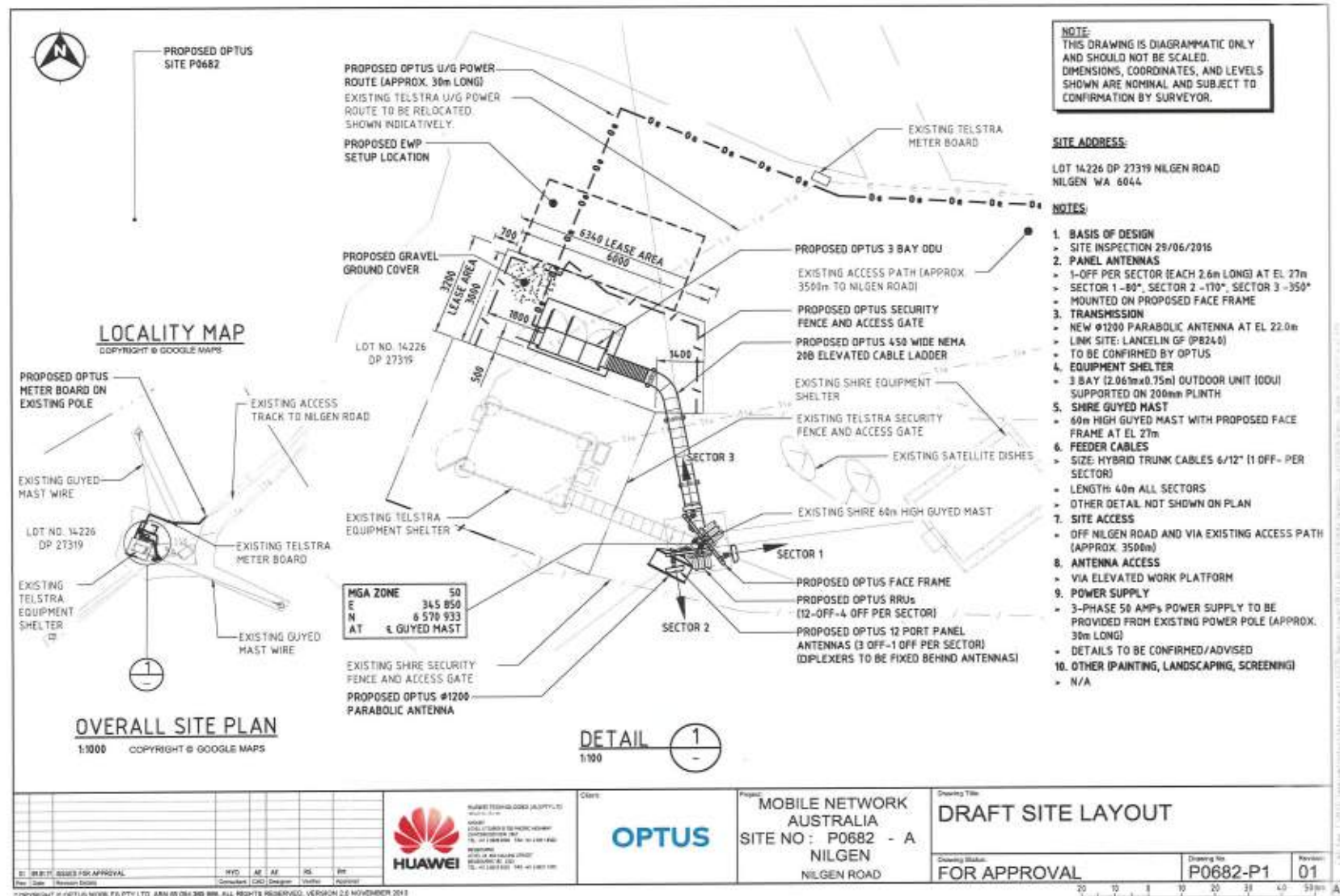
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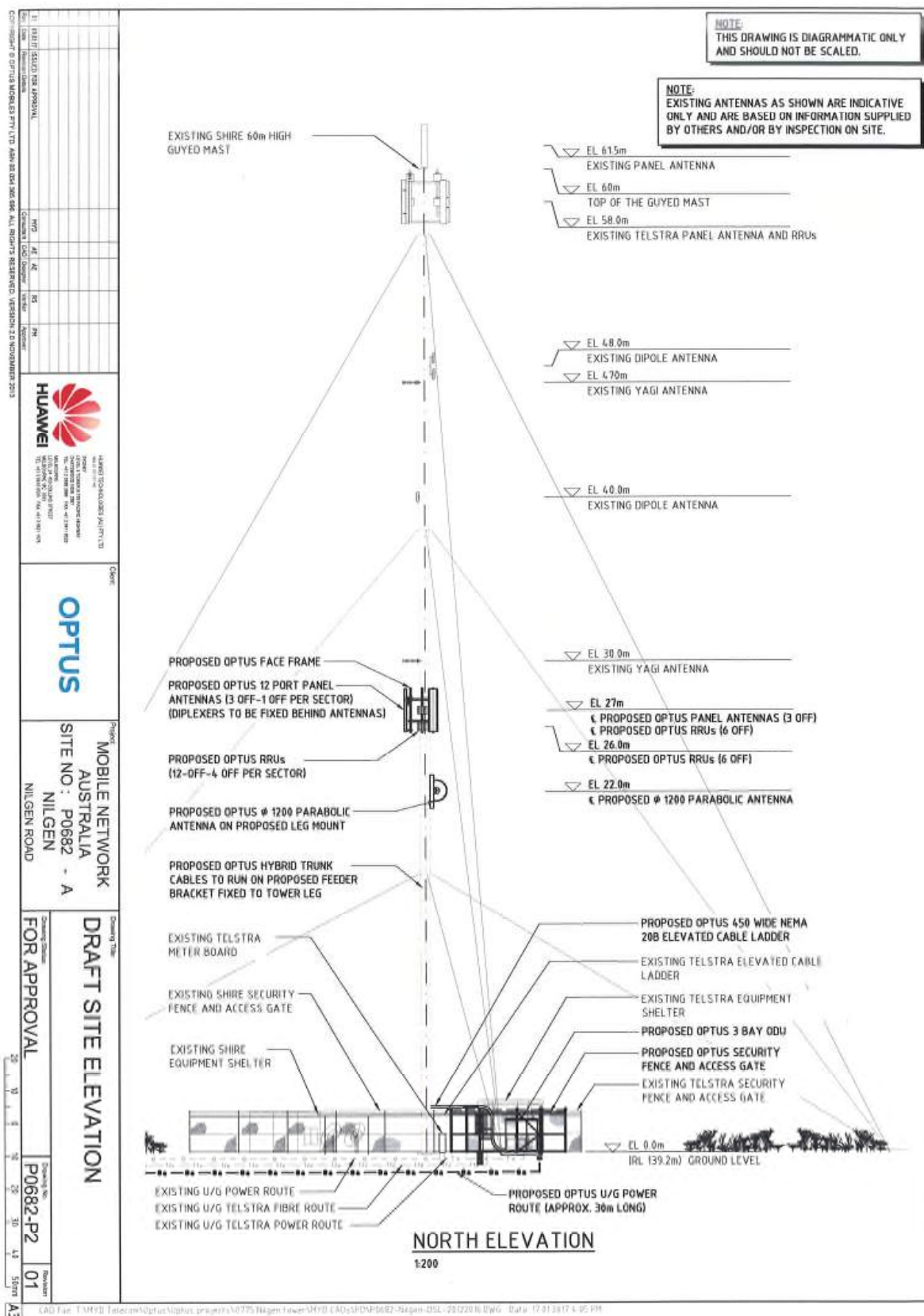
APPENDIX 1













Structural
Civil
Stormwater
Telecommunications

MYD Consulting Engineers Pty Ltd

ABN: 36 102 075 600

Level 1, 230 Victoria Road, Gladstone NSW 2111

Tel: 02 9817 2611 Fax: 02 9817 2633

Email: info@mydconsulting.com



PRELIMINARY STRUCTURAL ASSESSMENT REPORT

Site ID: Optus P0682

Site Details:

Site name: Nilgen

Site address: Lot 14226 DP 27319 Nilgen Road, Nilgen, WA 6044

Tower/Pole Owner:

GPS Coordinates (GDA 94): Latitude = -30.98508° Longitude = 115.38560°

Scope:

Preliminary Structural assessment of existing telecom structure:

60m high LeBlanc triangular 610mm face-width mast guyed at three levels

Existing & Reserved Condition/Loading included in the previous analysis:

RL	No.	ANTENNAS	BEARING	FEEDER
60.0m	-	RES CB%2	TBC	LCF 5-50A
58.0m	A1	ARGUS CPX310R *	100°	2 x LCF114-50JA
58.0m	A2	ARGUS CPX310R *	100°	LCF114-50JA
58.0m	A3	ARGUS CPX310R *	220°	2 x LCF114-50JA
58.0m	A4	ARGUS CPX310R *	220°	LCF114-50JA
58.0m	A5	ARGUS CPX310R *	340°	2 x LCF114-50JA
58.0m	A6	ARGUS CPX310R *	340°	LCF114-50JA
54.0m	A7	ARGUS CPX310R **	100°	2 x LCF114-50JA
54.0m	A8	ARGUS CPX310R **	220°	2 x LCF114-50JA
54.0m	A9	ARGUS CPX310R **	340°	2 x LCF114-50JA
50.0m	-	Matchmaster 0.1MM DR 301B	TBC	RG-11
47.0m	-	0.6m Ocean Broadband Collinear Whip	TBC	Shield Cat 5
45.0m	-	Matchmaster 0.1MM DR 301B	TBC	RG-6
40.0m	-	Scalar B41	TBC	RG-213
37.0m	-	Ocean Broadband Antenna Flat Panel	TBC	Shield Cat 5
35.0m	-	Scalar Y306	TBC	RG-6

* Proposed new antenna in this analysis
** Proposed additional future antenna
① Antenna to be relocated from the existing structure - Bearing and position of the antenna has been assumed in this analysis (TBC)

Existing bundled feeders ~300mm diameter run from RL 3.0m to RL 60m

Structural Capacity Ratio under existing / reserved condition:

Pole Loading: 85.0%

Assume that the strengthening had been carried out as proposed

Footing Loading: -

by Structel in the report P26/3297/T4664/1 dated 28/07/2009

Proposed Optus Antennas & RRUs

Antenna Reference	Quantity	Equipment Type	Bearing ("TN)	E.L Height (m)	Carrier	Status
O11	1	Huawei ASI4517R1 Panel 12 Port	80°	27.00m	Optus	Proposed
O21	1	Huawei ASI4517R1 Panel 12 Port	170°	27.00m	Optus	Proposed
O31	1	Huawei ASI4517R1 Panel 12 Port	350°	27.00m	Optus	Proposed
-	3*1/sector=3	Diplexer (installed behind panel antenna)	-	27.00m	Optus	Proposed
-	3*4/sector=12	RRUs	-	26.00m	Optus	Proposed
-	1	1.2m diameter parabolic antenna	350°	27.00m	Optus	Proposed

Proposed bundled feeders 3 - 6/12" run from RL 3.0m to RL 45.0m

Structural Capacity Ratio with Existing, Reserved & Proposed Equipment:

Estimated Structural Loading: 100.0%

11.3.7 APPLICATION FOR DEVELOPMENT APPROVAL - AMEND DEVELOPMENT APPROVAL (P1427) DATED 18 NOVEMBER 2016 FOR THE PROPOSED OUTBUILDING (USE NOT LISTED / INCIDENTAL USE) ON LOT 328 COCKRAM ROAD, LENNARD BROOK.

FILE:	BLD/3289
APPLICANT:	VANESSA BORRELLO
LOCATION:	LOT 328 COCKRAM ROAD, LENNARD BROOK
OWNER:	BORRELLO GROUP
ZONING:	GENERAL RURAL GR30
WAPC NO:	N/A
AUTHOR:	KYLIE BACON – MANAGER STATUTORY PLANNING
REPORTING OFFICER:	JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE:	18 JULY 2017
REFER:	15 NOVEMBER 2016

ITEM 11.3.2

Councillor Roe declared a financial interest in this item due to the fact that his business trades with the applicant and left Council Chambers at 4:18pm.

Councillor Fewster declared a financial interest in this item due to the fact that he has business dealings with the owners/proprietors of the Gingin Abattoir/Meatworks and left Council Chambers at 4:18pm.

Councillor Smiles returned to Council Chambers at 4:18pm.

Councillor Collard assumed the Chair at 4:18pm.

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider amending the Development Approval (P1427) dated 18 November 2016 for the previously approved outbuilding on Lot 328 Cockram Road, Lennard Brook. The amendments to be considered are:

- Amend the design of the outbuilding; and
- Revise conditions two and three of the approval to make clear the intent of the use of the outbuilding.

BACKGROUND

The applicant received development approval to erect an outbuilding on Lot 328 Cockram Road, Lennard Brook at the Ordinary Council Meeting on 15 November 2016. The approved outbuilding dimensions were 30 metres in length, 20 metres in width, 5.2 metre wall height, 6.48 metre overall height and included a lean-to height of 4.36 metres. The outbuilding was approved with a setback of 109 metres from Cockram Road and 67 metres from the boundary of Lot 195. The approved use of the outbuilding was for the housing of farming equipment/machinery associated with the farming operations on Lot 328 Cockram Road, but allowing the use of the same equipment to be used on the adjoining abattoir site (Lot 195).

Council resolved to approve the Development subject to the following conditions:

1. *All development being in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;*
2. *The Outbuilding shall not be used for human habitation or industrial purposes, or be directly associated with the Abattoir operation on Lot 195 Cockram Road (including the use of specific Abattoir machinery or equipment directly associated and used with the Abattoir land use); and*
3. *This approval is for an Outbuilding only to house farming machinery/equipment associated with the farming operations on Lot 328 Cockram Road.*

The Applicant has subsequently lodged a further Development Application to amend plans for the design of the outbuilding. The applicant had difficulties sourcing parts required to construct the approved outbuilding and has concluded that it is more cost effective to purchase a new shed and have it professionally installed, rather than have the missing parts fabricated.

In accordance with Schedule 2, Part 9, clause 77 of the deemed provisions, the owner can make an application to the local government to amend an aspect of the development or condition of the development approval. Therefore, the following amendments are being considered:

- The amended design of the outbuilding has the same dimensions as that previously approved with the exception of the wall height (6m in lieu of 5.2m) and overall height (7m in lieu of 6.48m). The amended design results in the 'lean-to' section being fully enclosed.
- The new Development Application for amended development approval also provides the Shire with the opportunity to amend conditions 2 and 3 imposed on the previous approval to better clarify the wording of the conditions regarding the use of the outbuilding.

The Location Plan and the previously approved Site, Floor and Elevation plans are attached as **Appendix 1**.

The amended Floor plan, Elevations and the Applicant's Supporting Information are attached as **Appendix 2**.

COMMENT

Community Consultation

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

The Shire received two submissions objecting to the proposal.

A copy of the Schedule of Submissions and Responses is attached as **Appendix 3**.

PLANNING ASSESSMENT

Local Planning Scheme No. 9 (LPS 9)

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

- a) *manage the land use changes to that 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;*
- 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 amended outbuilding on Lot 328 is to be predominantly used as a general farming shed in support of the family farming operations, personal use by the family members only, and as an incidental use to the abattoir on the adjoining Lot 195 to permit to store machinery / equipment. It should be made clear that the outbuilding will not be used for and will not be permitted to be used for the processing of animals / animal parts / by-products or the holding of animals associated with the abattoir land use on the adjoining Lot 195.

The proposed development is considered to meet the objectives of the General Rural zone.

Use Not Listed

The new Development Application for amended development approval also provides the Shire with the opportunity to amend conditions 2 and 3 imposed on the previous approval to better clarify the wording of the conditions regarding the use of the outbuilding.

Condition two of the approved Development Approval states:

'The outbuilding shall not be used for human habitation or industrial purposes, or be directly associated with the abattoir operation on Lot 195 Cockram Road, (including the use of specific abattoir machinery or equipment directly associated and use with the abattoir land use)'.

Condition three of the approved Development Approval states:

'This approval is for an Outbuilding only to house farming machinery/equipment associated with the farming operations on Lot 328 Cockram Road'.

The intent of these conditions was to ensure that the outbuilding would not be used or associated with the abattoir production, processing of animals, animal parts or by-products. However, the building could be used to store equipment and machinery for general farming and/or abattoir use.

As such, the outbuilding is being considered as a Use Not Listed under LPS9 to allow the outbuilding to be used as an incidental land use to the abattoir for the purposes of allowing equipment/machinery to be housed in the outbuilding but can be used on the abattoir site (Lot 195).

Clause 3.4.2 of LPS 9 provides the following requirements for a use not listed development:

3.4.2 If a person proposed 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 64 of the deemed provisions 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.*

It is therefore recommended that conditions two and three be amended to the following to ensure the use of the outbuilding is limited in its extent as an incidental use for the adjoining abattoir land use on Lot 195.

Condition 2 to be amended as follows:

'The Outbuilding shall not be used for human habitation, the processing of animals / animal parts / by-products or the holding of animals associated with the Abattoir production on Lot 195 Cockram Road'.

Condition 3 to be amended as follows:

'This approval is for an Outbuilding only to house machinery/equipment associated with the farming operations on Lot 328 Cockram Road and to house machinery/equipment associated with the abattoir operations on Lot 195 Cockram Road'.

LPS9 Setbacks

The setbacks remain unchanged, and are greater than the prescribed 20 metre setbacks required by LPS 9.

Environmental Impact

No environmental impacts are envisaged.

Furthermore, any noise generated from the outbuilding will need to comply with the *Environmental Protection (Noise) Regulations 1997*.

Summary

In summary, the amended design of the outbuilding is not a major departure of the previously approved outbuilding. Additionally, the amendment of condition two and three of the previous development approval will make clear the intent for the use of the outbuilding to be for storage of equipment/machinery that can be used on the abattoir site. However, the outbuilding cannot be used for the abattoir production, the processing of animals, animal parts or by-products. The amended development approval is supported subject to the amended conditions being imposed.

Advice Notes

In the event that Council approves the development 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* and *Building Regulations 2012* and the *Public Health Act 2016* which are to be approved by the Shire of Gingin.
- B. Any noise generated from the outbuilding is not to exceed the levels as set out under the *Environmental Protection (Noise) Regulations 1997*.
- C. This Approval is for the Outbuilding only. In the General Rural zone, further approval is required for most land uses and building construction. The Shire's Planning Department should be contacted for further information.

STATUTORY ENVIRONMENT

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

Local Planning Scheme No. 9

Part 3 – Zones and the Use of Land

3.2 Objectives of the Zones

3.2.7 General Rural Zone

3.4 Interpretation of the Zoning Table

Part 4 – General Development Requirements

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015-2025

<i>Focus Area</i>	<i>Local Business</i>
<i>Objective</i>	<i>4. To facilitate local business growth</i>
<i>Outcome</i>	<i>4.2 Grow local business, employment and training</i>
<i>Focus Area</i>	<i>Leadership and Governance</i>
<i>Objective</i>	<i>5. To demonstrate effective leadership and governance</i>
<i>Outcome</i>	<i>5.2 Accountable and responsible governance</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council approve the amendment of Development Approval (P1427) dated 18 November 2016 for a proposed Outbuilding (Use Not Listed/Incidental Use) on Lot 328 Cockram Road, Lennard Brook subject to the following conditions:

1. All development being in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
2. This approval is for an Outbuilding only to house machinery/equipment associated with the farming operations on Lot 328 Cockram Road and to house machinery/equipment for the abattoir operations on Lot 195 Cockram Road; and
3. The Outbuilding shall not be used for human habitation, the processing of animals/animal parts/by-products or the holding of animals associated with the abattoir production on Lot 195 Cockram Road.

RESOLUTION

Moved Councillor Elgin, seconded Councillor Smiles that Council approve the amendment of Development Approval (P1427) dated 18 November 2016 for a proposed Outbuilding (Use Not Listed/Incidental Use) on Lot 328 Cockram Road, Lennard Brook subject to the following conditions:

1. All development being in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
2. This approval is for an Outbuilding only to house machinery/equipment associated with the farming operations on Lot 328 Cockram Road and to house machinery/equipment for the abattoir operations on Lot 195 Cockram Road; and
3. The Outbuilding shall not be used for human habitation, the processing of animals/animal parts/by-products or the holding of animals associated with the abattoir production on Lot 195 Cockram Road.

CARRIED
5-1

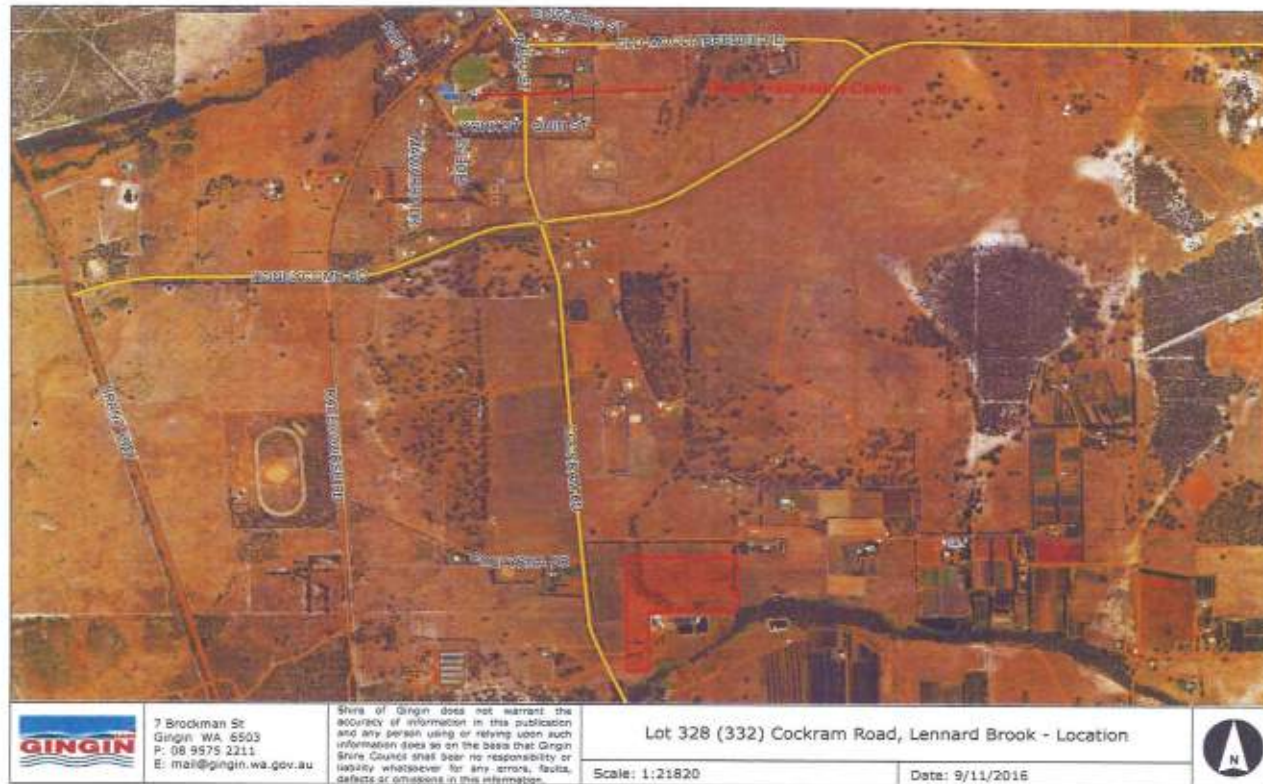
For: Councillor Elgin, Smiles, Collard, Aspinall, Ammon
Against: Councillor Peczka

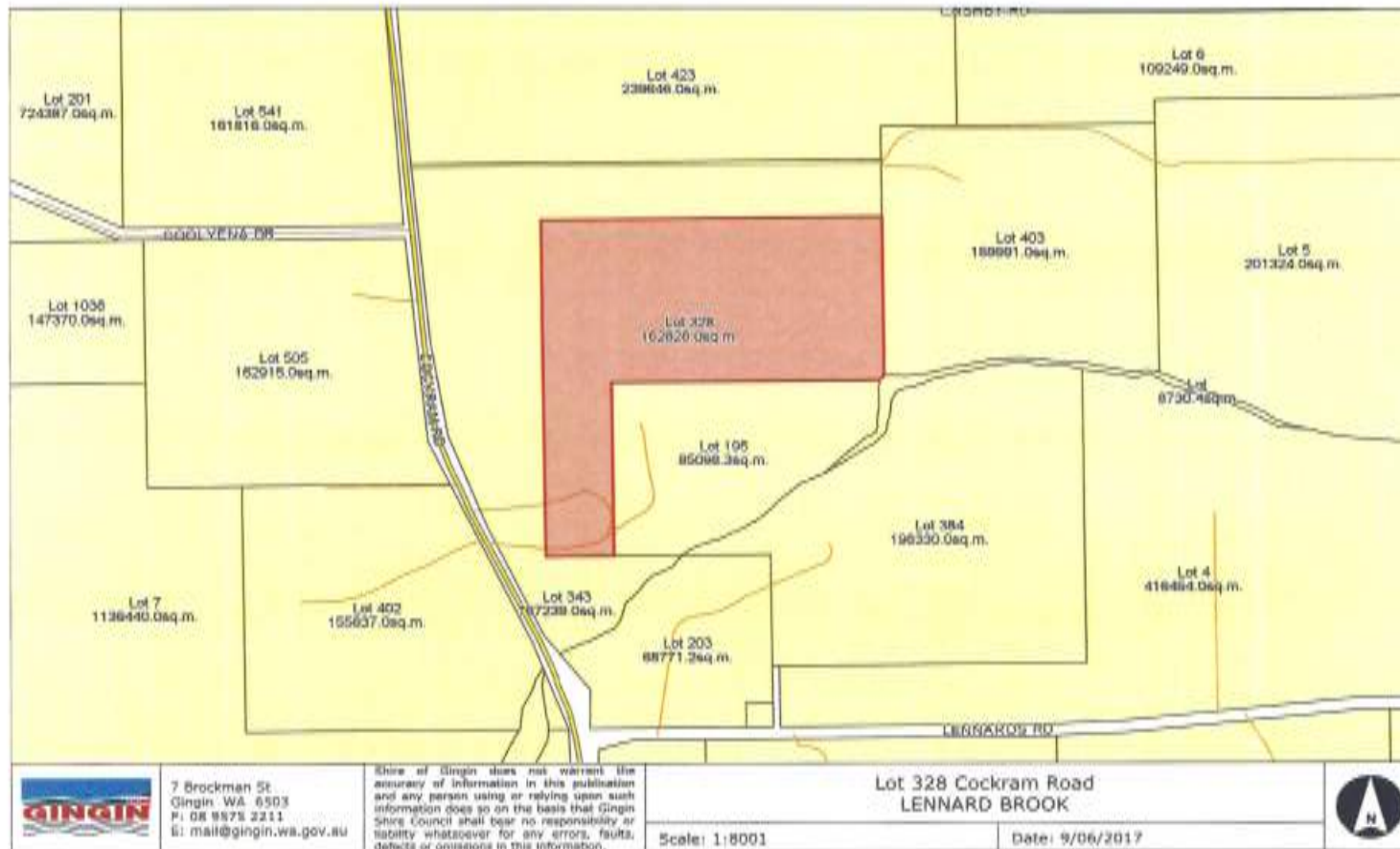
Councillors Roe and Fewster returned to Council Chambers at 4:24pm.

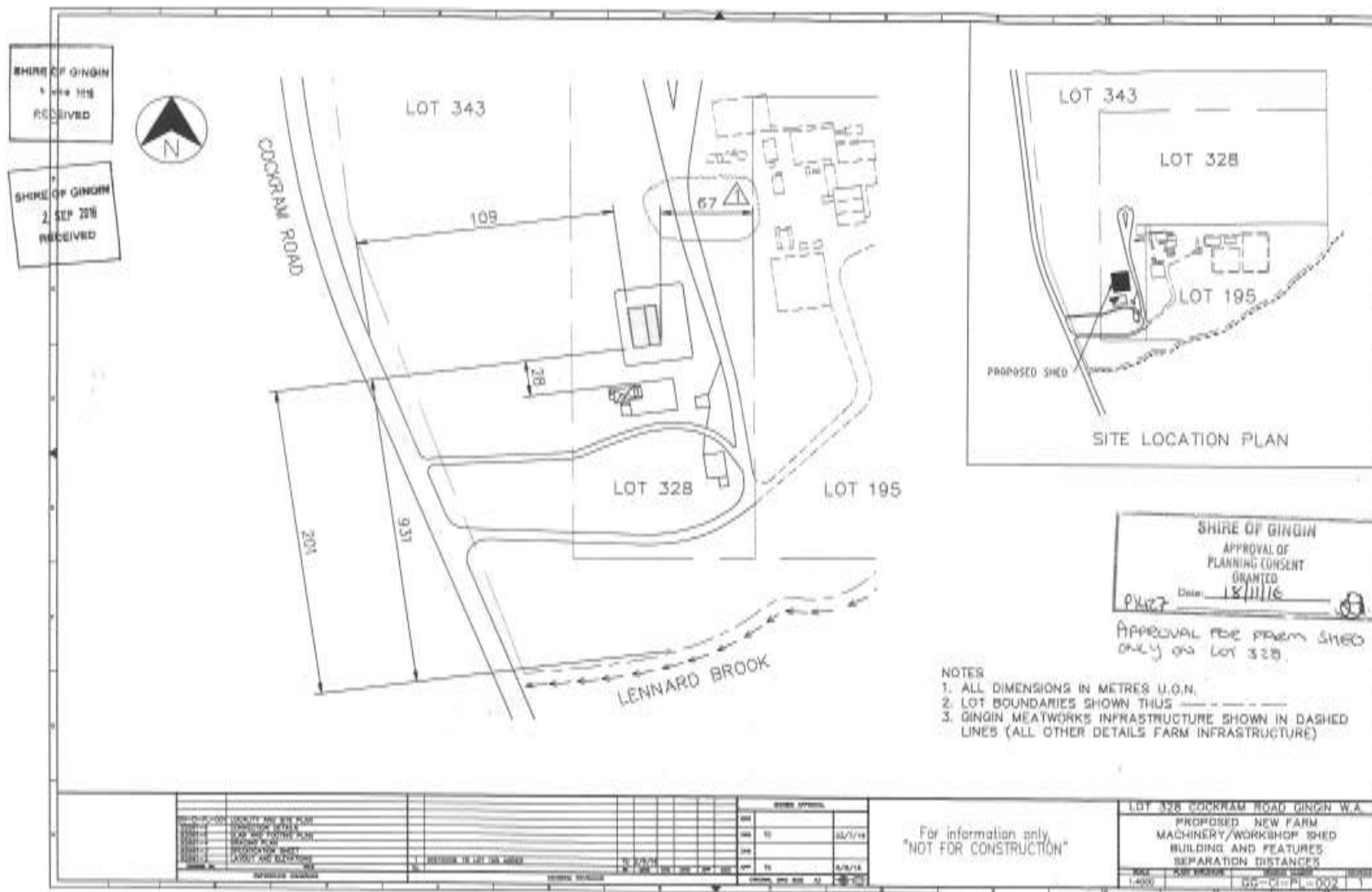
Councillor Roe resumed the Chair at 4:24pm.

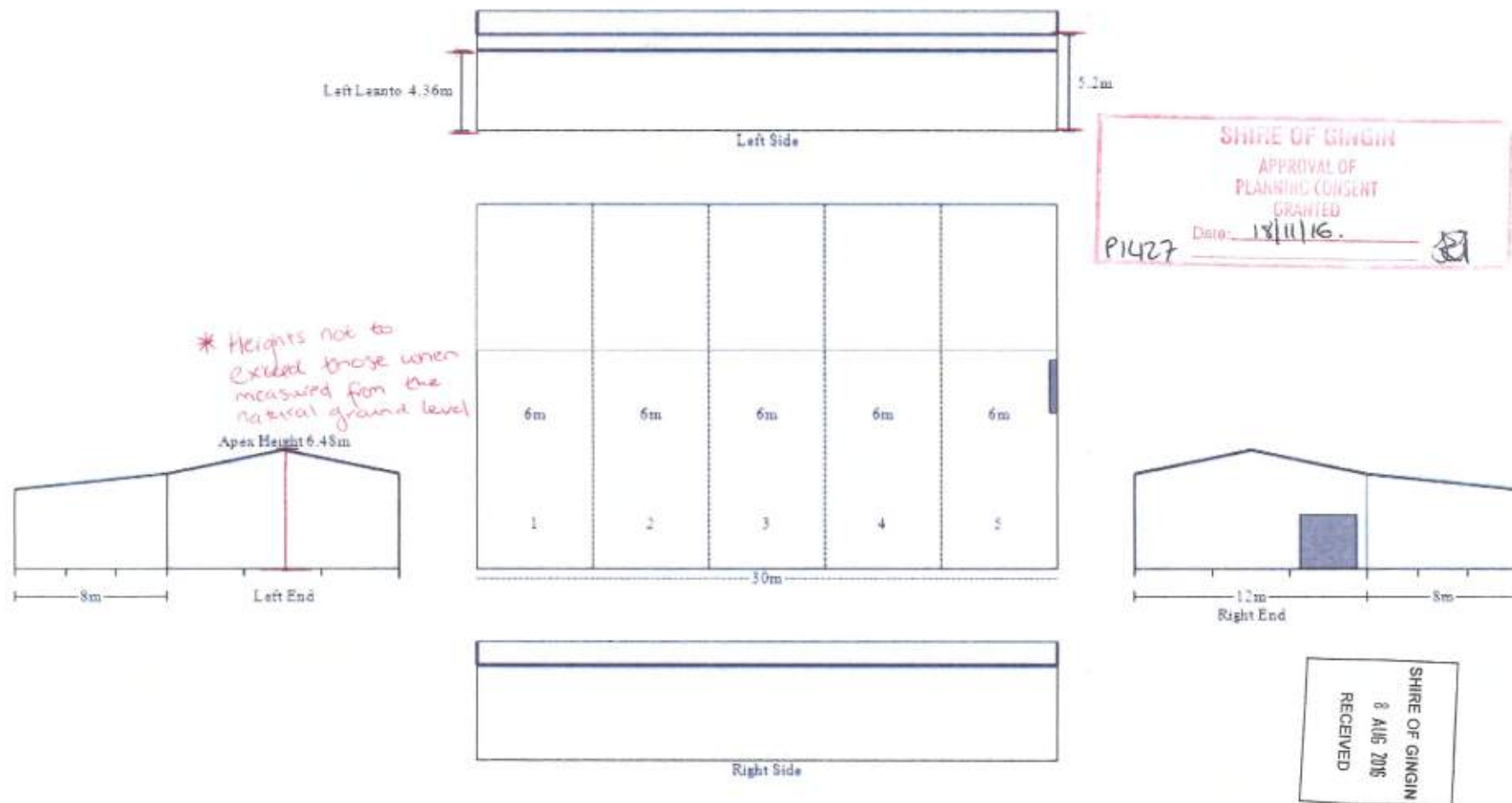
Councillor Collard read aloud Council's decision in relation to Item 11.3.7.

APPENDIX 1



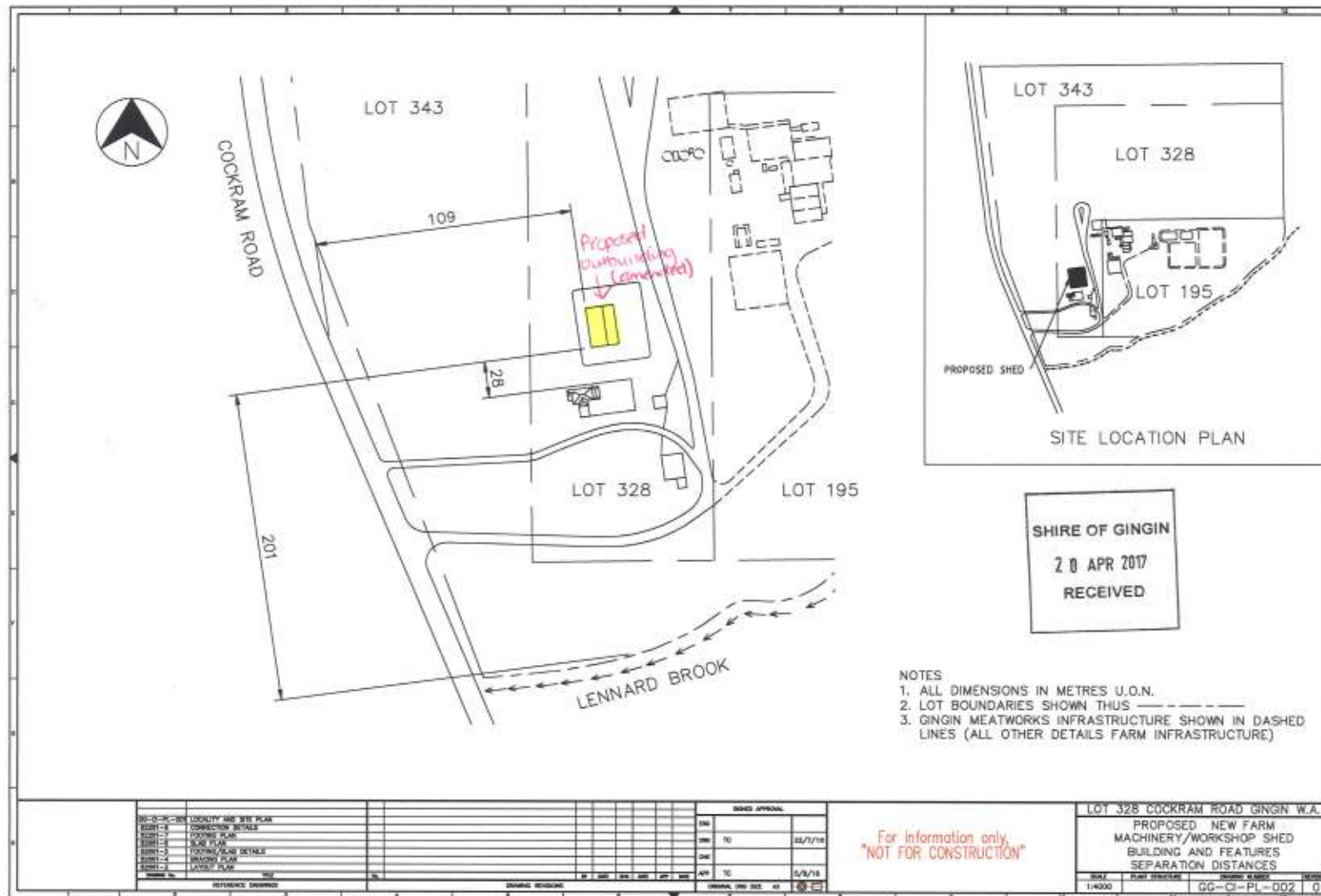




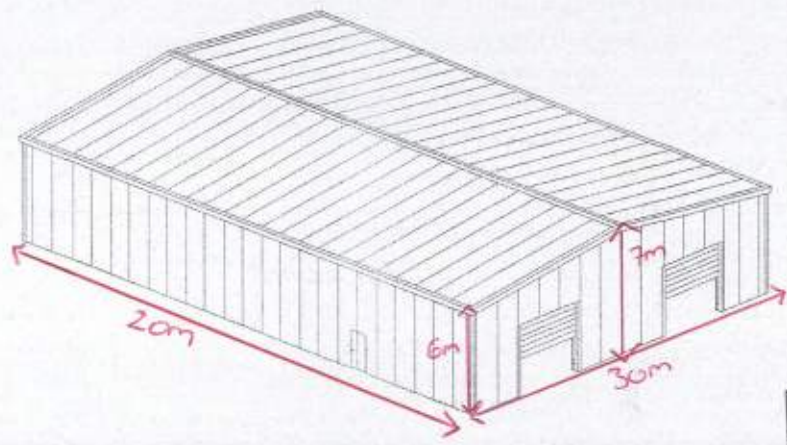


<p>at Name: Gm Gm Mawooda</p> <p>dress: 197 Cockram Rd GINGIN WA Australia 6503</p> <p>g = Job 12661 - 2</p> <p>Print Date: 30/10/08</p>	<p>Layout & Elevations</p>	<p>Wide Span Steel</p> <p>Steel Pty Ltd</p> <p>Phone (07) 5457 8338</p> <p>Fax (07) 5518 7614</p> <p>Email: admin@steel.com.au</p>	<p>ANDREW MATIUKENTICH</p> <p>NIE Aust. CPESig (Registered NPER Structural & Civil) 241550</p> <p>Old NPEC No 4748, NT 114785</p> <p>Practising Professional Structural & Civil Engineer</p> <p>Signature: [Signature]</p> <p>Date: 30/10/08</p>
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APPENDIX 2



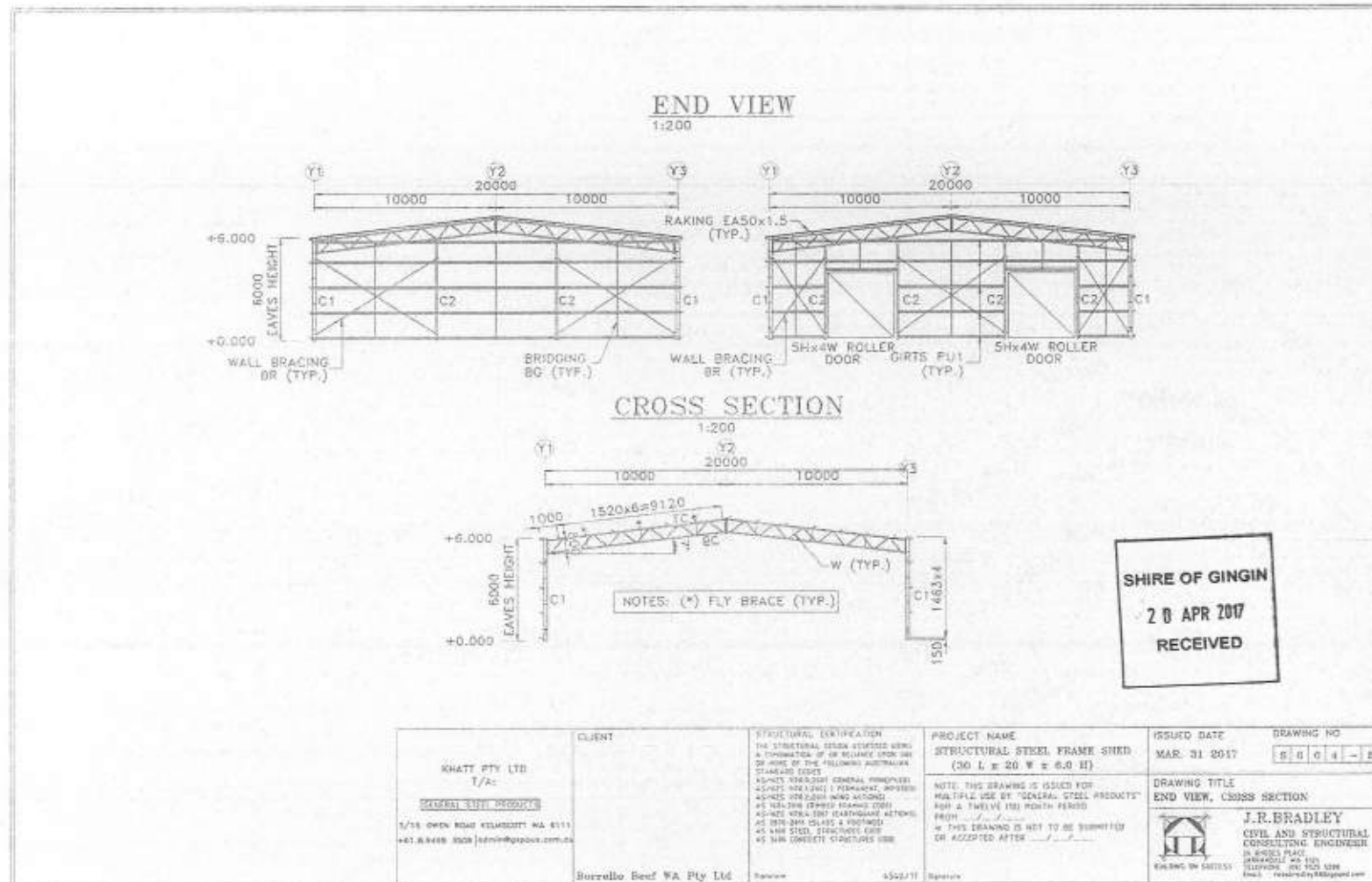
DRAWINGS FOR BUILDING PERMIT

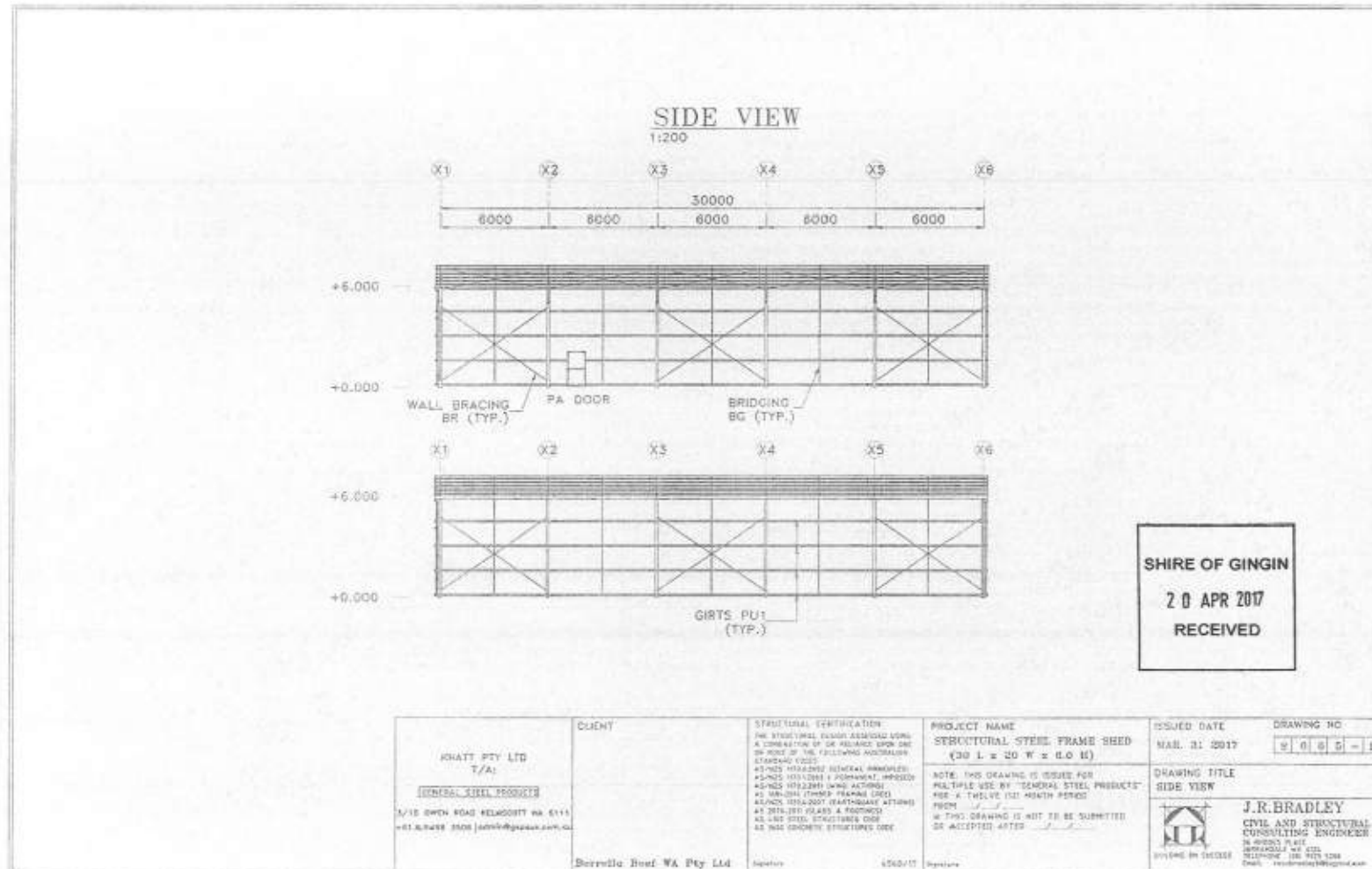


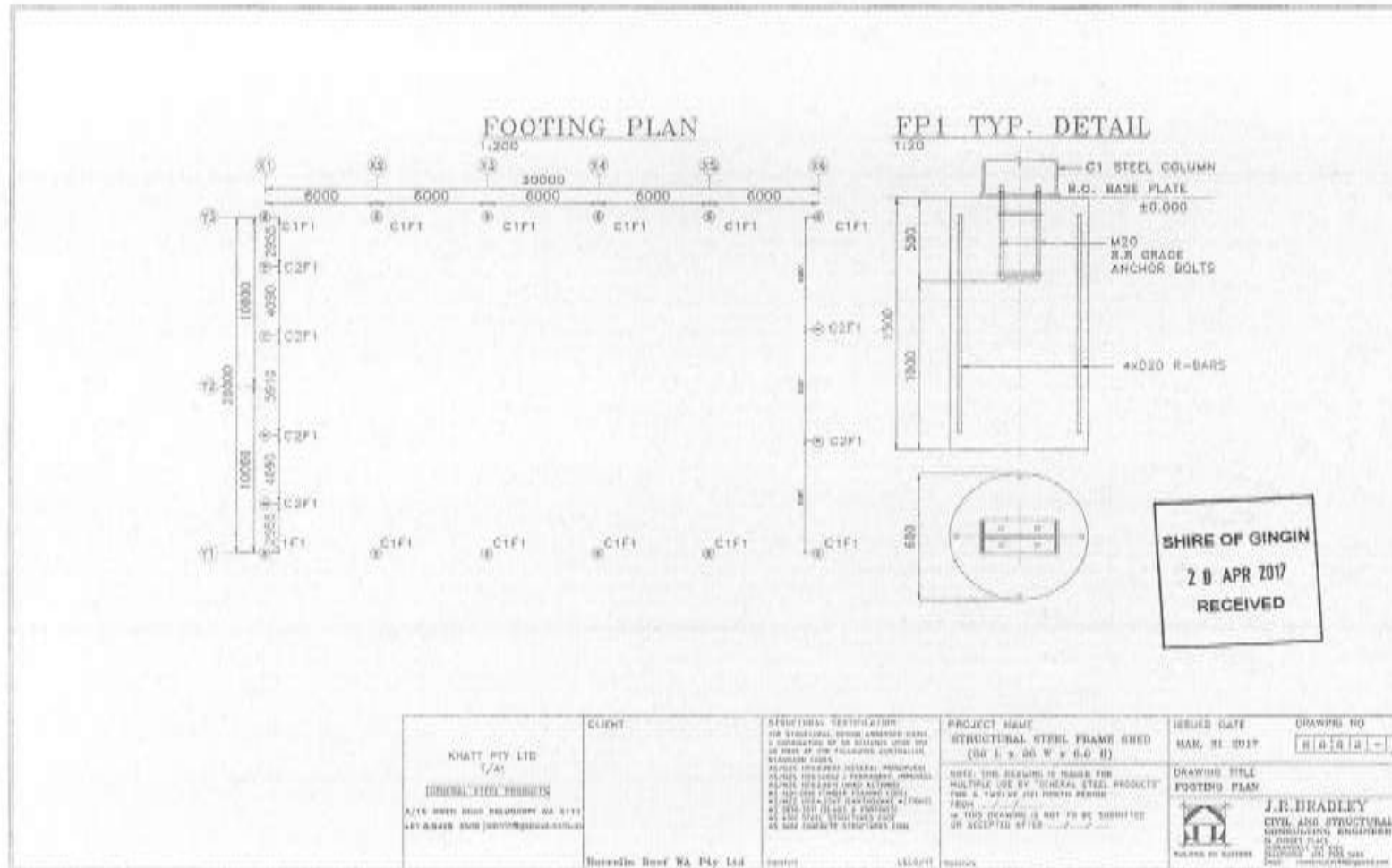
Total Area = 600m²

SHIRE OF GINGIN
20 APR 2017
RECEIVED

PROJECT	STRUCTURAL STEEL FRAME SHED (30 L x 20 W x 6.0 H)	CLIENT	Borrello Beef WA Pty Ltd	GENERAL STEEL PRODUCTS	3/15 OWEN ROAD KELMSCOTT WA 6111
LOCATION	Lot 343 Cockram Road Gingin WA 6503	DATE	MAR. 31 2017		+61.8.9498 3508 | admin@gspous.com.au







**Borrello Family
Proposed New Shed Development
Application
Supporting Information**

CONTENTS

1.0	PURPOSE	1
2.0	BACKGROUND	1
3.0	USE OF PROPOSED SHED.....	1
4.0	GINGIN MEATWORKS - CONTACT PERSON DETAILS	2

1.0 PURPOSE

The Borrello family has lodged a development application with the Shire of Gingin to construct a shed on their property Lot 328 located on Cockram Road, Lennard Brook.

The purpose of this document is to:

- provide further information in support of this application to assist the Gingin Shire Council in the determining this application; and
- provide further explanatory information of the intended use of the proposed new shed facility for the purpose of circulation to the community, for their information.

2.0 BACKGROUND

The proposed shed is intended to be utilised as a workshop and machinery/equipment storage facility in support of the family farming operations and other personal uses by family members only.

The shed structure to be used for the proposed development was originally purchased approximately ten years ago by the family abattoir company and was then intended to be used as a cattle hide processing facility associated with the abattoir.

Although, at the time, this venture went to the extent of a works approval application being submitted the company did not proceed with the project and so the shed was never erected.

The abattoir operation has no intention of any future expansion plans that require this shed so it is intended to use this shed for the proposed development.

Ownership of the shed structure will be passed on to Lot 328 and will not be considered as being an asset of the family abattoir business.

3.0 USE OF PROPOSED SHED

The shed has been purposely located on the same lot as the house, close to the house and well away from the abattoir operation, with this location designed to detach from, and provide a separation distance between the family farming and personal activities and the commercial abattoir operation.

There is no intent to utilise the new shed as any type of extension or to be connected to the current abattoir facilities with no activity or operation directly associated with the general daily maintenance, production, operation or storage of the abattoir to be performed at the proposed shed.

This includes:

- no processing or further processing, or production of any abattoir or non-abattoir related animal product, either in part or whole, will be performed in or around the proposed new shed facility;

-
- no abattoir or non-abattoir related animal product, either in part or whole, will be stored or warehoused in or around the proposed new shed facility;
 - no abattoir related production or processing, consumables, stock inventory, spare parts etc will be stored or warehoused in or around the proposed new shed facility;
 - abattoir employee's will not be permitted to access the proposed new shed facility in the course of them performing their normal abattoir duties;
 - machinery or equipment that is primarily associated with, and in use by, the abattoir operation will not be permanently located in or operated, for abattoir related purposes, at the proposed new shed facility;
 - machinery or equipment that is primarily associated with, and in use by, the abattoir operation will not be permanently stored or warehoused in or at the proposed new shed facility; and
 - some of the machinery and equipment (that is not owned by or has any commercial connection with the abattoirs i.e. is family owned) used on the property for farming/domestic activities may sometimes be used for minor abattoir related activities.

For example:

- the tractor primarily used for farming operations can, on occasion, be used for cleaning out stockyards if the usual contractors are unavailable to perform this service at the time; or
- a ride on mower used to mow around the house, shearing shed, firebreaks, driveway etc is at times, used to mow the abattoir lawn and surrounds.

These are just typical examples and are the exception rather than the norm and may, but not necessarily, be stored or maintained in the new shed facility.

4.0 GINGIN MEATWORKS - CONTACT PERSON DETAILS

If any person who receives this document has any queries regarding the information contained herein or the proposed development application, they are welcome to contact the Gingin Meatworks representative, Tim Chidlow on 0418 954 469 for further advice regarding this matter.

APPENDIX 3

SCHEDULE OF SUBMISSIONS AND RECOMMENDED RESPONSES

APPLICATION FOR DEVELOPMENT APPROVAL PROPOSED OUTBUILDING (USE NOT LISTED/ INCIDENTAL USE) ON LOT 328 COCKRAM ROAD, LENNARD BROOK

No.	Submitter	Submission Detail	Recommended Response
1.	Ratepayer	<p>The Submitter does not support the application and makes the following comments:</p> <p><i>Does anyone really know what will be housed in this shed? Because at the minute you can only read between the lines. If this shed goes ahead it will be built and introduced on stealth. As this submission is a complete backflip from the first. Please ask yourselves this, would I want this in my backyard?</i></p> <p><i>I smell a rat and that may not be all I will be smelling and hearing. The original submission gave examples to what would be housed in the shed as example a ride on mower and tractor.</i></p>	<p>The application for amended development approval is to amend the design of the outbuilding and to amend conditions two and three of the previous planning approval to better clarify the wording of the conditions regarding the use of the outbuilding.</p>
2.	Ratepayer	<p>The Submitter does not support the above proposal and makes the following comments:</p> <p><i>We definitely do not support this application.</i></p> <p><i>This application directly contradicts the approval given on 15 November 2016 – specifically, Resolutions 2 & 3. See full transcripts in the Minutes.</i></p> <p><i>These were put in place to specifically cover and address the assurances given by the Borello Family in the supporting Information (page 195 Shire Minutes) submitted to the Shire Meeting 15.11.16, as follows:</i></p> <p><i>2.0 "The abattoir operation has no intention of any future expansion plans that require this shed, so it is intended to use this shed for the proposed development"</i></p>	<p>The application for amended development approval is to amend the design of the outbuilding and to amend conditions two and three of the previous planning approval to better clarify the wording of the conditions regarding the use of the outbuilding.</p> <p>With respect to the comment regarding the use of the shed to house trucks for their cattle cartage business. The application that is before Council is for the outbuilding to house machinery/equipment associated with the farming operations on Lot 328 and to house machinery/equipment for the abattoir operations on Lot 195. However, the outbuilding is not to be used for the processing of animals/ animal parts/ by-products or the holding of animals associated with the abattoir production on</p>

	<p>3.0 " There is no intent to utilise the new shed as any type of extension or to be connected to the current abattoir facilities with NO activity or operation directly associated with the general daily maintenance, production, operation or STORAGE of the abattoir to be performed at the proposed shed".</p> <p>The Amended Design is to increase the height of the shed so that it can be used as "an incidental use to the abattoir" "to house machinery and equipment".</p> <p>This very broad, nonspecific description will be determined as "use not listed" under Local Planning Scheme No. 9.</p> <p>From the amended design of the increase in height, it is clear that one of the "uses not listed" for this shed will be to house the trucks that the abattoir owners are using for their cattle cartage business. This has been operating without any approval or permission from the Gingin Shire for some time.</p>	<p>Lot 195 Cockram Road.</p> <p>In the event the outbuilding was to be used to house trucks for their cattle cartage business, this land use would be considered a 'transport depot' under the Shire's Local Planning Scheme No. 9 and would require a separate application for Development Approval to be lodged.</p>
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11.3.8 APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED CARETAKER'S/SECOND DWELLING ON LOT 31 GLENROWAN ROAD, NEERGABBY

FILE:	BLD/6845
APPLICANT:	SHANE TROY
LOCATION:	LOT 31 GLENROWAN ROAD, NEERGABBY
OWNER:	CHIN CHA HOH
ZONING:	GENERAL RURAL
WAPC NO:	N/A
AUTHOR:	KYLIE BACON – MANAGER STATUTORY PLANNING
REPORTING OFFICER:	LISA EDWARDS – EXECUTIVE MANAGER PLANNING AND DEVELOPMENT
REPORT DATE:	18 JULY 2017
REFER:	NIL

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider an application for development approval for a proposed Caretaker's/Second Dwelling on Lot 31 Glenrowan Road, Neergabby. (Subject lot).

BACKGROUND

The Application for Development Approval proposes a Caretaker's/Second dwelling to accommodate a property manager and their family as the landowner does not reside permanently at the subject lot. The current caretakers reside in the existing dwelling; however the landowner would like the caretakers to have independent accommodation so they are not residing in the main dwelling.

Council consideration is required as the design of the dwelling varies the development provisions of Local Planning Scheme No. 9 (LPS 9).

The subject lot is 258 Hectares in area and abuts the north-west portion of the Neergabby Grounds and gains access via Midlander Road. The location of the Caretaker's/Second Dwelling is located adjacent to the existing main dwelling and is compliant with the General Rural setback requirements of LPS9.

The owner intends to graze cattle on a small scale and create an orchard on the site with the assistance of the farm manager.

A Location Plan, Site Plan, Floor Plan, Elevations and Applicant's Supporting Information and are provided as **Appendix 1**.

COMMENT

Community Consultation

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

The Shire did not receive any response from the advertising process.

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.*

LPS 9 defines a Caretaker's Dwelling as:

"A dwelling on the same site as a building, operation, or plant or tourist facility, and occupied by a supervisor of that building, operation or plant or tourist facility."

The subject lot is zoned General Rural and therefore a Caretaker's Dwelling is considered to be a 'D – Discretionary' use. This means that the use is not permitted unless the local government has exercised its discretion by granting of development approval. Furthermore, in considering the proposal, the Local Government is to have regard to matters set out in clause 67 of the deemed provisions.

The proposed Caretaker's/Second Dwelling is considered not to impact upon the objectives of the General Rural zone.

Consideration of Second Dwellings in the General Rural Zone

Clause 4.8.6.2 of LPS 9 states:

No more than one single dwelling house shall be erected on a lot zoned General Rural unless the Local Government is satisfied that an additional house is necessary or desirable for the continuation of a bona fide agricultural activity, and is satisfied that the land can be adequately serviced, surrounding amenity is not adversely impacted on or any other consideration it considers relevant.

The site does not have an approved bona fide agriculture use. However, the subject lot is on land zoned General Rural which requires the property to be managed as a general farm. The landowner requires the caretaker's/second dwelling to be used as a caretaker's residence to manage the existing dwelling onsite and the farm in general.

Furthermore, the owner intends to graze cattle on a small scale and create an orchard on the site with the assistance of the farm manager. Administration is satisfied the second dwelling is required to be used as a caretaker's residence to ensure the ongoing management of the farm and its existing dwelling. The land can adequately accommodate the second dwelling without impacting upon the amenity of the surrounding locality or adjoining residences.

LPS 9 Setbacks

The proposed Caretaker's/Second Dwelling is compliant with the prescribe 20m setbacks required for the General Rural zone.

Caretaker's Dwelling Development Standards

Clause 4.8.9 – Caretakers' Dwellings of LPS 9 provides development standards applicable to the proposed application. Only the relevant development standard have been addressed below.

4.8.9.2 A caretaker's dwelling must be incidental to the predominant use of the site.

The site does not have an approved bona fide agriculture use. However, the subject lot is on land zoned General Rural which requires the property to be managed as a general farm. The Caretaker's Dwelling would be considered incidental to the current dwelling and farming activities onsite and also to the future intentions for the subject lot.

4.8.9.4 The total permitted floor area of a caretaker's dwelling is 100m², measured from the external face of walls.

The total floor area of the caretaker's dwelling is 217.56m² and the application is seeking an additional 117.56m² to that permitted by Clause 4.8.9.2. The landowner originally proposed the caretaker's dwelling as three separate units only connected via the external verandahs and not under the same roof. The Shire advised that it could not consider the design on this basis as for it to be considered as one dwelling it had to be under the one roof. The design has subsequently been amended to address this issue.

While the layout of the building is not a traditional dwelling, it meets the needs of the intended residents and does not impact upon the objectives of the General Rural zone or the amenity of the adjoining landowners.

Planning in Bushfire Prone Areas

'State Planning Policy 3.7 – Planning in Bushfire Prone Areas' (SPP 3.7) provides a foundation for land use planning to address bushfire risk management. The subject lot is designated as being bushfire prone. The applicant has provided a Bushfire Attack Level (BAL) Assessment and a Bushfire Management Statement as part of the submission which demonstrates a BAL rating of 12.5 which is considered to be low.

Servicing

Any additional servicing requirements will be the applicant's responsibility.

Summary

In view of the above assessment Administration is of the view that the site is capable of accommodating the Caretaker's/Second Dwelling on Lot 31 Glenrowan Road, Neergabby. The proposal satisfies LPS 9 and the objectives of the General Rural zone.

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 with respect to the outbuilding will be required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011* and *Building Regulations 2012* and *Public Health Act 2016* which are to be approved by the Shire of Gingin.
- B. Premises are to comply with the requirements of the *Public Health Act 2016* and all relevant health legislation.

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

State Planning Policy 2.5 – Rural Planning Policy

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

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>
Outcome	<i>3.3 High quality and well utilised community facilities and assets</i>

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council grant Development Approval for a Caretaker's/Second Dwelling on Lot 31 Glenrowan Road, Neergabby subject to the following conditions:

1. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;
2. This approval is for a Caretaker's/Second Dwelling only as indicated on the approved plans;
3. The Caretaker's/Second Dwelling must be connected to a potable water supply to the satisfaction of the Shire of Gingin;
4. The Caretaker's/Second Dwelling is to comply and be maintained in accordance with the Bushfire Attack Level (BAL) Assessment Report dated 20 June 2017 and the Bushfire Management Statement dated 27 June 2017 submitted with the application to maintain the 12.5 BAL Rating;
5. Prior to the commencement of site works for the development, the Applicant/Owner shall execute and provide to the Shire of Gingin a notification pursuant to Section 70A of the *Transfer of Land Act 1893* to be registered on the title to the land as notification to prospective purchasers that the proposed lot is located in a Bushfire Prone Area and subject to the Bushfire Management Statement dated 27 June 2017; and
6. The Caretaker's/Second Dwelling is not to be used for any form of 'Short Stay' accommodation as defined in the Shire of Gingin's Local Planning Scheme No. 9.

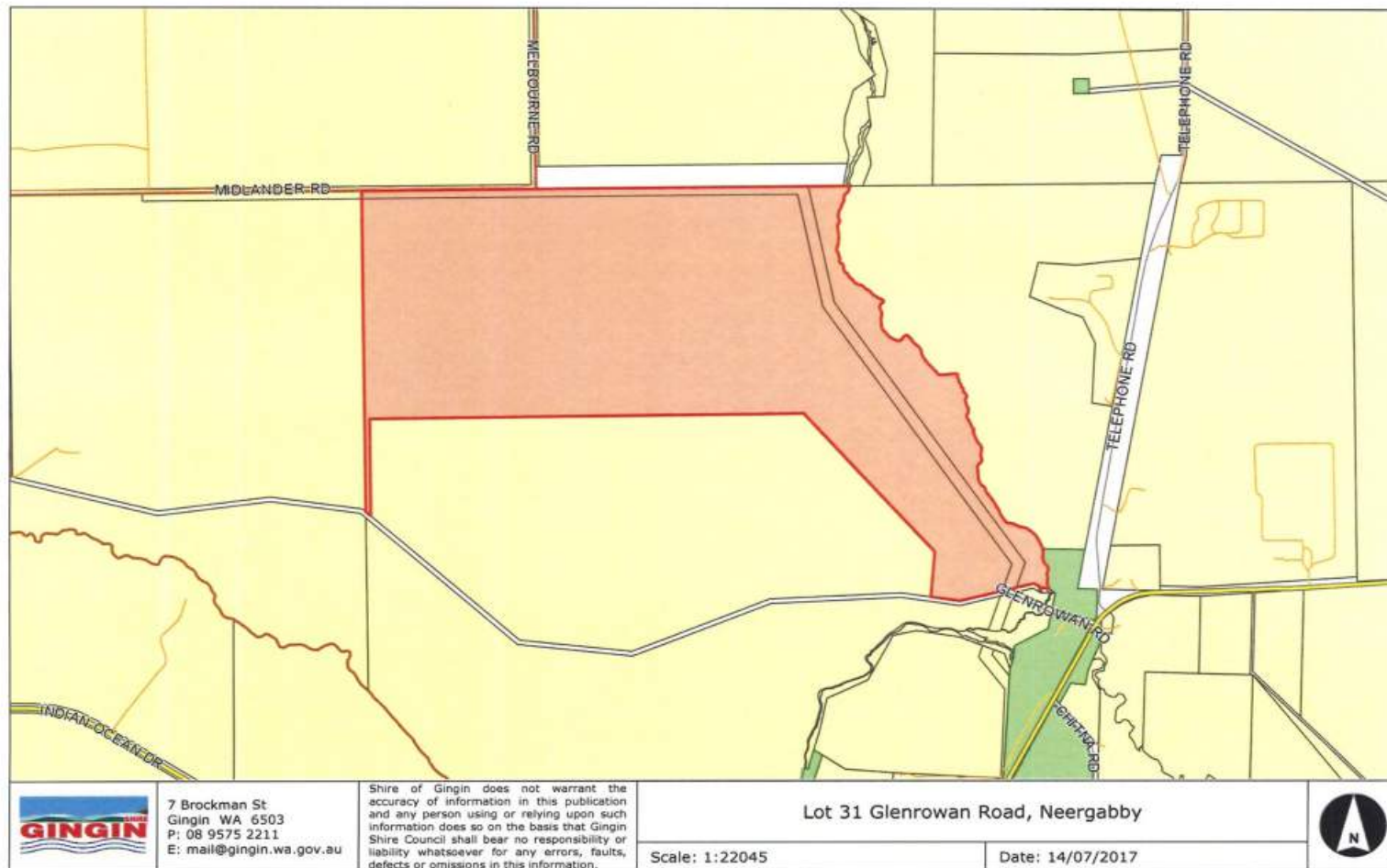
RESOLUTION

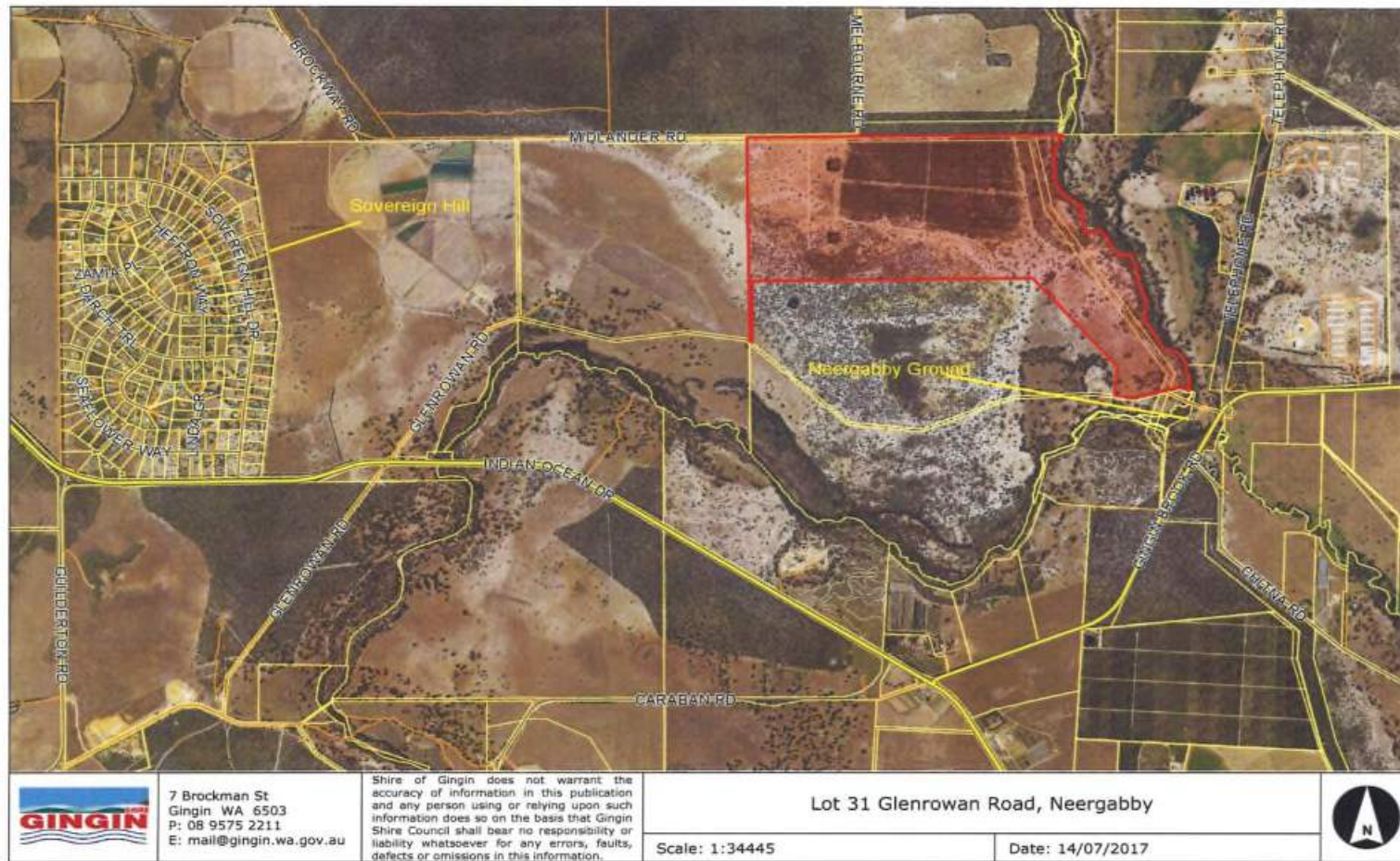
Moved Councillor Elgin, seconded Councillor Ammon that Council grant Development Approval for a Caretaker's/Second Dwelling on Lot 31 Glenrowan Road, Neergabby subject to the following conditions:

- 1. The land use and development shall be undertaken in accordance with the approved plans and specifications (including any amendments marked in RED) unless conditioned otherwise by this approval;**
- 2. This approval is for a Caretaker's/Second Dwelling only as indicated on the approved plans;**
- 3. The Caretaker's/Second Dwelling must be connected to a potable water supply to the satisfaction of the Shire of Gingin;**
- 4. The Caretaker's/Second Dwelling is to comply and be maintained in accordance with the Bushfire Attack Level (BAL) Assessment Report dated 20 June 2017 and the Bushfire Management Statement dated 27 June 2017 submitted with the application to maintain the 12.5 BAL Rating;**
- 5. Prior to the commencement of site works for the development, the Applicant/Owner shall execute and provide to the Shire of Gingin a notification pursuant to Section 70A of the *Transfer of Land Act 1893* to be registered on the title to the land as notification to prospective purchasers that the proposed lot is located in a Bushfire Prone Area and subject to the Bushfire Management Statement dated 27 June 2017; and**
- 6. The Caretaker's/Second Dwelling is not to be used for any form of 'Short Stay' accommodation as defined in the Shire of Gingin's Local Planning Scheme No. 9.**

CARRIED UNANIMOUSLY

APPENDIX 1





13 June 2017

Shire of Gingin
7 Brockman Street
Gingin WA 6503

Attention: Ms Kylie Bacon, Manager Statutory Planning

Dear Sir

LOT 31 GLENROWAN ROAD NEERGABBY WA6503

I refer to the application which Mr Shane Troy has submitted on my behalf for the construction of a house at the above captioned property.

I confirm that the house will be used as accommodation for the farm manager and his family, who will be taking care of the property during my absence.

Further, I intend to setup a small orchard and raise cattle on the land with the assistance of the farm manager.

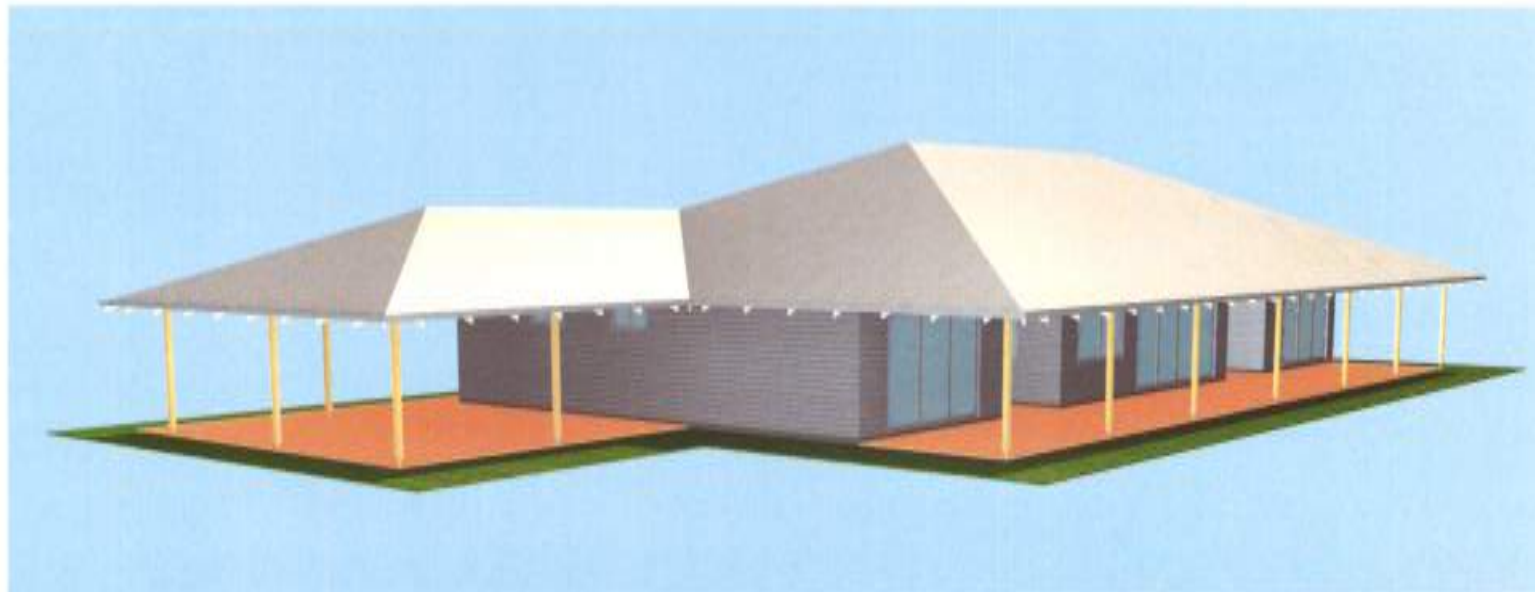
Please do not hesitate to contact me if you require further clarification on the above matter.

Thank you for your kind consideration.

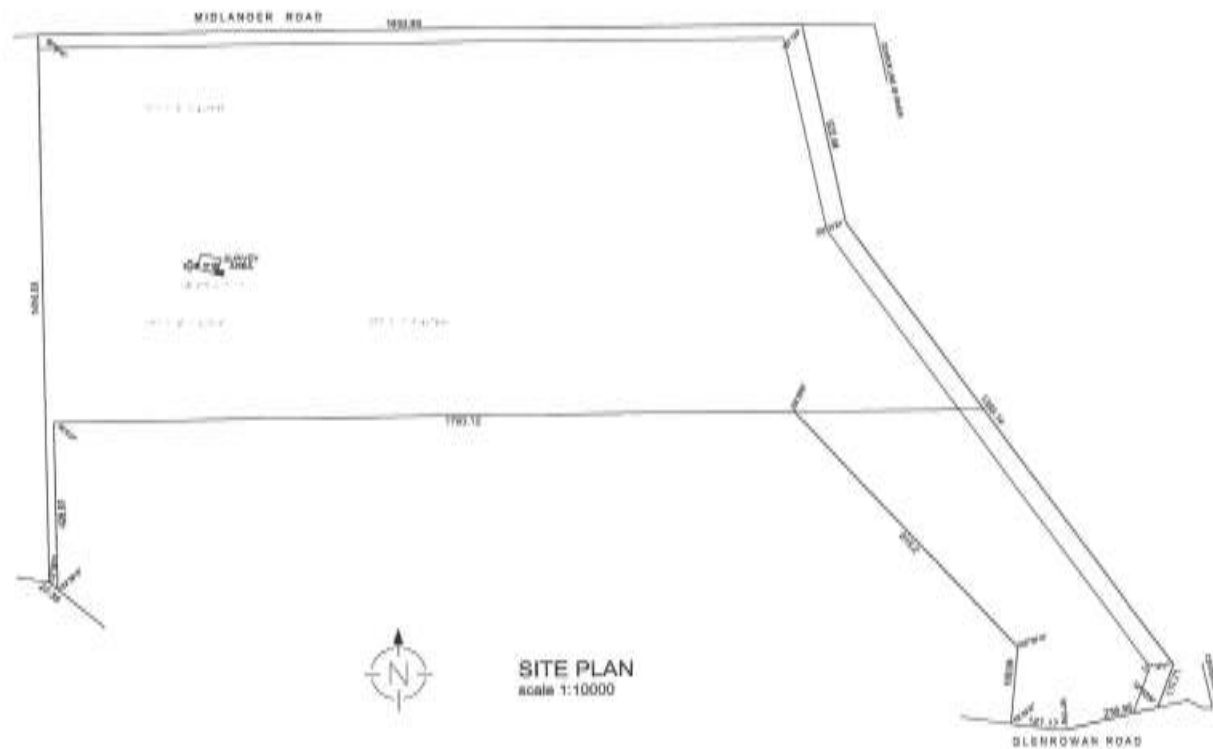
Yours faithfully



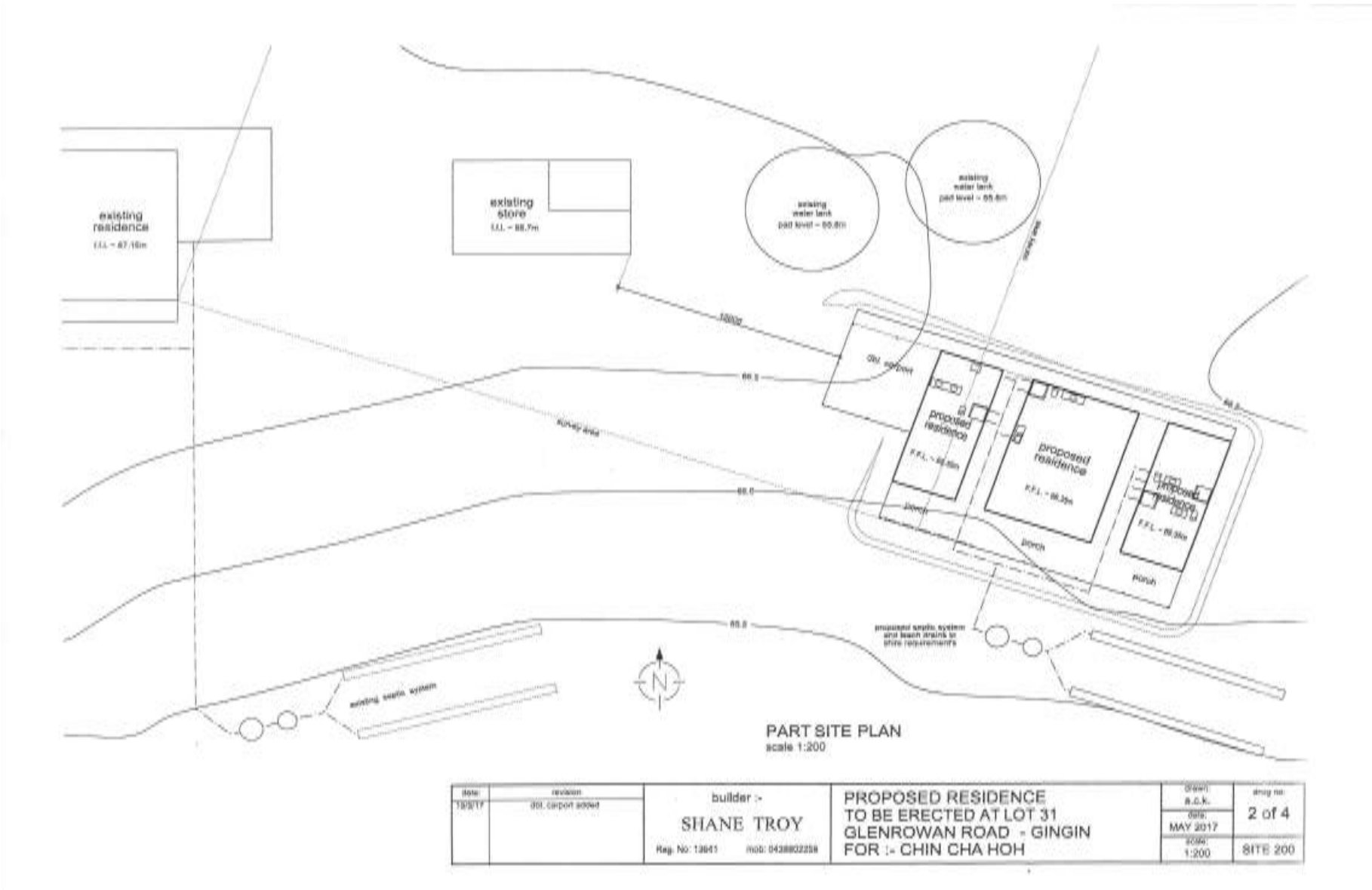
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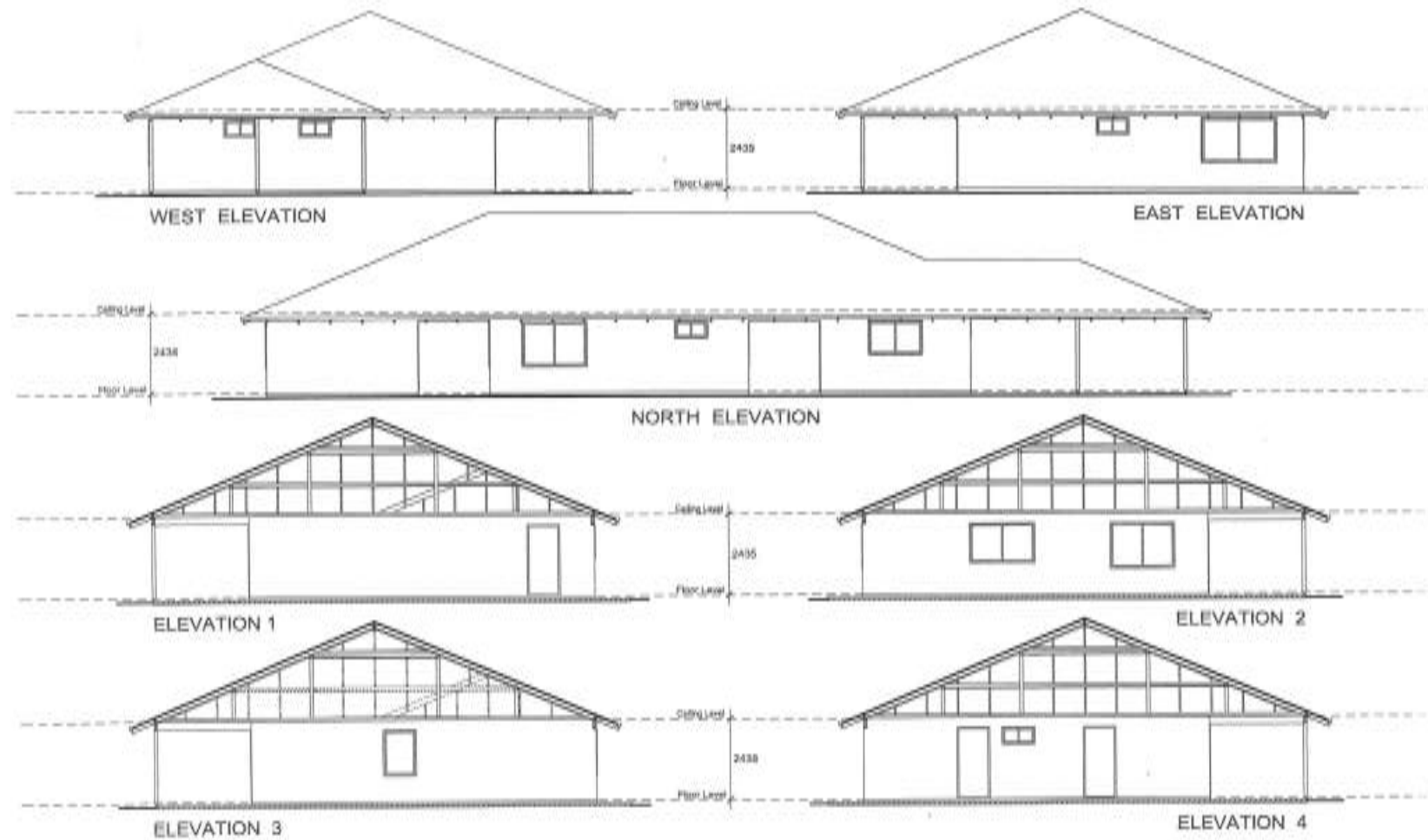


<p>builder :- SHANE TROY Reg. No: 13641 mob: 0438802256</p>	<p>PROPOSED RESIDENCE TO BE ERECTED AT LOT 31 GLENROWAN ROAD - GINGIN FOR :- CHIN CHA HOH</p>	<p>drawn: a.c.k. date: MAY 2017 scale: 1:0.87</p>	<p>dwg no: VIEW</p>
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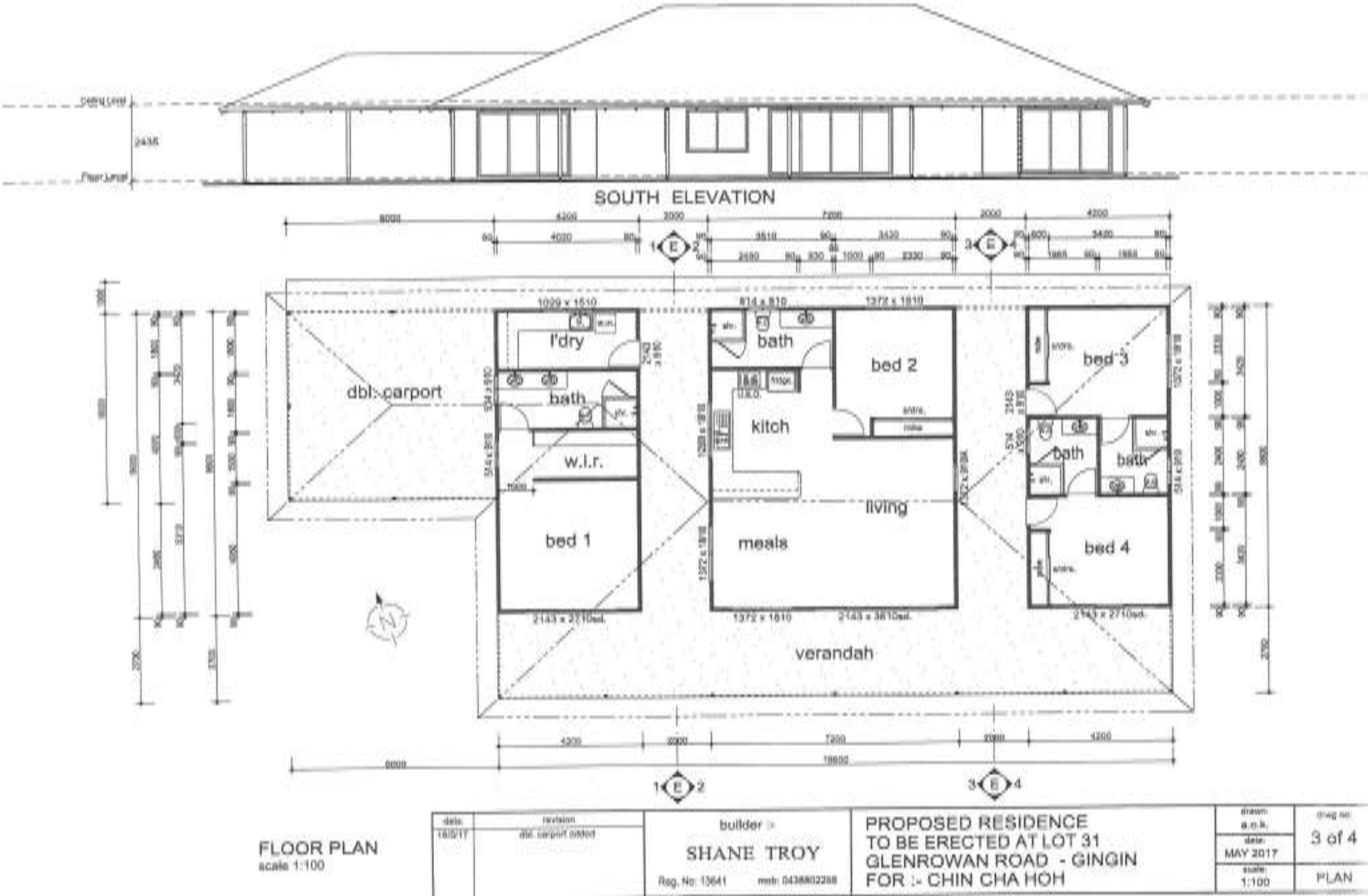


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date: 19/07/17	revision: 001: caption added	builder :- SHANE TROY Reg. No: 13841 mob: 0438803258	PROPOSED RESIDENCE TO BE ERECTED AT LOT 31 GLENROWAN ROAD - GINGIN FOR :- CHIN CHA HOH	drawn: S.C.K. date: MAY 2017 scale: 1:100	sheet no: 4 of 4 ELEV 1
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11.4. OPERATIONS

Nil

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.1 ESTABLISHMENT OF GINGIN WATER ADVISORY COMMITTEE

FILE: GOV/33
AUTHOR: COUNCILLOR SANDRA SMILES
REPORT DATE: 18 JULY 2017
REFER: NIL

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider establishing a Gingin Water Advisory Committee.

BACKGROUND

The Gingin Water Group Inc (GWG) is a broad-based community group, formed in 2011 following public meetings where concern was voiced from the community particularly about the drying state of the various freshwater brooks and streams in the region.

Council received a presentation from GWG at its Concept Forum on 7 March 2017. During the presentation, Group representatives highlighted significant issues and noted, amongst other things, that all surface water subareas of the Gingin region are now over-allocated and that the Department of Water has indicated water law reform and revised allocation and extraction management is being planned for implementation.

GWG asked the Council, as a significant partner in understanding and protecting the Gingin water resource, to establish a Gingin Water Advisory Committee to oversee activities, consider reports/recommendations and collaborate on a communication strategy to inform residents and ratepayers of issues around management of the water resource.

COMMENT

Administration Comment

As a result of the GWG presentation, at the Concept Forum on 7 March 2017 Councillors expressed a preparedness to consider establishing a Gingin Water Advisory Committee for a trial period of 12 months, on the proviso that Committee membership included an appropriately qualified representative from the Department of Water.

A draft Terms of Reference has now been prepared and is attached for Council's consideration as **Appendix 1**.

Council is advised that, in order to fill the proposed community representative positions, it will be necessary to call for nominations through public advertising. Nominations will then be submitted to Council for consideration and appointment.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 5 – Administration

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

Section 5.8 – Establishment of committees

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

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>2.1 Biodiversity conserved</i>
Strategy	<i>2.1.2 Implement ground and surface water management strategies</i>

VOTING REQUIREMENTS – ABSOLUTE MAJORITY

RECOMMENDATION

It is recommended that Council:

1. Agree to establish the Gingin Water Advisory Committee for a trial period of 12 months, to be reviewed in July 2018.
2. Adopt the Gingin Water Advisory Committee Terms of Reference as shown at Appendix 1.
3. Appoint Councillors and as members of the Gingin Water Advisory Committee.
4. Appoint Councillors and as deputy members of the Gingin Water Advisory Committee.

Councillor Elgin left Council Chambers at 4:27pm and returned at 4:28pm

MOTION

Moved Councillor Smiles, seconded Councillor Collard that Council:

1. Agree to establish the Gingin Water Advisory Committee for a trial period of 12 months, to be reviewed in July 2018.
2. Adopt the Gingin Water Advisory Committee Terms of Reference as shown at Appendix 1.
3. Appoint Councillors and as members of the Gingin Water Advisory Committee.
4. Appoint Councillors and as deputy members of the Gingin Water Advisory Committee

AMENDMENT

Amend Part 2 by adding the words “subject to council representation being limited to one councillor”.

Moved Councillor Fewster, seconded Councillor Ammon that Council:

1. **Agree to establish the Gingin Water Advisory Committee for a trial period of 12 months, to be reviewed in Oct 2019**
2. **Adopt the Gingin Water Advisory Committee Terms of Reference as shown at Appendix 1 subject to council representation being limited to one councillor.**
3. **Appoint Councillor Smiles as a member of the Gingin Water Advisory Committee.**
4. **Appoint Councillor Collard as a deputy member of the Gingin Water Advisory Committee.**

**CARRIED BY ABSOLUTE MAJORITY
8-0**

The amendment became the substantive motion and was put.

**CARRIED BY ABSOLUTE MAJORITY
8-0**

REASON FOR AMENDMENT

Council was of the view that one Councillor member and deputy member would be more appropriate than two.

APPENDIX 1



TERMS OF REFERENCE

GINGIN WATER ADVISORY COMMITTEE

18 July 2017

Name:	Gingin Water Advisory Committee
Role/Purpose:	To advise Council and the Shire of Gingin community on matters relevant to understanding and protecting the water resource of the Shire.
Aims & Functions:	<ol style="list-style-type: none"> 1. To advise Council and ratepayers/residents of the Shire on current trends and issues relating to the economic, environmental, social and cultural perspectives of the Shire's water resource (including monitoring); 2. To advise Council on matters for consultation with and information for residents of emerging priorities and strategies to manage the water resource (communication strategy and relevant information); 3. To advise Council and ratepayers/residents of the Shire on actions that can be taken to protect the water resource; 4. To monitor and report to Council on processes/actions referred to the Committee by Council; and 5. To recommend to Council issues to be considered for inclusion within the Shire's planning framework.
Membership:	<ol style="list-style-type: none"> 1. The committee shall consist of the following representation: <ul style="list-style-type: none"> • two Councillor representatives; • two representatives from the Gingin Water Group; • one representative from the Department of Water; • one representative from Perth NRM (Natural Resource Management); • one representative from NACC • one representative from Moore Catchment Council • one representative from Chittering Landcare (Ellen Brockman Integrated Catchment Group) • two Shire of Gingin ratepayers/residents 2. The Executive Manager Planning and Development will attend all meetings of the Committee to provide technical advice and guidance only 3. A nominated deputy member may attend in place of an endorsed representative member. 4. Membership shall be for a period of one year from the date of establishment of the Committee. 5. Committee membership shall be appointed or removed by the Council.

	<p>6. Members must comply with the Shire's Code of Conduct.</p> <p>7. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.</p>
Operating procedures:	<p>1. Presiding Member:</p> <ul style="list-style-type: none"> a) The members of a committee are to elect a presiding member and deputy presiding member from amongst themselves at the first meeting of the committee and in accordance with the <i>Local Government Act 1995</i>, Schedule 2.3, Division 1. b) The CEO or delegated nominee will attend the first meeting to conduct the election of the Presiding Member or at a subsequent meeting if a new Presiding Member is to be elected. c) The Presiding Member will preside at all meetings. d) In the absence of the Presiding Member, the Deputy Presiding Member will assume the chair, and in his/her absence, a person is to be elected by the committee members present to assume the Chair. e) The Presiding Member is responsible for the proper conduct of the committee. <p>2. Meetings:</p> <ul style="list-style-type: none"> a) The committee shall meet on an as required basis. Meetings may be scheduled as considered necessary by the Chief Executive Officer, or by resolution of the Committee. b) A Notice of Meeting, including an agenda, will be circulated to the committee members (including deputy delegates) at least 72 hours prior to each meeting where possible. c) The Presiding Member shall ensure that detailed minutes of all meetings are kept and that all Committee members (including deputy delegates) are provided with a copy of the minutes. d) All committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2015. <p>3. Working Groups</p> <ul style="list-style-type: none"> a) The Committee may establish working groups (volunteer basis) for specific tasks or processes. b) Working groups will report on progress in their work program to the Committee. c) Working groups will meet on an as required basis. d) Working groups will be disbanded once their specific task/process is completed, or by decision of the Committee. <p>3. Quorum:</p> <p>The quorum for a meeting shall be at least 50% of the number of endorsed members.</p>

	<p>5. Reporting:</p> <p>a) The Minutes of every Committee meeting will be circulated for the information of all Councillors.</p> <p>b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing legislation:	The committee is established under section 5.8 of the <i>Local Government Act 1995</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.		Establishment of Committee

13. COUNCILLORS' OFFICIAL REPORTS

13.1 REVIEW OF EXPERIENCE PERTH AND CORAL COAST TOURISM BOUNDARIES

LOCATION: LANCELIN
FILE: GOV/20-1
COUNCILLOR: FRANK PECZKA
REPORT DATE: 18 JULY 2017

On Wednesday, 14 June 2017 I attended by invitation a Lancelin Chamber of Commerce Dinner with guest speaker Steve Barrett. Steve gave a presentation about tourism opportunities and reviewing tourism marketing and promotion boundaries to help “get the Shire on the map”.

Steve Barrett has recently been appointed as a Board Member to the Australia’s Coral Coast Tourism Board. The Shire’s coastline needs to review its tourism boundaries to perhaps “gain more traction” under the Coral Coast branding vs Experience Perth branding.

An article that appeared in the Weekend West Newspaper in the Travel Guide insert publication, promoting the Coral Coast that starts from Cervantes right up to Exmouth has been circulated separately to Councillors. There was no mention of the Shire’s coastline nor any promotion being conducted by Experience Perth for our coastline.

This concern on the Shire’s tourism was acknowledged at Council’s Concept Forum in early June 2017 and a brief discussion ensued.

13.2 LOCAL RESIDENT OF LEDGE POINT - OLGA MARSHALL 100TH BIRTHDAY CELEBRATION

LOCATION: LEDGE POINT
FILE: GOV/20-1 GOV/20-1
COUNCILLOR: FRANK PECZKA
REPORT DATE: 18 JULY 2017

I and my wife were privileged to attend a 100th Birthday celebration for Olga Marshall at Ledge Point on Sunday, 9 July 2017. This was a memorable day with Olga’s family and she is still going strong!

Olga received congratulatory 100th birthday letters from the Queen, Australian Governor General, Prime Minister, State Governor General and Premier.

It was a wonderful the occasion for a wonderful lady. Happy 100th Birthday Olga.

13.3 VISIT TO LOCAL RESIDENT OF LEDGE POINT - OLGA MARSHALL – CELEBRATING 100TH BIRTHDAY

LOCATION: LEDGE POINT
FILE: GOV/20-1
COUNCILLOR: IAN COLLARD
REPORT DATE: 18 JULY 2017

On Tuesday, 11 July 2017, Chief Executive Officer Jeremy Edwards and Corporate Communications and Marketing Officer Meredith Taylor and I had the privilege of visiting Mrs Olga Marshall in Ledge Point to wish her a happy birthday and present her with a flower arrangement on behalf of the Shire of Gingin.

Olga celebrated her 100th Birthday with family on Sunday, 9 July 2017. Her daughter Kaye and Kaye's partner Tim Coleman are long time residents of Ledge Point and Tim has been in the region since 1959. It was a delight to visit them and enjoy a cup of tea.

Kaye and Tim really appreciated the visit and thanked the Shire for the beautiful arrangement of flowers. Olga is a wonderful lady and we are delighted we were able celebrate with her.

Happy 100th Birthday Olga.

13.4 ANNUAL GENERAL MEETINGS – SOVEREIGN HILL COMMUNITY ASSOCIATION AND REDFIELD PARK COMMUNITY ASSOCIATION

LOCATION: SOVEREIGN HILL AND REDFIELD PARK
FILE: GOV/20-1
COUNCILLOR: MICHAEL ASPINALL
REPORT DATE: 18 JULY 2017

On Saturday 15 July 2017 and Sunday 16 July 2017 I attended the respective Annual General Meetings of the Sovereign Hill Community Association and Redfield Park Community Association. Both groups have recently been working on new constitutions, which have now been adopted. Both groups expressed thanks to the Shire's Club Development Officer, Helen Sutherland, for her support and efforts in the constitution review process.

13.5 MOORE MENS SHED ANNUAL GENERAL MEETING – 16 JULY 2017

LOCATION: MOORE RIVER
FILE: GOV/20-1
COUNCILLOR: IAN COLLARD
REPORT DATE: 18 JULY 2017

I attended the Annual General Meeting of the Moore River Men's Shed on Sunday, 16 July 2017. There are currently 25 members involved in the group. Office bearers remain unchanged. At the meeting the group extended thanks to Bendigo Bank for its support.

13.6 NOMINATION FOR EARTH AWARDS – NEO INFRASTRUCTURE

LOCATION: SEABIRD
FILE: GOV/20-1
COUNCILLOR: JOHN ELGIN
REPORT DATE: 18 JULY 2017

I was recently interviewed by a journalist in relation to the nomination of Neo Infrastructure for the 2017 Earth Awards with respect to their work on the Seabird sea wall project.

During the interview the journalist was very complimentary in relation to the Shire's position on environmental issues, particularly its actions in relation to the sea wall and its involvement of the community in this project.

All Councillors are invited to a meeting at the Seabird Tavern on Thursday, 27 July 2017.

14. NEW BUSINESS OF AN URGENT NATURE

RESOLUTION

Moved Councillor Peczka, seconded Councillor Collard that Council accept Item 14.1 Shire of Gingin Waste Local Law 2016 for consideration as New Business of an Urgent Nature.

CARRIED UNANIMOUSLY

14.1 SHIRE OF GINGIN WASTE LOCAL LAW 2016

FILE:	LAW/1	
AUTHOR:	LEE-ANNE BURT – GOVERNANCE OFFICER	
REPORTING OFFICER:	JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER	
REPORT DATE:	18 JULY 2017	
REFER:	17 MAY 2016	ITEM 11.1.1
	20 SEPTEMBER 2016	ITEM 11.1.1
	15 NOVEMBER 2016	ITEM 11.1.3

OFFICER INTEREST DECLARATION

Nil

PURPOSE

To consider amending the Shire of Gingin Waste Local Law 2016 at the request of the Joint Standing Committee on Delegated Legislation (the JSCDL).

BACKGROUND

At its meeting on 15 November 2016, Council resolved to adopt the Shire of Gingin Waste Local Law 2016.

In accordance with the requirements of the *Local Government Act 1995*, the Local Law was subsequently published in the Government Gazette on 2 December 2016 and then submitted to the JSCDL with the required Explanatory Memorandum and Checklist for review.

The Local Law came into effect on 17 December 2016.

COMMENT

On 3 July 2017, the Shire received correspondence advising that the Shire of Gingin Waste Local Law was considered by the JSCDL on 28 June 2017 and querying the absence of an "Objection and Appeal Rights" clause in the local law.

The correspondence states that *Given that the Explanatory Memorandum states the Local Law is based on WALGA's Model, the absence of an express 'Objection and appeal rights' clause...is a significant deviation from the WALGA model...*

The Shire of Gingin Waste Local Law 2016 was prepared based on the Model Waste Local Law prepared by the Western Australian Local Government Association (WALGA). A copy of the Model Local Law was downloaded from the WALGA website by Administration on 2 February 2015, and it is this version that was used to draft the Shire's Local Law.

It has subsequently become apparent that the version of the Model Local Law downloaded by the Shire in February 2015 was incorrect. The Model approved by the JSCDL did include an "Objection and Appeal Rights" clause, but for some reason this was not the version available from the WALGA website at the time it was downloaded by the Shire of Gingin.

It has been advised that the error was pointed out to WALGA by the JSCDL at some point after download by the Shire of Gingin, and the template on the website was subsequently corrected.

Unfortunately, despite being submitted to both the (then) Department of Local Government and Communities and the Department of Environment Regulation for scrutiny during the public submission period, the omission was not detected prior to the Local Law being adopted by Council.

The JSCDL correspondence acknowledges that any decision made by a local government under the *Local Government Act 1995* can be appealed under Part 9, Division 1 of the Act, regardless of whether an "Objection and Appeal Rights" clause is included in a particular local law or not. Nevertheless, the JSCDL now requires Council to give an undertaking by 31 July 2017 to amend the Shire of Gingin Waste Local Law, within six months of giving the undertaking, to include a "Objection and Appeal Rights" clause. In the event that the required undertaking is not forthcoming, then the JSCDL will recommend in Legislative Council that the Local Law be disallowed.

Correspondence has been forwarded to the JSCDL explaining the circumstances relating to this matter and requesting that the JSCDL reconsider its position, and permit the Shire to incorporate the inclusion of an "Objection and Appeal Rights" clause in conjunction with its next scheduled local law review. Unfortunately a response has yet to be received, and given the existing 31 July deadline for an undertaking by Council to proceed with the amendment, the matter must be considered at this meeting.

In the event that Council resolves to provide the required undertaking to the JSCDL, then Administration will commence the drafting of an amendment local law for consideration at a future Council meeting.

STATUTORY ENVIRONMENT

Local Government Act 1995

Part 3 – Functions of local governments

Division 2 – Legislative functions of local governments

Section 3.12 – Procedure for making local laws

Waste Avoidance and Resource Recovery Act 2007

Part 6 – Waste services

Division 3 – Local laws and local government rates, fees and charges

Section 61 – Local laws in respect of waste management

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

In the event that Council resolves to give the undertaking sought by the JSCDL, then costs will be incurred in undertaking the advertising and gazettal required by the statutory local law process.

It is anticipated that, in this instance, the cost of amending the Shire of Gingin Waste Local Law 2016 is likely to be in the vicinity of \$1,500, which can be sourced from the 2017/18 Advertising/Publications budget.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2015-2025

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

VOTING REQUIREMENTS – SIMPLE MAJORITY

RECOMMENDATION

It is recommended that Council:

1. Provide the following undertakings to the Joint Standing Committee on Delegated Legislation:
 - a. The Shire of Gingin Waste Local Law 2016 will be amended by 17 January 2018 to include an express “Objection and Appeal Rights” clause consistent with the Western Australian Local Government Association Model;
 - b. All consequential amendments arising from the undertaking will be made;
 - c. The Local Law will not be enforced in a manner contrary to the undertaking given;
 - d. The Shire will provide a copy of the Minutes of the meeting at which Council resolved to provide the undertaking; and
 - e. Where the Local Law is made publicly available, whether in hard copy or electronic form, it will be accompanied by a copy of these undertakings.

2. Note that these undertakings will not have effect in the event that the Joint Standing Committee on Delegated Legislation consents to the Shire incorporating the inclusion of an “Objection and Appeal Rights” clause into the Shire of Gingin Waste Local Law 2016 in conjunction with its next scheduled local law review.

RESOLUTION

Moved Councillor Peczka, seconded Councillor Collard that Council:

1. **Provide the following undertakings to the Joint Standing Committee on Delegated Legislation:**
 - a. **The Shire of Gingin Waste Local Law 2016 will be amended by 17 January 2018 to include an express “Objection and Appeal Rights” clause consistent with the Western Australian Local Government Association Model;**
 - b. **All consequential amendments arising from the undertaking will be made;**
 - c. **The Local Law will not be enforced in a manner contrary to the undertaking given;**
 - d. **The Shire will provide a copy of the Minutes of the meeting at which Council resolved to provide the undertaking; and**
 - e. **Where the Local Law is made publicly available, whether in hard copy or electronic form, it will be accompanied by a copy of these undertakings.**
2. **Note that these undertakings will not have effect in the event that the Joint Standing Committee on Delegated Legislation consents to the Shire incorporating the inclusion of an “Objection and Appeal Rights” clause into the Shire of Gingin Waste Local Law 2016 in conjunction with its next scheduled local law review.**

**CARRIED BY ABSOLUTE MAJORITY
8-0**

15. MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC

RESOLUTION

Moved Councillor Smiles, seconded Councillor Peczka that Council move into a Confidential Session to discuss Item 15.1.

CARRIED UNANIMOUSLY

The meeting was closed to the public and all members of the public present in the gallery, together with the Executive Manager Corporate and Community Services, Executive Manager Operations, Executive Manager Planning and Development and the Manager Statutory Planning left Council Chambers at 4:50pm.

15.1 APPOINTMENT OF EXECUTIVE MANAGER ASSETS

FILE:	PER/1
REPORTING OFFICER:	JEREMY EDWARDS – CHIEF EXECUTIVE OFFICER
REPORT DATE:	18 JULY 2017
REFER:	NIL

Reason for Confidentiality

This Report is **CONFIDENTIAL** in accordance with Section 5.23 (2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

- a) *A matter affecting an employee or employees; and*
- c) *A contract entered into, or which may be entered into, by the Local Government and which relates to a matter to be discussed at the meeting.*

RECOMMENDATION

It is recommended that Council accept the offer by the Chief Executive Officer of the Executive Manager Assets position, on a contract basis for a period of five years, to Raees Rasool in accordance with Section 5.37(2) of the *Local Government Act 1995*.

RESOLUTION

Moved Councillor Smiles, seconded Councillor Peczka that Council accept the offer by the Chief Executive Officer of the Executive Manager Assets position, on a contract basis for a period of five years, to Raees Rasool in accordance with Section 5.37(2) of the *Local Government Act 1995*.

CARRIED UNANIMOUSLY

RESOLUTION

Moved Councillor Collard, seconded Councillor Fewster that the meeting be re-opened to the public.

CARRIED UNANIMOUSLY

The meeting re-opened to the public at 4:58pm. No members of the public or staff returned to Council Chambers.

16. **CLOSURE**

There being no further business, the Shire President declared the meeting closed at 4:59pm.

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, 15 August 2017 commencing at 3.00pm.

Councillor D W Roe
Shire President
15 August 2017