



# MINUTES

## Ordinary Council Meeting

21 May 2024

## **CONFIRMATION OF MINUTES**

These Minutes have been CONFIRMED by Council as the official record for the Shire of Gingin's Ordinary Council Meeting held on 21 May 2024.



**Councillor C W Fewster  
SHIRE PRESIDENT**

**Date of Confirmation: 18 June 2024**

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

## **ACKNOWLEDGEMENT OF COUNTRY**



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

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## **ORDER OF BUSINESS**

### **1 DECLARATION OF OPENING**

The President declared the meeting open at 3:06 pm and welcomed all in attendance.

### **2 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

#### **2.1 ATTENDANCE**

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

Staff – A Cook (Chief Executive Officer), K Leonhardt (Acting Executive Manager Corporate and Community Services), R Kelly (Executive Manager Regulatory and Development Services), J Bayliss (Manager Planning and Building), L Burt (Coordinator Governance), and K Johnston (Governance Support Officer/Minute Officer)

Gallery – There were 4 members of the public present in the Gallery.

#### **2.2 APOLOGIES**

Nil

#### **2.3 LEAVE OF ABSENCE**

Councillor F Johnson  
Councillor L Stewart

### **3 DISCLOSURES OF INTEREST**

#### **Councillor Balcombe**

**Item:** Item 13.1 Concept Enquiry - Lancelin Community and Sporting Complex - Oval Fencing  
**Interest:** Impartiality  
**Reason:** I am a Board and Community Officer for Bendigo Bank where the Lancelin Football Club have submitted a grant application.

#### **Councillor Balcombe**

**Item:** Item 13.2 Community Funding Program 2023-24  
**Interest:** Impartiality  
**Reason:** I am a Board and Community Officer for Bendigo Bank who has received funding applications.

**Councillor Balcombe**

**Item:** Item 19.1 Behaviour Complaint 01/2024 Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am a fellow Councillor.

**Councillor Balcombe**

**Item:** Item 19.2 Behaviour Complaint 03/2024 - Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am a fellow Councillor.

**Councillor Fewster**

**Item:** Item 19.1 Behaviour Complaint 01/2024 Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am a fellow Councillor.

**Councillor Fewster**

**Item:** Item 19.2 Behaviour Complaint 03/2024 - Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am the Respondent in this matter.

**Councillor Kestel**

**Item:** Item 13.1 Concept Enquiry - Lancelin Community and Sporting Complex - Oval Fencing  
**Interest:** Impartiality  
**Reason:** I am a Director of the Bendigo Bank and Lancelin Football Club have applied for a grant from Bendigo Bank.

**Councillor Kestel**

**Item:** Item 13.2 Community Funding Program 2023-24  
**Interest:** Impartiality  
**Reason:** I am a Director of the Bendigo Bank.

**Councillor Kestel**

**Item:** Item 19.1 Behaviour Complaint 01/2024 Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am a fellow Councillor.

**Councillor Kestel**

**Item:** Item 19.2 Behaviour Complaint 03/2024 - Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am a fellow Councillor.

**Councillor Peczka**

**Item:** Item 19.1 Behaviour Complaint 01/2024 Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am a fellow Councillor.

**Councillor Peczka**

**Item:** Item 19.2 Behaviour Complaint 03/2024 - Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am a fellow Councillor.

**Councillor Sorensen**

**Item:** Item 19.1 Behaviour Complaint 01/2024 Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am the Respondent in this matter.

**Councillor Sorensen**

**Item:** Item 19.2 Behaviour Complaint 03/2024 - Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am a fellow Councillor.

#### **Councillor Weeks**

**Item:** Item 19.1 Behaviour Complaint 01/2024 Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am a witness to the matter.

#### **Councillor Weeks**

**Item:** Item 19.2 Behaviour Complaint 03/2024 - Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am a fellow Councillor.

#### **Councillor Woods**

**Item:** Item 19.1 Behaviour Complaint 01/2024 Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am a fellow Councillor.

#### **Councillor Woods**

**Item:** Item 19.2 Behaviour Complaint 03/2024 - Breach of Division 3 of Code of Conduct for Council Members, Committee Members and Candidates  
**Interest:** Impartiality  
**Reason:** I am a fellow Councillor.

## **4 PUBLIC QUESTION TIME**

### **4.1 RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE**

#### **4.1.1 Ed Hartman – Neergabby Resident Perception Survey 2023**

*Q1. Under Section 5.23 of the Local Government Act 1995, Meetings generally open to public, section (a) all council meetings and (b) all meetings of any committee to which a local government power or duty has been delegated. My interpretation of this regulation would indicate that Briefing Sessions for Councillors are not open to the public but should be opened to the public and when will this happen?*



- A1. S.5.23(1) of the *Local Government Act 1995* (the Act) requires that all council meetings and all meetings of any committee to which a local government power or duty has been delegated must be open to members of the public. “Council meetings” as referred in the Act means any formally convened ordinary or special council meeting where decisions are made by the council. It does not relate to other meetings, such as briefing sessions or forums, which are held for the purpose of providing councillors with information about various matters and where no decisions are made.

Following is an extract from the publication “A Guide to Meetings”, which is produced by the Department of Local Government, Sport and Cultural Industries (DLGSC) and is publicly available on the Department’s website.

### **3. Meeting types**

*Elected members participate in:*

- *ordinary council meetings where council conducts its core business*
- *council committee meetings – standing committees are appointed by some councils to oversee specific functions, projects or programs*
- *special council meetings called on occasions to address an urgent item or items of business; and*
- *forums (also referred to as briefing sessions) that allow elected members and officers to meet in an informal meeting setting and discuss matters relating to the operation and affairs of their local government outside of the formal council meeting framework. Councillors may ask questions but decisions are not allowed to be made at these forums, as they are outside the formal council meeting framework.*

The DLGSC also produces a separate Local Government Operational Guideline entitled “Council Forums” (again, this is available to the public on the Department’s website). In this Guideline, the following comments are made:

#### ***Concept Forums***

*Concept forums involve elected members and staff meeting to propose, discuss and formulate philosophies, ideas, strategies and concepts for the development of the local government and the district. Such forums often involve projects that are in the early planning stage and are some time away from being presented to council for decision. In discussing such issues, staff are looking for guidance from the elected members as they research the matter and draft the report. Elected members and staff are also looking to present ideas and concepts for future consideration. If the response is favourable staff can proceed with their research and eventual report on the matter.*

*Examples of the type of issues concept forums may cover include:*

- *Current matters of a local or regional significant.*
- *Matters relating to the future development of the local government.*
- *Significant revenue-raising requirements or expenditure needs.*
- *The development of internal strategic, planning, management and financial documents.*
- *Development of the selection criteria and performance objectives for the Chief Executive Officer (CEO).*

*Behind closed doors and in a relatively informal manner are the two notable characteristics of concept forums. Holding such meetings behind closed doors is justified in that many of the ideas and concepts are preliminary and while looking for that creative gem some may be extreme, expensive or impractical and never adopted.*

*Discussion on such proposals in a public forum would be counter-productive. Privacy and informality allowed elected members to propose ideas, ask questions and discuss issues for the better understanding of those in attendance. Such forums assist individuals to become better informed and to clarify their views. The privacy and informality of concept forums also has pitfalls including the risk of neglecting proper standards of probity and public accountability. Over time, participants can become too familiar, and therefore more lax, with the procedure and purpose of the meeting. Unless procedures are adopted and rigorously applied to these forums, there is a danger that collective or collaborative decisions may be made, implied and otherwise.*

The Shire of Gingin's Briefing Sessions, which fall under the category of concept forums as detailed above, are conducted in accordance with Council Policy 1.26 Briefing Session Protocols, which is available from the Shire's website under Your Shire>Your Council>Policies.

#### **4.1.2 Kate Lane – Neergabby Guilderton Café, CU@Park and Gingin Railway Station**

*Q1. In November of last year, I was informed that Belgravia Leisure had not been paid the \$75,000 outstanding since June 2023 – due to no invoice having been presented. What monies relating to the shop and café at Guilderton have been paid to Belgravia since the beginning of June 2023, either relating to this \$75,000 or for any other purpose?*

**A1.** The \$75,000 was paid in December 2023. No other payments have been paid to Belgravia relating to the Café/Shop.

*Q2. Does Council have a final figure for the cost of the works undertaken at the CU@Park Café and is an itemised breakdown of costs available?*

A2. There are still some invoices to be submitted, however expenses to date are summarised below:

Contract	\$ 96,060
Staff Salaries	\$ 19,647
Removalists	\$ 10,025
Material	\$ 9,543
Waste	\$ 3,000
Plant Recovery	\$ 2,918
Electrical	\$ 2,458
Engineering	\$ 1,877
Cleaning	\$ 1,100
Miscellaneous	\$ 330
Total	\$ 148,358

*Q3. When was the lease for the Railway Station entered into and what is its duration?*

A3. The lease expired in November 2023 and is currently under review.

## **4.2 PUBLIC QUESTIONS**

### **4.2.1 Ed Hartman - Neergabby Briefing Sessions**

*Q.1 Will the President allow Council members to vote on allowing public attendance at Briefing Sessions?*

#### **Response by the President**

It is not my decision. If a Councillor wants to raise it as an agenda item and bring it forward, then it's up to Councillors to debate the issue and vote accordingly.

*The Coordinator Governance left the meeting at 3.10 pm and returned at 3.11 pm.*

*Q2. How would we ask for a vote to go forward?*

**Response by the President**

It's up to the individual councillors. If any Councillor feels it needs to be brought forward and to vary our policy that deals with Briefing Sessions, it is up to the Councillor to raise it with the CEO and bring forward a Notice of Motion.

*Q3. My understanding of the reply was that it is up to the individual Councillor, then the Council must vote on either including or excluding the public. If it hasn't been done, who has decided the policy, was it an Executive or was it a vote by the Councillors?*

**Response by the President**

A policy was formed many years ago and we are still operating within that policy. The policy says that the Briefing Session is closed to the public and this was voted on by Council.

*Q4. Do the Councillors on the CEO Selection Panel meet the criteria as required for the Independent Panel Member?*

**Response by the President**

The panel is made up of 4 council members which was voted on and their qualifications are irrelevant. The independent panel member is advertised, and I understand it is advertised according to the guidelines given to us.

*Q5. If you are saying the qualifications of Councillors don't matter but qualifications of the independent person do, it seems skewed. The guidelines indicated that the independent panel member is to have senior executive hiring capabilities and senior management of a large organisation?*

**Response by the President**

It is not part of the criteria for Councillors as we must have councillors on the panel.

**Response by the CEO**

The idea of having an independent member on the panel is to bring on professional advice to assist the Councillors in their decision-making process. To ask in anyone in the general community who might not have any experience is not the local government's intent with the independent panel member.



*Q6. So, you are asking for a consultant apply with qualifications to carry out that work?*

**Response by the President**

Not necessarily as some people have experience.

**4.2.2 Kate Lane - Neergabby  
Guilderton Café**

*Q1. Further to my question at the April meeting – can you please tell me what date the payment of \$75,000 was made to Belgravia Leisure?*

**Response by the President**

Question taken on notice.

*Q2. What date is on the invoice presented by Belgravia that triggered this payment and may I have a copy of this invoice please?*

**Response by the President**

Question taken on notice.

*Q3. Did the invoice contain an additional 10% for GST normally levied on the supply of goods and services. If not, is this due to a special dispensation on this tax when supplying local government departments?*

**Response by the President**

We don't put the 10% on, the person invoicing the Shire does. If they are registered for GST they must put GST on the invoice, if they don't, we don't pay it.

*Q4. I was asking if the invoice did include GST?*

**Response by the President**

Question taken on notice.

## 5 PUBLIC STATEMENT TIME

### COUNCIL RESOLUTION/OFFICER RECOMMENDATION

**MOVED:** Councillor Balcombe

**SECONDED:** Councillor Woods

That Council resolve to amend the order of business for the meeting to include Public Statement Time.

**CARRIED UNANIMOUSLY  
7 / 0**

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

**AGAINST:** *Nil*

Nil

## 6 PETITIONS

Nil

## 7 APPLICATIONS FOR LEAVE OF ABSENCE

### COUNCIL RESOLUTION/OFFICER RECOMMENDATION

**MOVED:** Councillor Kestel

**SECONDED:** Councillor Sorensen

That Council approve:

1. An Application for Leave of Absence submitted by Councillor L Stewart for the Ordinary Council Meeting on 21 May 2024; and
2. An Application for Leave of Absence submitted by Councillor F Johnson for the Ordinary Council Meetings on 21 May 2024, 18 June 2024 and 16 July 2024.

**CARRIED UNANIMOUSLY  
7 / 0**

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

**AGAINST:** *Nil*

## 8 CONFIRMATION OF MINUTES

### COUNCIL RESOLUTION/OFFICER RECOMMENDATION

**MOVED:** Councillor Weeks

**SECONDED:** Councillor Woods

That Council confirm the Minutes of the Ordinary Council Meeting held on 16 April 2024 and the Special Council Meeting held on 30 April 2024 as a true and accurate record.

**CARRIED UNANIMOUSLY  
7 / 0**

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

**AGAINST:** *Nil*

## 9 ANNOUNCEMENTS BY THE PRESIDING MEMBER

Nil

## 10 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil

## 11 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

## 12 REPORTS - OFFICE OF THE CEO

### 12.1 2023/24 REVIEW OF DELEGATED AUTHORITY REGISTER

File	GOV/15
Author	Lee-Anne Burt - Coordinator Governance
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	Nil
Appendices	1. 2024/25 Delegated Authority Register [12.1.1 - 121 pages]

### DISCLOSURES OF INTEREST

Nil

### PURPOSE

To undertake an annual review of the Shire of Gingin Delegated Authority Register in accordance with the requirements of s.5.46 of the *Local Government Act 1995* (the Act).

### BACKGROUND

The Act and many other pieces of legislation relevant to local government in Western Australia empower the Council to delegate certain powers, usually to the position of CEO. The CEO may also be provided with the ability to subdelegate to other employees, or to delegate powers that are granted by legislation direct to the position of CEO.

Under s.5.46(1) of the Act, the CEO is required to keep a register of all delegations made to the CEO and to other employees.

At least once every financial year, delegations are to be reviewed by the delegator. Council last undertook a review of its delegations to the CEO and other officers at its meeting on 20 June 2023.

### COMMENT

No amendments to delegations are proposed by Administration.

A Briefing Paper was submitted to the Briefing Session on 19 March 2024, providing Councillors with the opportunity to submit questions, comments and suggestions with respect to all delegations made by Council by the close of business on 19 April 2024. No feedback was received from Councillors.

The review process has now been concluded, and the Delegated Authority Register is submitted to Council for formal consideration (**see appendix**).



## STATUTORY/LOCAL LAW IMPLICATIONS

*Local Government Act 1995*

Part 5 – Administration

Division 4 – Local government employees

s.5.42 – Delegation of some powers and duties to CEO

s.5.43 – Limits on delegations to CEO

s.4.44 – CEO may delegate powers and duties to other employees

s.4.45 – Other matters relevant to delegations under this Division

s.4.46 – Register of, and records relevant to, delegations to CEO and employees

## POLICY IMPLICATIONS

Nil

## BUDGET IMPLICATIONS

Nil

## STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

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

## VOTING REQUIREMENTS - ABSOLUTE MAJORITY

### COUNCIL RESOLUTION/OFFICER RECOMMENDATION

**MOVED:** Councillor Sorensen

**SECONDED:** Councillor Kestel

That Council adopt the delegations as detailed in Appendix 12.3.1 without amendment.

**CARRIED BY ABSOLUTE MAJORITY**

**7 / 0**

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

**AGAINST:** *Nil*



Shire of Gingin  
2024/25 Delegated Authority Register

**REVIEW**

There are no reviews to display

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## INTRODUCTION

### Introduction

Section 5.42 of the *Local Government Act 1995* (the Act) allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act (other than those under s5.43). The local government may also delegate the exercise of any of its powers to Committees pursuant to section 5.16, other than those under Section 5.17(1).

Section 5.44 of the Act provides for the Chief Executive Officer to delegate any of his or her powers to another employee, this must be done in writing. The Act also allows for the Chief Executive Officer to place conditions on any delegations that he or she has delegated. These powers or duties cannot, however, be further sub-delegated. These powers or duties are delegated to assist with improving the time taken to make decisions and are made within the constraints allowed by the relevant legislation. This is consistent with our commitment to a strong customer service focus.

The Department of Local Government, Sport & Cultural Industries' Guideline relating to delegations establishes the principal issue in determining whether a statutory function or duty is suitable for 'acting through' that being - where the statute provides no discretion in carrying out a function or duty, then the function or duty may be undertaken through the 'acting through' concept.

Conversely, where the statute allows for discretion on the part of the decision maker, then the function must either be delegated or a person authorised, or a policy implemented, that provides sufficient control for another person to have that authority and fulfil the function or duty.

The *Local Government Act 1995* does not specifically define the meaning of the term "acting through", however section 5.45(2) states;

"Nothing in this Division is to read as preventing –

- (a) A local government from performing any of its functions by acting through a person other than the CEO"; or
- (b) A CEO from performing any of his or her functions by acting through another person."

The purpose of this register is to ensure a record is kept of those powers or duties that have been delegated to ensure accountability and to meet the requirements of Section 5.46 of the Act. This register is a public document that contains 'Instruments of Delegation' that detail the function being delegated and the relevant statutory reference which is the source of power for the exercise of that function. Without limiting the effect of sections 58 and 59 of the *Interpretation Act 1984*, these delegations, made under the Act have effect for the period of time specified in the delegation or where no period has been specified, indefinitely. Any decision to amend or revoke these delegations by a local government is to be by an absolute majority.

This register of delegated authority will be reviewed in accordance with the Act on an annual basis.

#### Delegations and authorisations under other Legislation

Where legislation provides for the direct delegation to authorise a person or a member of a class of persons by other agencies or decision makers. For example: the *Environmental Protection Act* allows for the CEO of the Department of Environment Regulation to grant delegated authority direct to a local government.

The authorisation is dealt with in the relevant legislation and, where required, the Instrument of Delegation or Notice of the Appointment is advertised in the Government Gazette.

Those Delegations or authorisations that may occur under legislation other than the *Local Government Act 1995*, its regulations and the local government's local laws include:

*Planning and Development Act 2005 and associated regulations*  
*Dog Act 1976 and regulations;*  
*Cat Act 2011 and regulations*  
*Bush Fires Act 1954, regulations and local law created under that Act;*  
*Litter Act 1979 and regulations*  
*Local Government (Miscellaneous Provisions) 1960 as amended;*  
*Caravan Parks and Camping Grounds Act 1995;*  
*Control of Vehicles (Off-Road Areas) Act 1978 and regulations;*  
*Environmental Protection Act 1986*  
*Environmental Protection (Noise) Regulations 1997*  
*Building Act 2011*

N.B. – This is not an exhaustive list.

## DELEGATIONS

### 1. Local Government Act 1995

<b>Delegation</b>	<b>1.1.1 Serving of Notices Requiring Certain Things to be Done by Owner or Occupier of Land</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers or duties to the CEO</li> <li>• s.5.43 Limitations on delegations to the CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.3.25 Notices requiring certain things to be done by owner or occupier of land</li> <li>• s.3.26 Additional powers when notices given</li> </ul>
<b>Function</b>	<p>1. To issue notices requiring the owner or, unless indicated otherwise by Schedule 3.1, the occupier of land to do anything:</p> <ul style="list-style-type: none"> <li>• specified in Schedule 3.1, Division 1; or</li> <li>• that is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 1.</li> </ul> <p>2. If the notice recipient fails to comply with the notice, to do anything that is considered necessary to achieve, so far as is practicable, the purpose for which the notice was given.</p> <p>3. To recover the cost of anything done under 2. above from the person who fails to comply with the notice.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	Executive Manager Operations and Assets Executive Manager Regulatory and Development Services
<b>Subdelegate conditions</b>	Nil
<b>Statutory framework</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• <i>Sch. 3.1 Powers under notices to owners or occupiers of land</i></li> </ul>
<b>Policy</b>	Nil



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<b>Record keeping</b>	Each exercise of delegation is to be captured in the Shire's records management system.
<b>Date adopted</b>	15 June 2021
<b>Adoption references</b>	OCM 15 June 2021 - Item 11.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.2 Doing Any of the Things Prescribed in Schedule 3.2 on Land That is Not Shire Property</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers and duties to CEO</li> <li>• s.5.43 Limits on delegations to CEO</li> </ul>
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.3.27 Particular things local governments can do on land that is not local government property</li> </ul>
<b>Function</b>	To do any of the things prescribed in Schedule 3.2 even though the land on which the thing is to be done is not Shire property and the Shire does not have consent to do it.
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	Executive Manager Operations and Assets Executive Manager Regulatory and Development Services
<b>Subdelegate conditions</b>	<b>Executive Manager Regulatory and Development Services</b> Subdelegation is restricted to: Sch. 3.2(6) Place on land signs to indicate the names of thoroughfares.
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegation to be captured in the Shire's records management system.
<b>Date adopted</b>	6 May 2008
<b>Adoption references</b>	OCM 6 May 2008 - Item 11.2.2
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.3 Administering the Shire's Local Laws</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995</i> s. 5.42 Delegation of some powers and duties to the CEO
<b>Express power or duty delegated</b>	<i>Local Government Act 1995</i> s. 3.18 Performing executive functions
<b>Function</b>	To exercise all the powers and discharge all the duties of the Shire of Gingin so as to administer the Local Laws made by the Shire.
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995</i> s. 5.44 CEO may delegate powers and duties to other employees
<b>Subdelegates</b>	Community Emergency Services Manager/Chief Bush Fire Control Officer Compliance Officer Coordinator Ranger Services Executive Manager Operations and Assets Executive Manager Regulatory and Development Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	<b>CESM/CBFCO</b>  Delegated powers limited to:  1. Activities in Thoroughfares and Public Places and Trading Local Law 2004  a. cl. 5.15 When application for permit can be approved b. cl. 5.16 Prohibitions on burning

<b>Statutory framework</b>	<p><b>Shire of Gingin Local Laws</b></p> <ul style="list-style-type: none"> <li>• Activities in Thoroughfares and Public Places and Trading Local Law 2004</li> <li>• Bee Keeping Local Law 2004</li> <li>• Bush Fire Brigades Local Law 2004</li> <li>• Cemeteries Local Law 2014</li> <li>• Dogs Local Law 2004</li> <li>• Extractive Industries Local Law 2004</li> <li>• Fencing Local Law 2016</li> <li>• Health Local Law 2017</li> <li>• Keeping and Control of Cats Local Law 2016</li> <li>• Local Government Property Local Law 2004</li> <li>• Meeting Procedures Local Law 2014</li> <li>• Parking and Parking Facilities Local Law 2004</li> <li>• Pest Plants Local Law 2015</li> <li>• By-laws Relating to Signs and Bill Posting 1982</li> <li>• Waste Local Law 2016</li> </ul>
<b>Policy</b>	Nil
<b>Record keeping</b>	<p>Records of the exercise of all delegations are to be kept in accordance with:</p> <p><i>Local Government Act 1995</i> s. 5.46 Register of, and records relevant to, delegations to CEO and employees</p> <p><i>Local Government (Administration) Regulations 1996</i> Reg. 19 Delegates to keep certain records (Act s. 5.46(3))</p>
<b>Date adopted</b>	6 May 2008
<b>Adoption references</b>	OCM 6 May 2008 - Item 11.2.2
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.4 Powers of Entry</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers or duties to the CEO</li> <li>• s.5.43 Limitations on delegations to the CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.3.28 When this Subdivision applies</li> <li>• s.3.32 Notice of entry</li> <li>• s.3.33 Entry under warrant</li> <li>• s.3.34 Entry in an emergency</li> <li>• s.3.36 Opening fences</li> </ul>
<b>Function</b>	<p>1. Authority to exercise powers of entry to enter onto land to perform any of the local government's functions under the <i>Local Government Act 1995</i>, other than entry under a local law [s.3.28].</p> <p>2. Authority to give notice of entry [s.3.32].</p> <p>3. Authority to seek and execute an entry under warrant [s.3.33].</p> <p>4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)].</p> <p>5. Authority to give notice and effect entry by opening a fence [s.3.36].</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	<p>Compliance Officer Executive Manager Operations and Assets Executive Manager Regulatory and Development Services Senior Ranger</p>
<b>Subdelegate conditions</b>	<p><b>Compliance Officer</b> Delegation is restricted to authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)].</p> <p><b>Senior Ranger</b> Delegation is restricted to authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)].</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995:</i> s.9.10 Appointment of authorised persons - refer also s.3.32(2) Part 3, Division 3 - prescribes statutory processes for Powers of Entry</p>

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<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegation is to be captured in the Shire's records management system.
<b>Date adopted</b>	16 June 2020
<b>Adoption references</b>	OCM 16 June 2020 - Item 11.1.2
<b>Last reviewed</b>	20 June 2023



<b>Delegation</b>	<b>1.1.5 Appointment of Authorised Persons and Approval of Complaint of Breach Form (Code of Conduct for Council Members, Committee Members and Candidates)</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995</i> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers or duties to the CEO</li> <li>• s.5.43 Limitations on delegations to the CEO</li> </ul>
<b>Express power or duty delegated</b>	<i>Local Government (Model Code of Conduct) Regulations 2021</i> Schedule 1 Model code of conduct <ul style="list-style-type: none"> <li>• cl.11(2)(a) and (b) and 11(3) Complaint about alleged breach</li> </ul>
<b>Function</b>	<p>1. Approve the form in which complaints relating to alleged breaches of the Code of Conduct for Council Members, Committee Members and Candidates must be submitted.</p> <p>2. Appoint authorised persons to receive complaints and withdrawals of complaints in relation to alleged breaches of the Code of Conduct for Council Members, Committee Members and Candidates.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Statutory framework</b>	Nil
<b>Policy</b>	Code of Conduct for Council Members, Committee Members and Candidates
<b>Record keeping</b>	Each exercise of delegation is to be captured in the Shire's records management system.
<b>Date adopted</b>	16 February 2021
<b>Adoption references</b>	Minute Item 11.1.3
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.6 Tenders for Goods and Services - Call Tenders</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995</i></p> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers or duties to the CEO</li> <li>• s.5.43 Limitations on delegations to the CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995</i></p> <ul style="list-style-type: none"> <li>• s.3.57 Tenders for providing goods or services</li> </ul> <p><i>Local Government (Functions and General) Regulations 1996</i></p> <ul style="list-style-type: none"> <li>• r.11(1) and (2) when tenders have to be publicly invited</li> <li>• r.13 Requirements when local government invites tenders though not required to do so</li> <li>• r.14 Publicly inviting tenders, requirements for</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to call tenders [r.11(1)].</li> <li>2. Authority to invite tenders although not required to do so [r.13].</li> <li>3. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [r.14(2a)].</li> <li>4. Authority to determine the information that is to be disclosed to those interested in submitting a tender [r.14(4)(a)].</li> <li>5. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided with notice of the variation [r.14(5)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new annual budget where: <ol style="list-style-type: none"> <li>a. the proposed goods or services are required to fulfil a routine contract related to the day to day operations of the local government; r</li> <li>b. a current supply contract expiry is imminent; and</li> <li>c. the value of the proposed new contract has been included in the draft annual budget proposed for adoption; and</li> <li>d. The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by Council.</li> </ol> </li> </ol>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>

<b>Subdelegates</b>	Executive Manager Corporate and Community Services Executive Manager Operations and Assets Executive Manager Regulatory and Development Services
<b>Subdelegate conditions</b>	1. Sub-delegation only applies to Function 5. All variations to tender information are to be forwarded to Governance for distribution.  2. Request for Tender (RFT) documents, including selection criteria and details of information to be disclosed to prospective tenderers, are to be approved by the CEO as part of the decision-making process to invite tenders under Function 2.
<b>Statutory framework</b>	Nil
<b>Policy</b>	Policy 3.10 Purchasing
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	15 June 2021
<b>Adoption references</b>	Minute Item 11.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.7 Tenders for Goods and Services - Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995</i></p> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers or duties to the CEO</li> <li>• s.5.43 Limitations on delegations to the CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995</i></p> <ul style="list-style-type: none"> <li>• s.3.57 Tenders for providing goods or services</li> </ul> <p><i>Local Government (Functions and General) Regulations 1995</i></p> <ul style="list-style-type: none"> <li>• r.11(2)(i) Exercising contract extension options</li> <li>• r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders</li> <li>• r.20(1), (2), (3) Variation of requirements before entry into contract</li> <li>• r.21A Varying a contract for the supply of goods or services</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&amp;G.r.18(2)]</li> <li>2. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&amp;Gr.18(4a)]</li> <li>3. Authority to assess, by written evaluation, tenders that have not been rejected, to determine the extent to which each tender satisfies the criteria for deciding which tender to accept. [F&amp;G r.18(4)].</li> <li>4. Authority to accept the tender that is most advantageous within the value limitation detailed as a condition on this Delegation [F&amp;G r.18(4)].</li> <li>5. Authority to decline to accept any tender [F&amp;G r.18(5)]</li> <li>6. Authority to accept the next most advantageous tender if, within 6 months of accepting a tender, a contract has not been entered into <u>OR</u> the local government and the successful tenderer agree to terminate the contract [F&amp;G r.18(6) &amp; (7)].</li> <li>7. Authority to determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations <u>before</u> entering into a contract [F&amp;G r.20(1) and (3)].</li> <li>8. Authority to choose the next most advantageous tender to accept, if the chosen tenderer is unable or unwilling to form a contract to supply the varied requirement <u>OR</u> the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer [F&amp;G r.20(2)].</li> <li>9. Authority to vary a tendered contract, <u>after</u> it has been entered into, provided the variation/s are necessary for the goods and services to be supplied and do not change the scope of the original contract or increase the contract value beyond the amount set aside in the adopted Budget.</li> <li>10. Authority to exercise a contract extension option that was included in the original tender specification and contract [F&amp;G r.11(2)(j)]</li> </ol>

<b>Delegates</b>	CEO
<b>Conditions</b>	<p>1. In accordance with s.5.43(b), tenders may only be accepted under this delegation where:</p> <p>a. The total consideration under the resulting contract is \$500,000 or less; and</p> <p>b. The expense is included in the adopted Annual Budget.</p> <p>2. A decision to vary a tendered contract <u>before</u> entry into the contract can only be made under this delegation where the variation is minor in comparison to the total goods or services that tenderers were invited to supply.</p> <p>3. A decision to vary a tendered contract <u>after</u> entry into the contract can only be made under this delegation if the variation is necessary for the goods and/or services to be supplied, and does not change the scope of the contract.</p> <p>4. A decision to vary any contract can only be made under this delegation if the cost of the variation can be met from funds set aside for the contract in the adopted Budget.</p> <p>5. A decision to renew or extend a contract can only be made under this delegation if:</p> <p>a. The original contract contained an option to renew or extend its term as per f.11(2)(j); and</p> <p>b. The contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term; and</p> <p>c. The extension is either on the same terms and conditions as the last year of the original term (allowing for price increases in line with the contract provision for price, if any), or is subject to a variation that is deemed to be a minor variation.</p> <p>6. Variations to tenders and contracts with a value exceeding 10% of the total contract value must be progressed in consultation with the Shire President and Deputy Shire President.</p>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	<p>Executive Manager Corporate and Community Services Executive Manager Operations and Assets Executive Manager Regulatory and Development Services</p>
<b>Subdelegate conditions</b>	<p>1. Sub-delegation applies only to the following functions:</p> <ul style="list-style-type: none"> <li>• Function 2; and</li> <li>• Function 3.</li> </ul> <p>2. All other functions require the submission of a written recommendation by the relevant Executive Manager to the CEO. The CEO will then make the final decision under delegated authority.</p>
<b>Policy</b>	Policy 3.10 Purchasing
<b>Record keeping</b>	Details of each exercise of delegated power must be captured within the Shire's electronic records management system in accordance with s.5.46 of the <i>Local Government Act 1995</i> and r.19 of the <i>Local Government (Administration) Regulations 1996</i> .
<b>Date adopted</b>	15 June 2021

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<b>Adoption references</b>	Minute Item 11.1
<b>Last reviewed</b>	20 June 2023



<b>Delegation</b>	<b>1.1.8 Application of Regional Price Preference Policy</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.42 Delegations of some powers or duties to the CEO</li> <li>• s.5.43 Limitations on delegations to the CEO</li> </ul>
<b>Express power or duty delegated</b>	<i>Local Government (Functions and General) Regulations 1996</i> <ul style="list-style-type: none"> <li>• r.24G Adopted regional price preference policy, effect of</li> </ul>
<b>Function</b>	1. Authority to decide when not to apply the regional price preference policy to a particular future tender [F&G r.24G].
<b>Delegates</b>	CEO
<b>Conditions</b>	1. This delegation may only be exercised following an investigation that determines there are no regional tenderers that are able to provide the services.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Statutory framework</b>	Delegates are designated employee under s.5.74 and are required to provide Primary and Annual Returns.
<b>Policy</b>	Council Policy 1.44 Regional Price Preference Council Policy3.10 Purchasing
<b>Record keeping</b>	Each exercise of delegation is to be captured in the Shire's records management system.
<b>Date adopted</b>	19 October 2021
<b>Adoption references</b>	OCM 19 October 2021 - Item 13.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.9 Waive or Grant Concessions on Money Owed to the Shire</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers and duties to CEO</li> <li>• s.5.43 Limits on delegations to CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.6.12(1)(b) &amp; (c) Power to defer, grant discounts, waive or write off debts</li> </ul>
<b>Function</b>	<p>To:</p> <ol style="list-style-type: none"> <li>1. Waive or grant concessions in relation, or write off, any amount of money which is owed to the Shire; and</li> <li>2. Determine any conditions that may be applicable to the granting of a concession under subsection 6.12(1)(b).</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. The maximum amount to be written off under this delegation is \$1,000.00.</li> <li>2. This delegation extends only to monies owed to the Shire under the provisions of the <i>Local Government Act 1995</i>.</li> <li>3. Fees levied under the <i>Planning and Development Act 2005</i> and the <i>Building Act 2011</i> are addressed by Council's Policy 3.19 - Fees Relating to Planning and Building Matters.</li> <li>4. This delegation does not apply to the writing off or waiving of rates or service charges in accordance with s.6.12(2) of the <i>Local Government Act 1995</i>.</li> </ol>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate powers to other employees</li> </ul>
<b>Subdelegates</b>	Executive Manager Corporate and Community Services
<b>Subdelegate conditions</b>	In accordance with conditions relating to Primary Delegation.
<b>Statutory framework</b>	Nil
<b>Policy</b>	Council Policy 3.19 - Fees Relating to Planning and Building Matters
<b>Record keeping</b>	Each exercise of delegation must be recorded in the Shire's Records Management System.
<b>Date adopted</b>	5 June 2007
<b>Adoption references</b>	OCM 5 June 2007 - Item 11.2.2

Shire of Gingin

<b>Last reviewed</b>	20 June 2023
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<b>Delegation</b>	<b>1.1.10 Power to Invest and Manage Investments</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers and duties to CEO</li> <li>• s.5.43 Limits on delegations to CEO</li> </ul>
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.6.14 Power to invest</li> </ul> <i>Local Government (Financial Management) Regulations 1995:</i> <ul style="list-style-type: none"> <li>• r.19 Investments, control procedures for</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)].</li> <li>2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [r.19].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	1. All investment activity must comply with r.19C ad Council Policy 3.2 Investments.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers ad duties to other employees</li> </ul>
<b>Subdelegates</b>	Executive Manager Corporate and Community Services
<b>Subdelegate conditions</b>	In accordance with primary delegation.
<b>Statutory framework</b>	<i>Local Government (Financial Management) Regulations 1995:</i> <ul style="list-style-type: none"> <li>• r.19C Investment of money, restrictions on (Act s.6.14(2)(a))</li> </ul>
<b>Policy</b>	Policy 3.2 - Investments
<b>Record keeping</b>	Any exercise of delegation must be captured in the Shire's electronic records management system in accordance with the requirements of the <i>Local Government Act 1995</i> s.5.46 and the <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	5 June 2008
<b>Adoption references</b>	Minute Item 11.2.2
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.11 Rates and Service Charges</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers and duties to CEO</li> <li>• s.5.43 Limits on delegations to CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.6.39(2)(b) Rate record</li> <li>• s.6.49 Agreement as to payment of rates and service charges</li> <li>• s.6.50 Rates or service charges due and payable</li> <li>• s.6.56 Rates or service charges recoverable in court</li> <li>• s.6.60 Local government may require lessee to pay rent</li> <li>• s.6.64(3) Actions to be taken</li> <li>• s.6.76 Grounds of objection</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine any requirement to amend the rate record for the five years preceding the current financial year [s.6.39(2)(b)].</li> <li>2. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].</li> <li>3. Authority to determine the date on which rates or service charges become due and payable to the Shire of Gingin [s.6.50].</li> <li>4. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].</li> <li>5. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].</li> <li>6. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Gingin [s.6.60(2)].</li> <li>7. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].</li> <li>8. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)].</li> <li>9. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing that written notice of the decision and reasons for the decision are promptly served upon the person who made the objection [s.6.76(5)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	Executive Manager Corporate and Community Services
<b>Subdelegate conditions</b>	In accordance with primary delegation.

<b>Statutory framework</b>	<p><b>Functions 1 &amp; 8</b> <i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.6.40 Effect of amendment of rate records</li> </ul> <p>NOTE: Decisions under these delegations may be referred to the State Administrative Tribunal for review. Affected parties must be provided with written reasons for any decision and informed of their rights of objection and review in accordance with s.9.4 and 9.5 of the <i>Local Government Act 1995</i>.</p> <p><b>Functions 5 &amp; 6</b> <i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.6.61 Requirement to give name of person liable</li> <li>• s.6.62 Application of money paid for rates and service charges</li> <li>• Sch. 6.2 Provisions relating to lease of land where rates or service charges unpaid</li> </ul>
<b>Policy</b>	Policy 1.39 Financial Hardship
<b>Record keeping</b>	Any exercise of delegation must be captured in the Shire's electronic records management system in accordance with the requirements of the <i>Local Government Act 1995</i> s.5.46 and the <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	21 August 1997
<b>Adoption references</b>	Minute Item 5.1.3
<b>Last reviewed</b>	20 June 2023



<b>Delegation</b>	<b>1.1.12 Disposing of Assets</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers and duties to CEO</li> <li>• s.5.43 Limits on delegations to CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.3.58(2) &amp; (3) Disposing of property</li> </ul>
<b>Function</b>	<p>1. Authority to dispose of property to:</p> <ol style="list-style-type: none"> <li>a. the highest bidder at public auction [s.3.58(2)(a)].</li> <li>b. the person who at public tender called by the local government makes what is considered by the delegate to be the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)].</li> </ol> <p>2. Authority to dispose of property by private treaty only in accordance with s.3.58(3) and, prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>1. Disposal of land or building assets is limited to:</p> <ol style="list-style-type: none"> <li>a. Matters specified in the annual Budget; or</li> <li>b. The following instances of property that is exempt from disposition of property requirements under s.30 of the <i>Local Government (Functions and General) Regulations 1996</i>: <ol style="list-style-type: none"> <li>i. The leasing of land to community groups, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature, and the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions.</li> <li>ii. The leasing of land to an employee of the local government for use as the employee's residence.</li> <li>iii. The leasing of residential property to a person.</li> </ol> <p>In any other instance a Council resolution is required for the disposal of land.</p> </li> <li>2. In accordance with s.5.43 of the Act, disposal of property for any single project, or where not part of a project but part of a single transaction, is limited to a maximum value of \$50,000.</li> <li>3. Assets other than land with a value not exceeding \$20,000 can be disposed of regardless of whether such disposal has been identified in the annual Budget, provided that disposal is undertaken in accordance with Council Policy 3.18 Disposition of Assets.</li> </ol>

<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegate conditions</b>	N/A
<b>Statutory framework</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.3.58 Disposal of property</li> </ul> <p><i>Local Government (Functions and General) Regulations 1996:</i></p> <ul style="list-style-type: none"> <li>• r.30 Dispositions of property excluded from Act s.3.58</li> </ul>
<b>Policy</b>	Policy 3.18 - Disposition of Assets
<b>Record keeping</b>	Any exercise of delegation must be captured in the Shire's electronic records management system in accordance with the requirements of the <i>Local Government Act 1995</i> s.5.46 and the <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	20 August 2013
<b>Adoption references</b>	Minute Item 11.1.2
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.13 Payments from the Municipal or Trust Funds</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers and duties to CEO</li> <li>• s.5.43 Limits on delegations to CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government (Financial Management) Regulations 1996:</i></p> <ul style="list-style-type: none"> <li>• r.12(1) Payments from municipal fund or trust fund, restrictions on making</li> </ul>
<b>Function</b>	To make payments from the Municipal Fund or Trust Fund.
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Authority to make payments is subject to annual budget limitations.</li> <li>2. Requests for donations can be determined under this delegation where the individual value of the donation sought is \$1,000 or less and sufficient funds are available in the current adopted budget, subject to the following criteria: <ol style="list-style-type: none"> <li>a. it can be demonstrated that the donation will be of significant benefit to the local community;</li> <li>b. The request is made by a community group or not for profit organization, or from a person or group who is running a not for profit activity;</li> <li>c. The group's financial status is such as to justify a donation from the Shire;</li> <li>d. Special circumstances or needs existing,, in the opinion of the CEO, to warrant a donation (eg support of needy groups or individuals who bring credit to the municipality by achieving State or national representation or awards, which sees them requiring financial assistance for travelling, accommodation or other incidental expenses).</li> </ol> </li> <li>3. Details of all donations approved under delegated authority, including justification of the decision, are to be provided to Council on a monthly basis.</li> </ol>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate powers and to other employees.</li> </ul>
<b>Subdelegates</b>	<p>Executive Manager Corporate and Community Services Executive Manager Operations and Assets Executive Manager Regulatory and Development Services</p>

<b>Subdelegate conditions</b>	<p><u>General Payments</u></p> <p>1. Cheques/electronic fund transfers in excess of \$200,000 are to be signed by the Chief Executive Officer and the Executive Manager Corporate and Community Services.</p> <p>2. Cheques/electronic fund transfers up to the value of \$200,000 are to be jointly signed by any two of the following officers:</p> <ul style="list-style-type: none"> <li>• Chief Executive Officer;</li> <li>• Executive Manager Corporate and Community Services;</li> <li>• Executive Manager Regulatory and Development Services; and</li> <li>• Executive Manager Operations.</li> </ul> <p><u>Donation Requests</u></p> <p>1. Sub-delegation does not extend to the consideration of donation requests. All requests for donations are to be determined by the CEO.</p>
<b>Statutory framework</b>	<p><i>Local Government Act 1995</i></p> <p><i>Local Government (Financial Management) Regulations 1996</i> - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</p> <p><i>Local Government (Audit) Regulations 1996</i></p> <p>Department of Local Government, Sport and Cultural Industries' Operational Guideline No. 11 - Use of Corporate Credit Cards</p> <p>Department of Local Government, Sport and Cultural Industries' Accounting Manual</p>
<b>Policy</b>	<p>Council Policy 3.2 Investments</p> <p>Council Policy 3.9 Purchasing and Ordering of Goods</p> <p>Council Policy 3.10 Purchasing</p>
<b>Record keeping</b>	Each exercise of delegation is to be recorded in the Shire's records management system.
<b>Date adopted</b>	16 June 2020
<b>Adoption references</b>	OCM 16 June 2020 - Item 11.1.2
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.14 Declare Vehicle to be Abandoned Vehicle Wreck</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers and duties to CEO</li> <li>• s.5.43 Limits on delegations to CEO</li> </ul>
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.3.40A(4) Abandoned vehicle wreck may be taken</li> </ul>
<b>Function</b>	Authority to declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	Compliance Officer Executive Manager Regulatory and Development Services
<b>Subdelegate conditions</b>	Nil
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Any exercise of delegation must be captured in the Shire's electronic records management system in accordance with the requirements of the <i>Local Government Act 1995</i> s.5.46 and the <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	6 May 2008
<b>Adoption references</b>	OCM 6 May 2008 - Item 11.2.2
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.15 Confiscated or Uncollected Goods</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers and duties to CEO</li> <li>• s.5.43 Limits on delegations to CEO</li> </ul>
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.3.46 Goods may be withheld until costs paid</li> <li>• s.3.47 Confiscated or uncollected goods, disposal of</li> <li>• s.3.48 Impounding expenses, recovery of</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government [s.3.46].</li> <li>2. Authority to sell or otherwise dispose of uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47].</li> <li>3. Authority to recover expenses incurred for removing, impounding and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	Compliance Officer Executive Manager Regulatory and Development Services
<b>Subdelegate conditions</b>	In accordance with the primary delegation.
<b>Statutory framework</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• Part 3, Division 3, Subdivision 3, s.3.58 Disposing of property - applies to the sale of goods under s.3.47 as if they were property referred to in that section.</li> </ul>
<b>Policy</b>	Policy 3.18 Disposition of Assets
<b>Record keeping</b>	Any exercise of delegation must be captured in the Shire's electronic records management system in accordance with the requirements of the <i>Local Government Act 1995</i> s.5.46 and the <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	7 December 1999
<b>Adoption references</b>	OCM 7 December 1999 - Item 10.7
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.16 Disposal of Sick or Injured Impounded Animals</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers and duties to CEO</li> <li>• s.5.43 Limits on delegations to CEO</li> </ul>
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.3.46A Sick or injured animals, disposal of</li> <li>• s.3.48 Impounding expenses, recovery of</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine, when an impounded animal is ill or injured, that treating it is not practicable, and that it shall be humanely destroyed and the carcass disposed of [s.3.47A(1)].</li> <li>2. Authority to recover expenses incurred for removing, impounding and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. The disposal of animal carcasses will be undertaken accordance with any requirements of cl. 6.7 of the Shire of Gingin Health Local Law 2017.</li> </ol>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	Compliance Officer Coordinator Ranger Services Executive Manager Regulatory and Development Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>1. In accordance with the primary delegation.</li> <li>2. Actual destruction and disposal of impounded animals shall only be carried out by Rangers.</li> </ol>
<b>Statutory framework</b>	<i>Shire of Gingin Health Local Law 2017:</i> cl.6.7 Disposal of dead animals
<b>Policy</b>	Nil
<b>Record keeping</b>	Any exercise of delegation must be captured in the Shire's electronic records management system in accordance with the requirements of the <i>Local Government Act 1995</i> s.5.46 and the <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	17 June 2014
<b>Adoption references</b>	OCM 17 June 2014 - Item 11.1.1
<b>Last reviewed</b>	20 June 2023



<b>Delegation</b>	<b>1.1.17 Gates Across Public Thoroughfares</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers and duties to CEO</li> <li>• s.5.43 Limits on delegations to CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government (Uniform Local Provisions) Regulations 1996:</i></p> <ul style="list-style-type: none"> <li>• r.9 Permission to have gate across public thoroughfare - Sch. 9.1 cl.5(1)</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [r.9(1)].</li> <li>2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)].</li> <li>3. Authority to impose conditions on granting permission [r.9(4)].</li> <li>4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [r.9(5)].</li> <li>5. Authority to cancel permission by written notice and request the person to whom permission was granted to remove the gate or device within a specified time [r.9(6)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. The road in question must be of a minor nature with a low traffic density.</li> <li>2. The proposed gate must be a heavy duty swing type.</li> <li>3. The proposed gate must be left unlocked at all times.</li> <li>4. All landowners adjoining the road or using the road for access must confirm, in writing, their support for the proposal.</li> <li>5. Actions under this delegation must comply with the procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> </ol>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	Executive Manager Operations and Assets
<b>Subdelegate conditions</b>	In accordance with the primary delegation.
<b>Statutory framework</b>	<p><i>Local Government (Uniform Local Provisions) Regulations 1996</i> - prescribe applicable statutory procedures.</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.</p>
<b>Policy</b>	Nil

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<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	21 August 1997
<b>Adoption references</b>	OCM 21 August 1997 - Item 5.1.33333
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.18 Close Thoroughfares to Vehicles</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers or duties to the CEO</li> <li>• s.5.43 Limitations on delegations to the CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.3.50 Closing certain thoroughfares to vehicles</li> <li>• s.3.50A Partial closure of thoroughfare for repairs or maintenance</li> <li>• s.3.51 Affected owners to be notified of certain proposals</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4 weeks [s.3.50(1)].</li> <li>2. Authority to determine to close a thoroughfare for a period exceeding 4 weeks and, before doing so, to: <ol style="list-style-type: none"> <li>a. give public notice, written notice to the Commissioner for Main Roads and written notice to prescribed persons and persons who own prescribed land; and</li> <li>b. consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)].</li> </ol> </li> <li>3. Authority to revoke an order to close a thoroughfare [s.3.50(6)].</li> <li>4. Authority to partially and temporarily close a thoroughfare, without public notice, for repairs or maintenance where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A].</li> <li>5. Authority, before doing anything to which s.3.51 applies, to take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or to drain water from a thoroughfare to private land [s.3.51].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Delegation only relates to circumstances where there is an alternative route available to traffic which might otherwise use the section of road to be closed, or where the closure is intended to be of such short duration that no great inconvenience will be suffered.</li> <li>2. Elected Members are to be advised of any road closure likely to be in effect for more than five working days.</li> </ol>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	Executive Manager Operations and Assets
<b>Subdelegate conditions</b>	In accordance with the primary delegation.

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<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 - Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.19 Obstruction of Footpaths and Thoroughfares</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers or duties to the CEO</li> <li>• s.5.43 Limitations on delegations to the CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government (Uniform Local Provisions) Regulations 1996:</i></p> <ul style="list-style-type: none"> <li>• r.5(2) Interfering with, or taking from, local government land</li> <li>• r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl.3(1)(a)</li> <li>• r.7A Obstruction of public thoroughfare by fallen things - Sch. 9.1 cl.3(1)(b)</li> <li>• r.7 Encroaching on public thoroughfare - Sch. 9.1 cl.3(2)</li> </ul>
<b>Function</b>	<p>1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to:</p> <p>a. prevent damage to the footpath; or</p> <p>b. prevent inconvenience to the public or danger from falling materials [r.5.2].</p> <p>2. Authority to provide permission including imposing appropriate conditions, or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare [r.6(2) and (4)].</p> <p>3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission given at the time written notice is given to the person to whom permission is granted [r.6(6)].</p> <p>4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [r.7A].</p> <p>5. Authority to require an owner or occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority, on a public thoroughfare [r.7].</p>
<b>Delegates</b>	CEO

<b>Conditions</b>	<p>1. Actions under this delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</p> <p>2. Permission may only be granted where the proponent has:</p> <p>a. where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</p> <p>b. provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of the works.</p> <p>c. provided evidence of sufficient public liability insurance.</p> <p>d. provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</p>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995</i>:</p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	Executive Manager Operations and Assets
<b>Subdelegate conditions</b>	In accordance with the primary delegation.
<b>Statutory framework</b>	<p><i>Local Government (Uniform Local Provisions) Regulations 1996</i></p> <p>Penalties under the Regulations are administered in accordance with the <i>Local Government Act 1995</i>, Part 9, Division 2.</p>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 - Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.1.20 Public Thoroughfare - Dangerous Excavations</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers or duties to the CEO</li> <li>• s.5.43 Limitations on delegations to the CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government (Uniform Local Provisions) Regulations 1996:</i></p> <ul style="list-style-type: none"> <li>• r.11(1), (4), (6) and (8) Dangerous excavation in or near public thoroughfare - Sch. 9.1 cl.6</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner/occupier in writing to fill in or securely fence the excavation [r.11(1)].</li> <li>2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [r.11(4)].</li> <li>3. Authority to impose conditions on granting permission [r.11(6)].</li> <li>4. Authority to renew a permission granted or vary at any time any condition imposed on a permission granted [r.11(8)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Actions under this delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>2. Permission may only be granted where the proponent has: <ol style="list-style-type: none"> <li>a. Where appropriate, obtained written permission from, or entered into a legal agreement with, each owner of adjacent property which may be impacted by the proposed works.</li> <li>b. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public asset/s at the completion of the works.</li> <li>c. Provided evidence of sufficient public liability insurance.</li> <li>d. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	Executive Manager Operations and Assets
<b>Subdelegate conditions</b>	In accordance with the primary delegation.

<b>Statutory framework</b>	<p><i>Local Government (Uniform Local Provisions) Regulations 1996</i> Penalties under the Regulations are administered in accordance with the <i>Local Government Act 1995</i>, Part 9, Division 2.</p> <p>Determination of bond value and conditions – refer to Delegation 1.2.5 Determine and Manage Conditions on Permission for Dangerous Excavations on or on Land Adjoining Public Thoroughfares</p>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 - Item 11.1.1
<b>Last reviewed</b>	20 June 2023



<b>Delegation</b>	<b>1.1.21 Crossing - Construction, Repair and Removal</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.42 Delegation of some powers or duties to the CEO</li> <li>• s.5.43 Limitations on delegations to the CEO</li> </ul>
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> <ul style="list-style-type: none"> <li>• r.12(1) Crossing from public thoroughfare to private land or private thoroughfare - Sch. 9.1 cl.7(2)</li> <li>• r.13(1) Requirement to construct or repair crossing - Sch. 9.1 cl.7(3)</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to approve or refuse to approve applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [r.12(1)].</li> <li>2. Authority to determine the specifications for construction of crossings to the satisfaction of the local government [r.12(1)(a)].</li> <li>3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [r.13(1)].</li> <li>4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing, and to recover 50% of the cost of doing so as a debt due from the person [r.13(2)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	1. Actions under this delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	Executive Manager Operations and Assets
<b>Subdelegate conditions</b>	In accordance with the primary delegation.
<b>Statutory framework</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996</i> Penalties under the Regulations are administered in accordance with the <i>Local Government Act 1995</i> , Part 9, Division 2.
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCP 19 July 2022 - Item 11.1

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<b>Last reviewed</b>	20 June 2023
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<b>Delegation</b>	<b>1.2.1 Information to be Available to the Public</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.95(1)(b) and (3)(b) Limits on right to inspect local government information</li> </ul> <i>Local Government (Administration) Regulations 1996:</i> <ul style="list-style-type: none"> <li>• r.29B Copies of certain information not to be provided (Act s.5.96)</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine not to provide a right to inspect information, where it is considered that doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions.</li> <li>2. Authority to determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s.5.94(s)] and to make the information available, if satisfied by statutory declaration or otherwise, that the information will not be used for commercial purposes [r.29B].</li> </ol>
<b>Delegates</b>	Executive Manager Corporate and Community Services
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil
<b>Subdelegate conditions</b>	Nil
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	20 May 2008
<b>Adoption references</b>	OCM 20/05/2008 - Item 11.2.3
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.2.2 Infringement Notices</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.9.13(6)(b) Onus of proof in vehicle offences may be shifted</li> <li>• s.9.19 Extension of time</li> <li>• s.9.20 Withdrawal of notice</li> </ul> <p><i>Building Regulations 2012:</i></p> <ul style="list-style-type: none"> <li>• r.70(1A), (1) and (2) Approved officers and authorised officers</li> </ul>
<b>Function</b>	<p>1. Authority to consider an owner of a vehicle's submission that the vehicle that is subject of an infringement notice had been stolen or unlawfully taken at the time of the alleged offence [s.9.13(6)(b)].</p> <p>2. Authority to extend the 28 day period within which payment of a modified penalty may be paid, whether or not the period of 28 days has elapsed [s.9.10].</p> <p>3. Authority to withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty has been paid by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20].</p>
<b>Delegates</b>	Executive Manager Regulatory and Development Services
<b>Conditions</b>	<p>1. A delegate who participated in a decision to issue an infringement notice <b>MUST NOT</b> determine any matter related to that infringement under this delegation.</p> <p>2. <u>Extension of Time to Pay or Withdrawal of Infringements Relating to the <i>Building Act 2011</i></u> In order to exercise the functions of s.9.19 and s.9.20 of the LGA with respect to infringements relating to the <i>Building Act 2011</i>, a delegate must also be appointed as an "Approved Officer" in accordance with r.70(1) of the <i>Building Regulations 2021</i> for the purposes of the <i>Criminal Procedure Act 2004</i> s.6(a) and <i>Building Act 2011</i> infringement notices. Del. No. 2.1.8 empowers the CEO to make such appointments.</p>
<b>Express power to subdelegate</b>	Nil
<b>Subdelegate conditions</b>	Nil
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil

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<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	20 June 2019
<b>Adoption references</b>	Synergy Document: NM15447
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.2.3 Determine if an Emergency for Emergency Powers of Entry</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.3.34(2) Entry in emergency</li> </ul>
<b>Function</b>	1. Authority to determine on behalf of the CEO that an emergency exists for the purposes of performing local government functions.
<b>Delegates</b>	Compliance Officer Executive Manager Operations and Assets Executive Manager Regulatory and Development Services Senior Ranger
<b>Conditions</b>	1. An emergency is deemed to exist where the circumstances are such tha compliance with the usual requirements for obtaining entry would be impractical or unreasonable because of, or because of the imminent risk of:  a. injury or illness to any person; or  b. a natural or other disaster or emergency.
<b>Express power to subdelegate</b>	Nil
<b>Subdelegate conditions</b>	Nil
<b>Statutory framework</b>	Shire of Gingin Delegation 1.19 Powers of Entry
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	20 June 2019
<b>Adoption references</b>	Synergy Document: NM15447
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.2.4 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> <ul style="list-style-type: none"> <li>• r.6(4)(d) Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl.3(1)(a)</li> </ul>
<b>Function</b>	When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority 1.1.19: 1. Authority to determine the sum sufficient to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.6(4)(d)]. 2. Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience [r.6(5)(b)]. 3. Authority to determine and require in writing that the person granted permission to obstruct a public thoroughfare repair damage caused by things placed on the thoroughfare and authority to determine if such repairs are to the satisfaction of the local government [r.6(5)(d)].
<b>Delegates</b>	Executive Manager Operations and Assets
<b>Conditions</b>	1. Decisions under this Delegation must be exercised in alignment with Council's Delegation 1.1.19 Obstruction of Footpaths and Thoroughfares. 2. Actions under this Delegation must comply with the procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
<b>Express power to subdelegate</b>	Nil
<b>Subdelegate conditions</b>	Nil
<b>Statutory framework</b>	Shire of Gingin Delegation 1.1.19 Obstruction of Footpaths and Thoroughfares
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	22 July 2022
<b>Adoption references</b>	Synergy Document: NM23016
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>1.2.5 Determine and Manage Conditions on Approvals for Dangerous Excavations on or on Land Adjoining Public Thoroughfares</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> <ul style="list-style-type: none"> <li>• r.11(6)(c) and (7)(c) Dangerous excavation in or near public thoroughfare</li> </ul>
<b>Function</b>	When determining to grant permission for a dangerous excavation under Delegated Authority 1.1.20: 1. Authority to determine, as a condition of granting permission, the sum sufficient to deposit to cover the cost of repairing damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.11(6)(c)]. 2. Authority to determine, as a condition of granting permission, requirements for protective structures and for the protective structures to be maintained and kept in satisfactory condition necessary for public safety and convenience [r.11(70)(c)]. 3. Authority to determine if repairs to damage resulting from excavation or protective structures have been undertaken satisfactorily.
<b>Delegates</b>	Executive Manager Operations and Assets
<b>Conditions</b>	1. Decisions under this Delegation must be exercised in alignment with Council's Delegation 1.1.20 Public Thoroughfare - Dangerous Excavations. 2. Actions under this Delegation must comply with the procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
<b>Express power to subdelegate</b>	Nil
<b>Subdelegate conditions</b>	Nil
<b>Statutory framework</b>	Shire of Gingin Delegation 1.1.20 Public Thoroughfare - Dangerous Excavations
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	22 July 2022
<b>Adoption references</b>	Synergy Document: NM23016
<b>Last reviewed</b>	20 June 2023



<b>Delegation</b>	<b>1.2.6 Electoral Enrolment Eligibility Claims and Electoral Roll</b>
<b>Category</b>	1. Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.4.32(4), (5A) and (5) Eligibility to enrol under s.4.30, how to claim</li> <li>• s.4.34 Accuracy of enrolment details to be maintained</li> <li>• s.4.35 Decision that eligibility to enrol under s.4.30 has ended</li> <li>• s.4.37 New roll for each election</li> </ul> <p><i>Local Government (Elections) Regulations 1997:</i></p> <ul style="list-style-type: none"> <li>• r.11(1a) Nomination of co-owners or co-occupiers - s.4.31</li> <li>• r.13(2) and (4) Register - s.4.2(6)</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)].</li> <li>2. Authority to decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)].</li> <li>3. Authority to decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations [s.3.42(5A)].</li> <li>4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)].</li> <li>5. Authority to approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their families safety at risk [Elections r.13(2)].</li> <li>6. Authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)].</li> <li>7. Authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34].</li> <li>8. Authority to decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination.</li> <li>9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)].</li> <li>10. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day which is less than 100 days since the last election day [s.4.37(3)].</li> </ol>
<b>Delegates</b>	Executive Manager Corporate and Community Services

<b>Conditions</b>	1. Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).
<b>Express power to subdelegate</b>	Nil
<b>Subdelegate conditions</b>	Nil
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	23 June 2020
<b>Adoption references</b>	Synergy Document: NM17408
<b>Last reviewed</b>	20 June 2023

2. Building Act 2011

<b>Delegation</b>	<b>2.1.1 Approve or Refuse a Building Permit</b>
<b>Category</b>	2. Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(1) and (3) Delegation: special permit authorities and local governments</li> </ul>
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.18 Further information</li> <li>• s.20 Grant of building permit</li> <li>• s.22 Further grounds for not granting an application</li> <li>• s.27(1) and (3) Conditions imposed by permit authority</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a building permit [s.20(1) and (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and (3)].</li> <li>4. Authority to determine an application to extend time during which a building permit has effect [s.27(1) and (3)]. <ol style="list-style-type: none"> <li>a. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)].</li> <li>b. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. This delegation applies to retaining walls between 1 metre and 1.8 metres in height. Plans showing height, length and location and accompanied by certification of structural adequacy prepared by a Professional (Structural) Engineer (as defined in the Building Code of Australia) must be submitted.</li> <li>2. Plans submitted for retaining walls with a height exceeding 1.8 metres must be referred to Council for determination.</li> <li>3. Discretion is to be exercised in issuing a building licence for earthworks and retaining walls prior to issuing a building licence for a dwelling on the subject lot.</li> </ol>
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(6A) Delegation: special permit authorities and local governments</li> </ul>
<b>Subdelegates</b>	Building Surveyor Executive Manager Regulatory and Development Services Manager Planning and Building

<b>Subdelegate conditions</b>	In accordance with the primary delegation.
<b>Statutory framework</b>	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> <li>• s.119 Building and demolition permits - application for review by SAT</li> <li>• s.23 Time for deciding application for building or demolition permit</li> <li>• s.17 Uncertified application to be considered by building surveyor</li> </ul> <p><i>Building Regulations 2012:</i></p> <ul style="list-style-type: none"> <li>• r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) - reviewable by the State Administrative Tribunal</li> </ul> <p><i>Building Services (Registration) Act 2011:</i></p> <ul style="list-style-type: none"> <li>• s.7 Carrying out prescribed building service when not registered</li> </ul> <p><i>Home Building Contracts Act 1991:</i></p> <ul style="list-style-type: none"> <li>• Part 3A, Division 2 - Part 7, Division 2</li> </ul> <p><i>Building and Construction Industry Training Levy Act 1990</i></p> <p><i>Heritage Act 2018</i></p>
<b>Policy</b>	<p>Policy 8.1 (Building Control Disclaimer)</p> <p>Policy 8.3 (Building Licence - Deposit for Footpaths/Cycleways)</p> <p>Policy 8.4 (Sign Applications)</p> <p>Policy 8.5 (Amalgamation of Lots for Building Sites)</p> <p>Policy 8.6 (Roof Drainage)</p> <p>Policy 8.7 (Roof Guttering on Outbuildings)</p> <p>Policy 8.8 (Temporary Accommodation)</p> <p>Policy 8.9 (Retaining Walls)</p> <p>Policy 8.10 (Retaining Walls - Cut and Fill of Lots)</p> <p>Policy 8.11 (Oversized Outbuildings)</p>
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	18 October 2011
<b>Adoption references</b>	OCM 18 October 2011 - Item 11.4.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>2.1.2 Occupancy Permits and Building Approval Certificates</b>
<b>Category</b>	2. Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(1) and (3) Delegation: special permit authorities and local governments</li> </ul>
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.55 Further information</li> <li>• s.58 Grant of occupancy permit, building approval certificate</li> <li>• s.62(1) and 93) Conditions imposed by permit authority</li> <li>• s.65(4) Extension of period of duration</li> </ul> <i>Building Regulations 2012:</i> <ul style="list-style-type: none"> <li>• r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55].</li> <li>2. Authority to grant, refuse to grant or modify an occupancy permit or building approval certificate [s.58].</li> <li>3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and(3)].</li> <li>4. Authority to extend or refuse to extend the period within which an occupancy permit or building approval certificate has effect [s.65(4) and r.40].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(6A) Delegation: special permit authorities and local governments</li> </ul>
<b>Subdelegates</b>	Building Surveyor Executive Manager Regulatory and Development Services Manager Planning and Building
<b>Subdelegate conditions</b>	In accordance with the primary delegation.

<b>Statutory framework</b>	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> <li>• s.59 Time for granting occupancy permit or building approval certificate</li> <li>• s.60 Notice of decision not to grant occupancy permit or grant building approval certificate</li> <li>• s.121 Occupancy permits and building approval certificates - application for review by SAT</li> </ul> <p><i>Building Services (Complaint Resolution and Administration) Act 2011:</i></p> <ul style="list-style-type: none"> <li>• Part 7, Division 2</li> </ul> <p><i>Building and Construction Industry Training Levy Act 1990</i></p> <p><i>Heritage Act 2018</i></p>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	18 October 2011
<b>Adoption references</b>	OCM 18 October 2011 - Item 11.4.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>2.1.3 Building Orders</b>
<b>Category</b>	2. Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(1) and (3) Delegation: special permit authorities and local governments</li> </ul>
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.110(1) A permit authority may make a building order</li> <li>• s.111(1) Notice of proposed building order other than building order (emergency)</li> <li>• s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect</li> <li>• s.118(2) and (3) Permit authority may give effect to building order if non-compliance</li> <li>• s.133(1) A permit authority may commence a prosecution for an offence against this Act</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>a. Building work</li> <li>b. Demolition work</li> <li>c. An existing building or incidental structure [s.110(1)].</li> </ol> </li> <li>2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</li> <li>3. Authority to revoke a building order [s.117].</li> <li>4. Authority, if there is non-compliance with a building order, to cause an authorised person to: <ol style="list-style-type: none"> <li>a. Take any action specified in the order; or</li> <li>b. Commence or complete any work specified in the order; or</li> <li>c. If any specified action is required to cease by the order, to take such steps as are reasonable to cause the action to cease [s.118(2)].</li> </ol> </li> <li>5. Authority to take court action to recover, as a debt, reasonable costs and expenses incurred in doing anything in regard to non-compliance with a building order [s.118(3)].</li> <li>6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to s.110.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(6A) Delegation: special permit authorities and local governments</li> </ul>
<b>Subdelegates</b>	Building Surveyor Executive Manager Regulatory and Development Services Manager Planning and Building
<b>Subdelegate conditions</b>	In accordance with primary delegation.

<b>Statutory framework</b>	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> <li>• s.111 Notice of proposed building order other than building order (emergency)</li> <li>• s.112 Content of building order</li> <li>• s.113 Limitation on effect of building order</li> <li>• s.114 Service of building order</li> <li>• Part 9 Review - s.122 Building orders - application for review by SAT</li> </ul>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	18 October 2011
<b>Adoption references</b>	OCM 18 October 2011 - Item 11.4.1
<b>Last reviewed</b>	20 June 2023



<b>Delegation</b>	<b>2.1.4 Demolition Permits</b>
<b>Category</b>	2. Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(1) and (3) Delegation: special permit authorities and local governments</li> </ul>
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.18 Further information</li> <li>• s.21 Grant of demolition permit</li> <li>• s.22 Further grounds for not granting an application</li> <li>• s.27(1) and (3) Impose conditions on permit</li> </ul> <i>Building Regulations 2012</i> <ul style="list-style-type: none"> <li>• r.23 Application to extend time during which permit has effect (s.32)</li> <li>• r.24 Extension of time during which permit has effect (s.32(3))</li> <li>• r.26 Approval of new responsible person</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and (3)].</li> <li>4. Authority to determine an application to extend time during which a demolition permit has effect [4.23]. <ol style="list-style-type: none"> <li>a. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)].</li> <li>b. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(6A) Delegation: special permit authorities and local governments</li> </ul>
<b>Subdelegates</b>	Building Surveyor Executive Manager Regulatory and Development Services Manager Planning and Building
<b>Subdelegate conditions</b>	In accordance with primary delegation.

<b>Statutory framework</b>	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> <li>• s.119 Building and demolition permits - application for review by SAT</li> <li>• s.23 Time for deciding application for building or demolition permit</li> </ul> <p><i>Building Services (Complaint Resolution and Administration) Act 2011:</i></p> <ul style="list-style-type: none"> <li>• Part 7, Division 2</li> </ul> <p><i>Building and Construction Industry Training Levy Act 1990</i></p> <p><i>Heritage Act 2018</i></p>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	18 October 2011
<b>Adoption references</b>	OCM 18 October 2011 - Item 11.4.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>2.1.5 Designate Employees as Authorised Persons</b>
<b>Category</b>	2. Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(1) and (3) Delegation: special permit authorities and local governments</li> </ul>
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.96(3) Authorised persons</li> <li>• s.99(3) Limitations on powers of authorised person</li> </ul>
<b>Function</b>	<p>1. Authority to designate an employee as an authorised person[s.96(3)].</p> <p>2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].</p> <p>NOTE: An authorised person for the purposes of s.96(3) and 99(3) is not an approved officer or authorised officer for the purposes of r.70 of the <i>Building Act 2011</i>.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	1. Decisions under this delegated authority should be in accordance with r.5 of the <i>Building Regulations 2012</i> .
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(6A) Delegation: special permit authorities and local government</li> </ul>
<b>Subdelegate conditions</b>	N/A
<b>Statutory framework</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.97 Identity cards</li> </ul>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	20 August 2013
<b>Adoption references</b>	OCM 20 August 2013 - Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>2.1.6 Private Pool Barrier - Alternative and Performance Solutions</b>
<b>Category</b>	2. Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(1) an (3) Delegation: special permit authorities and local governments</li> </ul>
<b>Express power or duty delegated</b>	<i>Building Regulations 2012:</i> <ul style="list-style-type: none"> <li>• r.51 Approvals by permit authority</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if they were compliant with AS 1926.1 [r.51(2)].</li> <li>2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner/occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)].</li> <li>3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(6A) Delegation: special permit authorities and local governments</li> </ul>
<b>Subdelegates</b>	Building Surveyor Executive Manager Regulatory and Development Services Manager Planning and Building
<b>Subdelegate conditions</b>	In accordance with the primary delegation.
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 - Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>2.1.7 Smoke Alarms - Alternative Solutions</b>
<b>Category</b>	2. Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(1) and (3) Delegation: special permit authorities and local governments</li> </ul>
<b>Express power or duty delegated</b>	<i>Building Regulations 2012:</i> <ul style="list-style-type: none"> <li>• r.55 Terms used (alternative building solution approval)</li> <li>• r.61 Local government approval of battery powered smoke alarms</li> </ul>
<b>Function</b>	1. Authority to approve alternative building solutions which meet the performance requirements of the Building Code relating to fire detection and early warning [r.55]. 2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(6A) Delegation: special permit authorities and local governments</li> </ul>
<b>Subdelegates</b>	Building Surveyor Executive Manager Regulatory and Development Services Manager Planning and Building
<b>Subdelegate conditions</b>	In accordance with the primary delegation.
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 - Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>2.1.8 Appointment of Approved Officers and Authorised Officers</b>
<b>Category</b>	2. Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(1) and (3) Delegation: special permit authorities and local governments</li> </ul>
<b>Express power or duty delegated</b>	<i>Building Regulations 2012:</i> <ul style="list-style-type: none"> <li>• r.70 Approved officers and authorised officers</li> </ul>
<b>Function</b>	<p>1. Authority to appoint an approved officer for the purposes of s.6(a) of the <i>Criminal Procedure Act 2004</i>, in accordance with r.70(1) and 70(1A).  <b>NOTE: Only employees delegated under s.5.44(1) of the <i>Local Government Act 1995</i> with power under s.9.19 or 9.20 of that Act may be appointed as "approved officers".</b></p> <p>2. Authority to appoint an authorised officer for the purposes of s.6(b) of the <i>Criminal Procedure Act 2004</i>, in accordance with r.70(2).  <b>NOTE: Only employees appointed under s.9.10 of the <i>Local Government Act 1995</i> and authorised for the purpose of performing functions under s.9.16 of that Act may be appointed as "authorised officers".</b></p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> <ul style="list-style-type: none"> <li>• s.127(6A) Delegation: special permit authorities and local governments</li> </ul>
<b>Subdelegate conditions</b>	In accordance with the primary delegation.
<b>Statutory framework</b>	<i>Building Regulations 2012:</i> <ul style="list-style-type: none"> <li>• r70(3) Approved officers and authorised officers - each authorised officer must be issued with a certificate of appointment.</li> </ul>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	21 April 2020
<b>Adoption references</b>	OCM 21 April 2020 - Item 11.1.2
<b>Last reviewed</b>	20 June 2023

### 3. Bush Fires Act 1954

<b>Delegation</b>	<b>3.1.1 Prohibited Burning Times - Vary and Control Activities</b>
<b>Category</b>	3. Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Bush Fires Act 1954</i></p> <ul style="list-style-type: none"> <li>• s.48 Delegation by local government</li> <li>• s.17(10) Prohibited burning times may be declared by Minister (power of delegation to Mayor or President and Chief Bush Fire Control Officer for ONLY powers under s.17(7) and (8)</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Bush Fires Act 1954</i></p> <ul style="list-style-type: none"> <li>• s.17(7) Prohibited burning times may be declared by Minister</li> <li>• s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions</li> <li>• s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land</li> </ul> <p><i>Bush Fires Regulations 1954</i></p> <ul style="list-style-type: none"> <li>• r.15 Permit to burn (Act s.18), form of and apply for after refusal etc.</li> <li>• r.15C Local government may prohibit burning on certain days</li> <li>• r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times</li> <li>• r.39B Crop dusters etc., use of in restricted or prohibited burning times</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority, where seasonal conditions warrant it, to determine a variation of prohibited burning times after consultation with an authorized CALM Act officer [s.17(7)].</li> <li>2. Authority to determine permits to burn during a Prohibited Burning Time that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>3. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of Sunday or public holiday in the whole or a specified part of the District during a Prohibited Burning Time is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> <li>4. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)].</li> <li>5. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</li> <li>6. Authority to prohibit the use of tractors, engines or self-propelled harvesters during a Prohibited Burning Time, and to give permission for use of same during a Prohibited Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</li> <li>7. Authority to recover the cost of measures taken by the Shire of Gingin or a Bush Fire Control Officer to extinguish a fire burning during a Prohibited Burning Time where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire on the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</li> </ol>

<b>Delegates</b>	CEO Community Emergency Services Manager/Chief Bush Fire Control Officer President
<b>Conditions</b>	<p>1. Delegation of power to the President and the Community Emergency Services Manager/Chief Bush Fire Control Officer relates to Function 1 only. Decisions must be undertaken jointly and must comply with the procedural requirements of s.17(7B) and (8).</p> <p>2. Delegation of power to the CEO relates to Functions 2-6 only.</p> <p>3. The delegation of power under Function 2 is only to be exercised where:</p> <p>a. The Chief Bush Fire Control Officer is unable or unwilling to make a determination in this regard; or</p> <p>b. The determination relates to a decision made by the Chief Bush Fire Control Officer.</p>
<b>Express power to subdelegate</b>	Nil
<b>Record keeping</b>	Any exercise of delegation must be captured in the Shire's electronic records management system in accordance with the requirements of <i>Local Government Act 1995</i> s.5.46 and the <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	15 June 2021
<b>Adoption references</b>	Minute Item 11.1
<b>Last reviewed</b>	20 June 2023



<b>Delegation</b>	<b>3.1.2 Restricted Burning Times - Vary and Control Activities</b>
<b>Category</b>	3. Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> <ul style="list-style-type: none"> <li>• s.48 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> <ul style="list-style-type: none"> <li>• s.18(5), (11) Restricted burning times may be declared by FES Commissioner</li> <li>• s.22(6) and (7) Burning on exempt land and land adjoining exempt land</li> <li>• s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions</li> <li>• s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land</li> </ul> <i>Bush Fires Regulations 1954</i> <ul style="list-style-type: none"> <li>• r.15 Permit to burn (Act s.18), form of and apply for after refusal etc.</li> <li>• r.15C Local government may prohibit burning on certain days</li> <li>• r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times</li> <li>• r.39B Crop dusters etc., use of in restricted or prohibited burning times</li> </ul>

<b>Function</b>	<p>1. Authority, where seasonal conditions warrant it, and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)].</p> <p>2. Authority to determine to prohibit burning during a Restricted Burning Time on Sundays or specified days that are public holidays in the District [r.15C].</p> <p>3. Authority, where a permitted burn fire escapes or is out of control in the opinion of a Bush Fire Control Officer or an officer of a Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)].</p> <p>4. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15].</p> <p>5. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and a Bush Fire Brigade to cooperate in burning firebreaks, and require the occupier of adjoining land to provide, by the date of the burning, ploughed or cleared firebreaks parallel to the common boundary [s.22(6) and (7)].</p> <p>6. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during a Restricted Burning Time is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</p> <p>7. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B].</p> <p>8. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</p> <p>9. Authority to prohibit the use of tractors, engines or self-propelled harvesters during a Restricted Burning Time, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</p> <p>10. Authority to recover the cost of measures taken by the Shire of Gingin or a Bush Fire Control Officer to extinguish a fire burning during a Restricted Burning Time, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire on the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>1. The delegation of power granted under Function 4 is only to be exercised where:</p> <p>a. The Chief Bush Fire Control Officer is unable or unwilling to make a determination in this regard; or</p> <p>b. The decision to refuse a permit to burn has been made by the Chief Bush Fire Control Officer.</p>
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil

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<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	15 June 2021
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<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>3.1.3 Prosecution of Offences</b>
<b>Category</b>	3. Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s.59 Prosecution of offences s.59A Alternative procedure - infringement notices
<b>Function</b>	<p>1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59].</p> <p>2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)] (as determined by conditions of delegation).</p> <p>3. Authority to withdraw an infringement notice for an offence against this Act [s.59A(5)] (as determined by conditions of delegation).</p>
<b>Delegates</b>	<p>CEO Community Emergency Services Manager/Chief Bush Fire Control Officer Compliance Officer Coordinator Ranger Services Executive Manager Regulatory and Development Services Ranger Senior Ranger</p>
<b>Conditions</b>	<p><b>CEO</b> With respect to s.59A, delegation excludes the power to issue infringements.</p> <p><b>Executive Manager Regulatory and Development Services</b> With respect to s.59A, delegation excludes the power to issue infringements.</p> <p><b>Community Emergency Services Manager/Chief Bush Fire Control Officer</b> With respect to s.59A, delegation excludes the power to withdraw infringements.</p> <p><b>Compliance Officer</b> With respect to s.59A, delegation excludes the power to withdraw infringements.</p> <p><b>Coordinator Ranger Services</b> With respect to s.59A, delegation excludes the power to withdraw infringements.</p> <p><b>Senior Ranger</b> With respect to s.59A, delegation excludes the power to withdraw infringements.</p> <p><b>Ranger</b> With respect to s.59A, delegation excludes the power to withdraw infringements.</p>
<b>Express power to subdelegate</b>	Nil - subdelegation is prohibited by s.48(3)
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil

Shire of Gingin

<b>Record keeping</b>	Exercise of delegation must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	15 December 2020
<b>Adoption references</b>	Minute Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>3.1.4 Appoint Bush Fire Control Officer/s and Fire Weather Officer/s</b>
<b>Category</b>	3. Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> S. 48 Delegation by local governments
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s. 38 Local government may appoint bush fire control officer
<b>Function</b>	<p>1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the <i>Bush Fires Act 1954</i>; and</p> <p>a. Of those Officers, to appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and</p> <p>b. To determine the respective seniority of the other Bush Fire Control Officers so appointed [s.38(1)].</p> <p>2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of Gingin [s.38(5A)].</p> <p>3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and, where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)]</p> <p>4. Authority to appoint Deputy Fire Weather Officer/s as considered necessary and, where two or more deputies are appointed, to determine seniority [s.38(10)].</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>1. Chief Bush Fire Control Officer is to be the Shire's Community Emergency Services Manager (or equivalent position). Any other proposed appointment must be presented to Council for consideration.</p> <p>2. Appointments to the position of Deputy Chief Bush Fire Control Officer must result from a recommendation of the Shire's Bush Fire Advisory Committee.</p> <p>3. Appointments to the position of Bush Fire Control Officer must result from a recommendation of the Shire's Bush Fire Advisory Committee.</p> <p>Condition 3 does not apply to the appointment of Shire Rangers as Bush Fire Control Officers for the Shire in its entirety.</p>
<b>Express power to subdelegate</b>	Subdelegation is specifically prohibited by s.48(3) of the <i>Bush Fires Act 1954</i> .
<b>Subdelegate conditions</b>	Not applicable
<b>Statutory framework</b>	<i>Shire of Gingin Bush Fire Brigades Local Law 2004</i>
<b>Policy</b>	Policy 4.2 - Bush Fire Control

<b>Record keeping</b>	<p>Records of bush fire control officers and bush fire brigade officers appointed by or holding office under the local government to be maintained in accordance with:</p> <p><i>Bush Fires Act 1954</i> s. 50 Records to be maintained by local government</p> <p>In addition, each exercise of delegation must be captured in the Shire's records managementsystem as required by <i>LocalGovernment Act 1995</i> s.5.46 and <i>LocalGovernment (Administration) Regulations 1996</i> r.19.</p>
<b>Date adopted</b>	15 June 2021
<b>Adoption references</b>	Minute Item 11.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>3.1.5 Firebreaks</b>
<b>Category</b>	3. Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> • s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> • s.33 Local government may require occupier of land to plough or clear firebreaks
<b>Function</b>	<p>1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District requiring them, to the satisfaction of the Shire of Gingin:</p> <p>a. to clear firebreaks as determined necessary and as specified in the notice; and</p> <p>b. to act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and</p> <p>c. as a separate or coordinated action with any other person, to carry out similar actions [s.33 (1)].</p> <p>2. Authority to direct a Bush Fire Control Officer or any other employee to enter into the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)].</p> <p>3. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice ([s.33(5)]).</p> <p>4. Authority to, at the request of an owner or occupier of land within the District, carry out on the land, at the expense of the owner or occupier, any works for the removal or abatement of a fire danger and, if necessary, recover the expense of undertaking such works from the owner or occupier in a court of competent jurisdiction.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	The draft firebreak notice shall be submitted to the Shire's Bush Fire Advisory Committee for consideration prior to submission to the Chief Executive Officer for approval.
<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	Nil
<b>Policy</b>	N/A
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	15 June 2021
<b>Adoption references</b>	Minute Item 11.1



Shire of Gingin

<b>Last reviewed</b>	20 June 2023
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<b>Delegation</b>	<b>3.1.6 Burning Garden Refuse/Open Air Fires</b>
<b>Category</b>	3. Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> <ul style="list-style-type: none"> <li>• s.48 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> <ul style="list-style-type: none"> <li>• s.24F Burning garden refuse during limited burning times</li> <li>• s.24G Minister or local government may further restrict burning of garden refuse</li> <li>• s.25 No fire to be lit in open air unless certain precautions taken</li> <li>• s.25A Power of Minister to exempt from provisions of section 25</li> </ul> <i>Bush Fires Regulations 1954</i> <ul style="list-style-type: none"> <li>• r.27(3) Permit, issue of</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to give written permission, during Prohibited and Restricted Burning Times, for an incinerator located within two metres of a building or fence, to be used for the burning of garden refuse [s.24F(2)(b)(ii) and (4)].</li> <li>2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)].</li> <li>3. Authority to issue directions to an authorised officer as to the manner in which, or the conditions under which, permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)].</li> <li>4. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plant growing upon any land within the District [r.34].</li> <li>5. Authority to provide written approval, during Prohibited and Restricted Burning Times, for fires to be lit for the purposes of: <ol style="list-style-type: none"> <li>a. camping or cooking [s.25(1)(a)]; and</li> <li>b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)].</li> </ol> </li> <li>6. Authority to prohibit the lighting of fires in the open air for the purposes of camping or cooking for such period during a Prohibited Burning Time as is specified in a notice published in the Government Gazette and a newspaper circulating in the District, and authority to vary such notice [s.25(1a) and (1b)].</li> <li>7. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in the open air, prohibiting that person from lighting a fire, and to determine conditions on the notice [s.25A(5)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	1. Function 1 is only to be exercised where the CEO can be satisfied that approval is not likely to create a fire hazard.

<b>Express power to subdelegate</b>	Nil
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	15 June 2021
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<b>Delegation</b>	<b>3.1.7 Recovery of Expenses Incurred Through Contraventions of the Bush Fires Act 1954</b>
<b>Category</b>	3. Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> <ul style="list-style-type: none"> <li>• s.48 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> <ul style="list-style-type: none"> <li>• s.58 General penalty and recovery of expenses incurred</li> </ul>
<b>Function</b>	Authority to recover expenses incurred as a result of an offence against the <i>Bush Fires Act 1954</i> , being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the Shire of Gingin or those acting on behalf of the Shire of Gingin to do [2.58].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Sub-delegation is prohibited by s.48(3) of the <i>Bush Fires Act 1954</i> .
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1954</i> s.5.46 and <i>Local Government (Administration) Regulations 1956</i> r.19.
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<b>Adoption references</b>	Minute Item 11.1
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<b>Delegation</b>	<b>3.1.8 Prohibit or Postpone the Lighting of Fires</b>
<b>Category</b>	3. Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> • s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> s.46 Bush fire control officer or forest officer may postpone lighting fire
<b>Function</b>	<p>1. Authority to prohibit or postpone the lighting of a fire, including where a permit has been issued, where in the opinion of the Delegate the lighting of a fire would be, or would become, a source of danger by escaping from the land on which it is proposed to be lit.</p> <p>2. Authority to direct, where a fire is burning on land and the Delegate is of the opinion that the fire is in danger of escaping from that land, that the owner or occupier of the land take all reasonable steps to extinguish the fire or to prevent the fire from spreading.</p> <p>3. Authority to exercise the powers contained within Functions 1 and 2 with respect to fires on land within three kilometres of the boundary of forest land, where an authorised CALM Act Officer is not available or has failed to exercise those powers.</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Sub-delegation is prohibited by s.48(3) of the <i>Bush Fires Act 1954</i> .
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	15 June 2021
<b>Adoption references</b>	Minute Item 11.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>3.1.9 Control of Operations Likely to Create Bush Fire Danger</b>
<b>Category</b>	3. Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> <ul style="list-style-type: none"> <li>• s.48 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> <ul style="list-style-type: none"> <li>• s.27D Requirements for carriage and deposit of incendiary material</li> </ul> <i>Bush Fires Regulations 1954</i> <ul style="list-style-type: none"> <li>• r.39C Welding and cutting apparatus, use of in open air</li> <li>• r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc.</li> <li>• r.39D Explosives, use of</li> <li>• r.39E Fireworks, use of</li> </ul>
<b>Function</b>	1. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ul style="list-style-type: none"> <li>a. a person operating a bee smoker device during a prescribed period [r.39CA(5)].</li> <li>b. a person operating welding apparatus or a power operated abrasive cutting disc [r.39C(3)].</li> <li>c. a person using explosives [r.39D(2)].</li> <li>d. a person using fireworks [r.39E(3)].</li> </ul> 2. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse or any other combustible matter that is burning) [s.27D].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Sub-delegation is prohibited by s.48(3) of the <i>Bush Fires Act 1954</i> .
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1954</i> r.19.
<b>Date adopted</b>	15 June 2021
<b>Adoption references</b>	Minute Item 11.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>3.1.10 Make Request to FES Commissioner - Control of Fire</b>
<b>Category</b>	3. Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954</i> • s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> • s.13(4) Duties and powers of bush fire liaison officers
<b>Function</b>	Authority to request on behalf of the Shire of Gingin that the FES Commissioner authorise a Bush Fire Liaison Officer or another person to take control of fire operations [s.13(4)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Sub-delegation is prohibited by s.48(3) of the <i>Bush Fires Act 1954</i> .
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19
<b>Date adopted</b>	15 June 2021
<b>Adoption references</b>	Minute Item 11.1
<b>Last reviewed</b>	20 June 2023

4. Cat Act 2011

<b>Delegation</b>	<b>4.1.1 Cat Registrations</b>
<b>Category</b>	4. Cat Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.44 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.9 Registration</li> <li>• s.10 Cancellation of Registration</li> <li>• s.11 Registration numbers, certificates and tags</li> </ul> <i>Cat Regulations 2012</i> <ul style="list-style-type: none"> <li>• Sch. 3, cl.1(4) Fees payable</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)].</li> <li>3. Authority to cancel a cat registration [s.10].</li> <li>4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)].</li> <li>5. Authority to reduce or waive a registration or approval to breed fee, in respect of any cat or class of cats within the Shire's District [Sch. 3 cl. 1(4)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>.</li> </ol>
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.45 Delegation by CEO of local government</li> </ul>
<b>Subdelegates</b>	Compliance Officer Coordinator Ranger Services Executive Manager Regulatory and Development Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>1. In accordance with the primary delegation.</li> <li>2. Function 5 is delegated to the position of Executive Manager Regulatory and Development Services only.</li> </ol>



<b>Statutory framework</b>	<p><i>Cat Regulations 2012:</i></p> <ul style="list-style-type: none"> <li>• r.12 Period of registration (s.9(7))</li> <li>• r.14 Registration certificate (s.11(1)(b))</li> <li>• r.15 Registration tags (s.76(2))</li> </ul>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 - Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>4.1.2 Cat Control Notices</b>
<b>Category</b>	4. Cat Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.44 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.26 Cat control notice may be given to cat owner</li> </ul>
<b>Function</b>	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire's District [s.26].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.45 Delegation by CEO of local government</li> </ul>
<b>Subdelegates</b>	Compliance Officer Coordinator Ranger Services Executive Manager Regulatory and Development Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	In accordance with primary delegation.
<b>Statutory framework</b>	<i>Cat Regulations 2012:</i> <ul style="list-style-type: none"> <li>• r.20 Cat control notice [s.23(3)], prescribes the form of the notice.</li> </ul>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 - Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>4.1.3 Approval to Breed Cats</b>
<b>Category</b>	4. Cat Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.44 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.37 Approval to breed cats</li> <li>• s.38 Cancellation of approval to breed cats</li> <li>• s.39 Certificate to be given to approved cat breeder</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37 (1) and (2)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)].</li> <li>3. Authority to cancel an approval to breed cats [s.38].</li> <li>4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.45 Delegation by CEO of local government</li> </ul>
<b>Subdelegates</b>	Compliance Officer Coordinator Ranger Services Executive Manager Regulatory and Development Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>1. In accordance with the primary delegation.</li> </ol>
<b>Statutory framework</b>	<i>Cat Regulations 2012:</i> <ul style="list-style-type: none"> <li>• r.21 Application for approval to breed cats [s.36(2)]</li> <li>• r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f))</li> <li>• r.23 Person who may not be refused approval to breed cats (s.37(5))</li> <li>• r.24 Duration of approval to breed cats (s.37(6))</li> <li>• r.25 Certificate given to approved cat breeder (s.39(1))</li> </ul>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.

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<b>Adoption references</b>	OCM 19 July 2022 - Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>4.1.4 Recovery of Costs - Destruction of Cats</b>
<b>Category</b>	4. Cat Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.44 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.49(3) Authorised person may cause cat to be destroyed</li> </ul>
<b>Function</b>	1. Authority to recover the amount of the costs associated with the destruction and disposal of a cat [s.49(3)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.45 Delegation by CEO of local government</li> </ul>
<b>Subdelegates</b>	Compliance Officer Coordinator Ranger Services Executive Manager Regulatory and Development Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	1. In accordance with the primary delegation.
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by Local Government Act 1995 s.5.46 and Local Government (Administration) Regulations 1996 r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>4.1.5 Applications to Keep Additional Cats</b>
<b>Category</b>	4. Cat Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.44 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Cat (Uniform Local Provisions) Regulations 2013:</i> <ul style="list-style-type: none"> <li>• r.8 Application to keep additional number of cats</li> <li>• r.9 Grant of approval to keep additional number of cats</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require any document or additional information required to determine an application [r.8(3)].</li> <li>2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)].</li> <li>3. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.45 Delegation by CEO of local government</li> </ul>
<b>Subdelegates</b>	Compliance Officer Coordinator Ranger Services Executive Manager Regulatory and Development Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>1. In accordance with the primary delegation.</li> </ol>
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>4.1.6 Reduce or Waive Registration Fee</b>
<b>Category</b>	4. Cat Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.44 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Cat Regulations 2012:</i> <ul style="list-style-type: none"> <li>• Sch. 3 Fees cl.1(4)</li> </ul>
<b>Function</b>	1. Authority to reduce or waive a fee payable under Sch. 3 cl.(2) or (3) in respect to any individual cat.
<b>Delegates</b>	CEO
<b>Conditions</b>	This delegation does not provide authority to determine to reduce or waive the fees payable in regard to any class of cat within the District, which would require a Council decision in accordance with s.6.16, 6.17 and 6.18 of the <i>Local Government Act 1995</i> .
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.45 Delegation by CEO of local government</li> </ul>
<b>Subdelegate conditions</b>	Nil
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>4.2.1 Infringement Notices - Extensions and Withdrawals</b>
<b>Category</b>	4. Cat Act 2011
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.45 Delegation by CEO of local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> <li>• s.64 Extension of time</li> <li>• s.65 Withdrawal of notice</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [s.64].</li> <li>2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65].</li> </ol>
<b>Delegates</b>	Executive Manager Regulatory and Development Services
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil
<b>Subdelegate conditions</b>	Not applicable.
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	22 July 2022
<b>Adoption references</b>	Synergy Document: NM23016
<b>Last reviewed</b>	20 June 2023



5. Dog Act 1974

<b>Delegation</b>	<b>5.1.1 Part Payment of Sterilisation Costs/Directions to Veterinary Surgeons</b>
<b>Category</b>	5. Dog Act 1974
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA Delegation of local government powers and duties</li> </ul>
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10A Payments to veterinary surgeons towards costs of sterilisation</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine where a resident who is the owner of a registered dog would suffer hardship in paying the whole of the cost of sterilisation and determine to make a payment towards such costs [s.10A(1)(a) and (3)].</li> <li>2. Authority to give written directions to a veterinary surgeon to be complied with as a condition of part payment of the cost of sterilisation [s.10A(a)(b) and (2)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA(3) Delegation of local government powers and duties</li> </ul> <p>NOTE: The CEO is expressly authorised to subdelegate to employees.</p>
<b>Subdelegates</b>	Compliance Officer Coordinator Ranger Services Executive Manager Regulatory and Development Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	In accordance with the primary delegation.
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>5.1.2 Refuse or Cancel Registration</b>
<b>Category</b>	5. Dog Act 1974
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA Delegation of local government powers and duties</li> </ul>
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.15(2) and (4A) Registration periods and fees</li> <li>• s.16(3) Registration procedure</li> <li>• s.17A(2) If no application for registration made</li> <li>• s.17(4) and (6) Refusal or cancellation of registration</li> </ul>
<b>Function</b>	<p>1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)].</p> <p>2. Authority to direct a registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where:</p> <p>a. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3 years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i>; or</p> <p>b. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease; or</p> <p>c. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept; or</p> <p>d. the dog is required to be microchipped but is not microchipped; or</p> <p>e. the dog is a dangerous dog [s.16(3) and s.17A(2)].</p> <p>3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire's District [s.15(4A)].</p> <p>4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration, the applicant/owner has not applied to the State Administrative Tribunal for the decision to be reviewed [s.17(4)].</p> <p>5. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had been found to be in contravention of s.31, 32 or 33A and had not been claimed [s.17(6)].</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA(3) Delegation of local government powers and duties</li> </ul> <p>NOTE: The CEO is expressly authorised to subdelegate to employees.</p>

<b>Subdelegates</b>	Compliance Officer Coordinator Ranger Services Executive Manager Regulatory and Development Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	Subdelegations relate to Functions 1, 2, 4 and 5 ONLY. Function 3 has NOT been subdelegated to any position.
<b>Statutory framework</b>	<i>Dog Act 1976:</i>  <ul style="list-style-type: none"> <li>• s.17A If no application for registration made - procedure for giving notice of decision under s.16(3).</li> </ul> <p>NOTE: Decisions made under this delegation may be referred for review by the State Administrative Tribunal - s.16A, s.17(4) and (6).</p>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>5.1.3 Kennel Establishments</b>
<b>Category</b>	5. Dog Act 1974
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA Delegation of local government powers and duties</li> </ul>
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.27 Licensing of approved kennel establishments</li> </ul>
<b>Function</b>	1. Authority to grant, refuse to grant or cancel a kennel licence [s.27(4) and (6)].
<b>Delegates</b>	CEO
<b>Conditions</b>	1. Application processing and decisions under this delegation are to comply with the Shire of Gingin Dogs Local Law 2004.
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA(3) Delegation of local government powers and duties</li> </ul> <p>NOTE: The CEO is expressly authorised to subdelegate to employees.</p>
<b>Subdelegates</b>	Compliance Officer Coordinator Ranger Services Executive Manager Regulatory and Development Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	1. In accordance with primary delegation.
<b>Statutory framework</b>	Decisions made under this delegation may be referred for review by the State Administrative Tribunal - s.16A, s.17(4) and (6).
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>5.1.4 Recovery of Moneys Due under this Act</b>
<b>Category</b>	5. Dog Act 1974
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA Delegation of local government powers and duties</li> </ul>
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.29(5) Power to seize dogs</li> </ul>
<b>Function</b>	1. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA(3) Delegation of local government powers and duties</li> </ul> <p>NOTE: The CEO is expressly authorised to subdelegate to employees.</p>
<b>Subdelegates</b>	Compliance Officer Coordinator Ranger Services Executive Manager Regulatory and Development Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	1. In accordance with primary delegation.
<b>Statutory framework</b>	Includes recovery of expenses relevant to:  <i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense</li> <li>• s.33M Local government expenses to be recoverable</li> <li>• s.47 Veterinary service expenses recoverable from local government</li> </ul> <i>Dog Regulations 2013:</i> <ul style="list-style-type: none"> <li>• r.31 Local government expenses as to dangerous dogs (declared)</li> </ul>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022

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<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>5.1.5 Dispose of or Sell Dogs Liable to be Destroyed</b>
<b>Category</b>	5. Dog Act 1974
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.29(11) Power to seize dogs</li> </ul>
<b>Function</b>	1. Authority to dispose of or sell a dog which is liable to be destroyed [s.19(11)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA(3) Delegation of local government powers and duties</li> </ul> <p>NOTE: The CEO is expressly authorised to subdelegate to employees.</p>
<b>Subdelegates</b>	Compliance Officer Coordinator Ranger Services Executive Manager Regulatory and Development Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	In accordance with primary delegation.
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
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<b>Delegation</b>	<b>5.1.6 Declare Dangerous Dog</b>
<b>Category</b>	5. Dog Act 1974
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976</i> <ul style="list-style-type: none"> <li>• s.10AA Delegation of local government powers and duties</li> </ul>
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.33E(1) Individual dog may be declared to be dangerous dog (declared)</li> </ul>
<b>Function</b>	1. Authority to declare an individual dog to be a dangerous dog.
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA(3) Delegation of local government powers and duties</li> </ul> <p>NOTE: The CEO is expressly authorised to subdelegate to employees.</p>
<b>Subdelegates</b>	Compliance Officer Coordinator Ranger Services Executive Manager Regulatory and Development Services Ranger Senior Ranger
<b>Subdelegate conditions</b>	In accordance with primary delegation.
<b>Statutory framework</b>	NOTE: Decisions under this delegation may be referred for review by the State Administrative Tribunal.
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023



<b>Delegation</b>	<b>5.1.7 Dangerous Dog Declared or Seized - Deal with Objections and Determine When to Revoke</b>
<b>Category</b>	5. Dog Act 1974
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA Delegation of local government powers and duties</li> </ul>
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.33F(6) Owners to be notified of making of decision</li> <li>• s.33G(4) Seizure and destruction</li> <li>• s.33H(1) and (2) Local government may revoke declaration or proposal to destroy</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)].</li> <li>2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)].</li> <li>3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33(1)].</li> <li>4. Authority, before dealing with an application to revoke a declaration or notice, to require the owner of the dog to attend, with the dog, a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA(3) Delegation of local government powers and duties</li> </ul> <p>NOTE: The CEO is expressly authorised to subdelegate to employees.</p>
<b>Subdelegates</b>	Executive Manager Regulatory and Development Services
<b>Subdelegate conditions</b>	In accordance with primary delegation.
<b>Statutory framework</b>	<p>The power to deal with an objection to, or to revoke, a dangerous dog declaration should not be delegated to a position which also holds the power to enable the declaration of a dangerous dog under s.33E(1). The Shire's Manager Ranger Services, Senior Ranger and Rangers are authorised to declare individual dogs to be dangerous dogs (Del. 5.1.6).</p> <p>NOTE: Decisions under this delegation may be referred for review by the State Administrative Tribunal.</p>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.

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<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>5.1.8 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice</b>
<b>Category</b>	5. Dog Act 1974
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA Delegation of local government powers and duties</li> </ul>
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.33H(5) Local government may revoke declaration or proposal to destroy</li> </ul>
<b>Function</b>	1. Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)]:  a. a notice declaring a dog to be dangerous; or b. a notice proposing to cause a dog to be destroyed.
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA(3) Delegation of local government powers and duties</li> </ul> NOTE: The CEO is expressly authorised to subdelegate to employees.
<b>Subdelegate conditions</b>	Not applicable.
<b>Statutory framework</b>	The power to deal with an objection to a notice to revoke a dangerous dog declaration or destruction notice should not be delegated to a position which either holds the power to declare an individual dog to be a dangerous dog, or to deal with an objection to, or to revoke, a dangerous dog declaration.  NOTE: Decisions under this delegation may be referred for review by the State Administrative Tribunal.
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995 s.5.46</i> and <i>Local Government (Administration) Regulations 1996 r.19</i> .
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>5.1.9 Determine Recoverable Expenses for Dangerous Dog Declaration</b>
<b>Category</b>	5. Dog Act 1974
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA Delegation of local government powers and duties</li> </ul>
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.33M(1)(a) Local government expenses to be recoverable</li> </ul>
<b>Function</b>	1. Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to the maximum amount prescribed, having regard to expenses incurred by the local government in making enquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> <li>• s.10AA(3) Delegation of local government powers and duties</li> </ul> <p>NOTE: The CEO is expressly authorised to subdelegate to employees.</p>
<b>Subdelegates</b>	Compliance Officer Executive Manager Regulatory and Development Services
<b>Subdelegate conditions</b>	Nil
<b>Statutory framework</b>	<i>Dog Regulations 1976:</i> <ul style="list-style-type: none"> <li>• r.31 Local government expenses as to dangerous dogs declared - prescribes the maximum charge allowable with respect to s.33M(1)(a).</li> </ul>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

6. Food Act 2008

<b>Delegation</b>	<b>6.1.1 Appoint Authorised Officers and Designated Officers</b>
<b>Category</b>	6. Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> <ul style="list-style-type: none"> <li>• s.118(2)(b), (3) and (4) Functions of enforcement agencies and delegation</li> </ul>
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> <ul style="list-style-type: none"> <li>• s.122(1) Appointment of authorised officers</li> <li>• s.126(6), (7) and (13) Infringement officers</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to appoint a person to be an authorised officer for the purposes of the <i>Food Act 2008</i> [s.122(2)].</li> <li>2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or s.24 (1) of the <i>Public Health Act 2016</i> to be a Designated Officer for the purposes of issuing infringement notices under the <i>Food Act 2008</i> [s.126(13)].</li> <li>3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements) for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. A person who is a Designated Officer for the purposes of Function 2 cannot also be a Designated Officer for the purposes of Function 3, and vice versa [s.126(13)].</li> <li>2. A list of appointed Authorised Officers must be prepared and maintained [s.122(3)].</li> </ol>
<b>Express power to subdelegate</b>	Nil - the <i>Food Regulations 2008</i> do not provide for subdelegation.
<b>Subdelegate conditions</b>	Not applicable.
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>6.1.2 Prohibition Orders</b>
<b>Category</b>	6. Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> <ul style="list-style-type: none"> <li>• s.118(2)(b), (3) and (4) Functions of enforcement agencies and delegation</li> </ul>
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> <ul style="list-style-type: none"> <li>• s.65(1) Prohibition orders</li> <li>• s.66 Certificate of clearance to be given in certain circumstances</li> <li>• s.67(4) Request for re-inspection</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i> [s.65(1)].</li> <li>2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].</li> <li>3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].</li> </ol>
<b>Delegates</b>	Executive Manager Regulatory and Development Services Principal Environmental Health Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - the <i>Food Regulations 2008</i> do not provide for subdelegation.
<b>Subdelegate conditions</b>	Not applicable.
<b>Statutory framework</b>	NOTE: Decisions under this delegation may be referred for review by the State Administrative Tribunal.
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	17 June 2014
<b>Adoption references</b>	OCM 17 June 2014 - Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>6.1.3 Registration of Food Businesses</b>
<b>Category</b>	6. Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> <ul style="list-style-type: none"> <li>• s.118(2)(b), (3) and (4) Functions of enforcement agencies and delegation</li> </ul>
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> <ul style="list-style-type: none"> <li>• s.110(1) and (5) Registration of food business</li> <li>• s.112 Variation of conditions or cancellation of registration of food businesses</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)].</li> <li>2. Authority to vary the conditions applicable to, or cancel the registration of, a food business [s.112].</li> </ol>
<b>Delegates</b>	Executive Manager Regulatory and Development Services Principal Environmental Health Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - the <i>Food Regulations 2008</i> do not provide for subdelegation.
<b>Subdelegate conditions</b>	Not applicable.
<b>Statutory framework</b>	NOTE: Decisions under this delegation may be referred for review by the State Administrative Tribunal.
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>6.1.4 Determine Compensation</b>
<b>Category</b>	6. Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> <ul style="list-style-type: none"> <li>• s.118(2)(b), (3) and (4) Functions of enforcement agencies and delegation</li> </ul>
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> <ul style="list-style-type: none"> <li>• s.56(2) Compensation to be paid in certain circumstances</li> <li>• s.70(2) and (3) Compensation</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)].</li> <li>2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2) and (3)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>2. Compensation under this delegation may only be determined upon documented losses up to a maximum of \$5,000. Compensation requests above this value are to be submitted to Council for consideration.</li> </ol>
<b>Express power to subdelegate</b>	Nil - the <i>Food Act 2008</i> does not contain any express power to subdelegate.
<b>Subdelegate conditions</b>	Not applicable.
<b>Statutory framework</b>	NOTE: Decisions under this delegation may be referred for review by the State Administrative Tribunal.
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
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<b>Delegation</b>	<b>6.1.5 Debt Recovery and Prosecutions</b>
<b>Category</b>	6. Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> <ul style="list-style-type: none"> <li>• s.118(2)(b), (3) and (4) Functions of enforcement agencies and delegation</li> </ul>
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> <ul style="list-style-type: none"> <li>• s.54 Cost of destruction or disposal of forfeited item</li> <li>• s.125 Institution of proceedings</li> </ul>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (sized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)].</li> <li>2. Authority to institute proceedings for an offence under the <i>Food Act 2008</i> [s.125].</li> </ol>
<b>Delegates</b>	Executive Manager Regulatory and Development Services Principal Environmental Health Officer
<b>Conditions</b>	1. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express power to subdelegate</b>	Nil - the <i>Food Regulations 2009</i> do not provide for subdelegation.
<b>Subdelegate conditions</b>	Not applicable.
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

7. Graffiti Vandalism Act 2016

<b>Delegation</b>	<b>7.1.1 Give Notice Requiring Obliteration of Graffiti</b>
<b>Category</b>	7. Graffiti Vandalism Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> <li>• s.16 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> <li>• s.18(2) Notice requiring removal of graffiti</li> <li>• s.19(3) and (4) Additional powers when notice is given</li> </ul>
<b>Function</b>	<p>1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)].</p> <p>2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> <li>• s.17 Delegation by CEO of local government</li> </ul>
<b>Subdelegates</b>	Executive Manager Regulatory and Development Services
<b>Subdelegate conditions</b>	1. Where a notice is issued to an occupier of land who is not the owner of the property, the owner is to be informed in writing that the notice was given [s.18(3)].
<b>Statutory framework</b>	NOTE: Decisions under this delegation may be referred for review by the State Administrative Tribunal.
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>7.1.2 Notices - Deal with Objections and Give Effect to Notices</b>
<b>Category</b>	7. Graffiti Vandalism Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> <li>• s.16 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> <li>• s.22(3) Objection may be lodged</li> <li>• s.24(1)(b) and (3) Suspension of effect of notice</li> </ul>
<b>Function</b>	1. Authority to deal with an objection to a notice [s.22(3)]. 2. Authority, where an objection has been lodged, to: a. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)]; and b. give notice to the affected person, before taking the necessary actions [s.24(3)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> <li>• s.17 Delegation by CEO of local government</li> </ul>
<b>Subdelegate conditions</b>	Nil
<b>Statutory framework</b>	NOTE: Decisions under this delegation may be referred for review by the State Administrative Tribunal.
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>7.1.3 Obliterate Graffiti on Private Property</b>
<b>Category</b>	7. Graffiti Vandalism Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> <li>• s.16 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> <li>• s.25(1) Local government powers on land not local government property</li> </ul>
<b>Function</b>	1. Authority to determine to obliterate graffiti without the consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> <li>• s.17 Delegation by CEO of local government</li> </ul>
<b>Subdelegates</b>	Executive Manager Regulatory and Development Services
<b>Subdelegate conditions</b>	In accordance with the Primary Delegation.
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
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<b>Delegation</b>	<b>7.1.4 Powers of Entry</b>
<b>Category</b>	7. Graffiti Vandalism Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> <li>• s.16 Delegation by local government</li> </ul>
<b>Express power or duty delegated</b>	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> <li>• s.28 Notice of entry</li> <li>• s.29 Entry under warrant</li> </ul>
<b>Function</b>	1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28]. 2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> <li>• s.17 Delegation by CEO of local government</li> </ul>
<b>Subdelegates</b>	Executive Manager Regulatory and Development Services
<b>Subdelegate conditions</b>	In accordance with primary delegation.
<b>Statutory framework</b>	Nil
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	19 July 2022
<b>Adoption references</b>	OCM 19 July 2022 – Item 11.1.1
<b>Last reviewed</b>	20 June 2023

8. Planning and Development Act 2005

<b>Delegation</b>	<b>8.1.6 Illegal Development</b>
<b>Category</b>	8. Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.4.52(b) Delegation of some powers or duties to the CEO</li> <li>• s.5.43 Limitations on delegations to the CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Planning and Development Act 2005:</i> s.214(2), (3) and (5) Illegal development, responsible authority's powers as to With respect to unauthorised use or built development which contravenes the Shire's Local Planning Scheme</p>
<b>Function</b>	Authority to issue a Direction Notice with respect to unauthorised use or built development which contravenes the Local Planning Scheme.
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Where the matter relates to an unauthorised use, a Direction Notice may be given to the owner or alleged offender seeking the cessation of the use within a specified time period. The specified time period will depend on the nature of the offence and its effect on public interest.</li> <li>2. Where the matter relates to an unauthorised built development, a Direction Notice may be given to the owner or alleged offender requesting them to remove, pull down, take up or alter the development and to restore the land as nearly as practicable to its condition immediately before the development commenced.</li> <li>3. Authority to give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements.</li> <li>4. Where a Direction Notice has been issued for unauthorised built development, a minimum of 60 days from the date of the issue of the Direction Notice will be allowed for the owner or alleged offender to comply.</li> </ol>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> <li>• s.5.44 CEO may delegate some powers and duties to other employees</li> </ul>
<b>Subdelegates</b>	Executive Manager Regulatory and Development Services Manager Planning and Building Planning Officer
<b>Subdelegate conditions</b>	In accordance with the primary delegation.
<b>Statutory framework</b>	<p><i>Planning and Development Act 2005:</i></p> <ul style="list-style-type: none"> <li>• Part 13</li> </ul>
<b>Policy</b>	Nil

<b>Record keeping</b>	<p>1. Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.</p> <p>2. Details of each exercise of this delegation over the preceding month will be included in the Departmental Update presented to the first Briefing Session of the month.</p>
<b>Date adopted</b>	19 December 2017
<b>Adoption references</b>	OCM 19 December 2017 - Item 11.3.3
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>8.1.7 Determination of Development Applications</b>
<b>Category</b>	8. Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Planning and Development (Local Planning Schemes) Regulations 2015</i></p> <ul style="list-style-type: none"> <li>• Schedule 2, Reg. 82 Delegation of any powers or duties to the CEO</li> </ul>
<b>Express power or duty delegated</b>	<p><i>Planning and Development (Local Planning Schemes) Regulations 2015</i></p> <ul style="list-style-type: none"> <li>• Schedule 2, Reg. 63(2) Accompanying material</li> <li>• Schedule 2, Reg. 64 Advertising applications</li> <li>• Schedule 2, Reg. 68(2) Determination of applications</li> <li>• Schedule 2, Reg. 72 Temporary development approval</li> <li>• Schedule 2, Reg. 74 Approval subject to later approval of details</li> <li>• Schedule 2, Reg. 75(3) Time for deciding application for development approval</li> <li>• Schedule 2, Reg. 77(3) and 77(4) Amending or cancelling development approval</li> </ul>
<b>Function</b>	<p><b>Permitted Uses</b></p> <ol style="list-style-type: none"> <li>1. To determine all applications for development approval where the proposed use is a 'P' use in the zoning table of Local Planning Scheme No. 9.</li> <li>2. To determine all applications for development approval where the proposed use is incidental under Local Planning Scheme No 9, subject to: <ol style="list-style-type: none"> <li>a. Application of standard tests of dominance and subservience, in accordance with appropriate and accepted town planning practice;</li> <li>b. Compliance with any requirements of Council established by earlier relevant Council decisions in respect of such uses, which are considered relevant to the application.</li> </ol> </li> <li>3. To waive or vary a requirement for material to accompany an application for development approval in accordance with cl. 1 and 2 above.</li> <li>4. To determine whether or not to grant a development approval after the period applicable under Reg. 75(1) of the Deemed Provisions has expired.</li> <li>5. To waive or vary a requirements of Parts 8 or 9 of the Deemed Provisions with respect to a development approval if the application relates to a minor amendment to the development approval.</li> <li>6. To determine an application to: <ol style="list-style-type: none"> <li>a. amend a development approval by extending the period within which the development must be substantially commenced.</li> <li>b. amend or delete any condition to which the approval is subject;</li> <li>c. amend an aspect of the development approved which, if amended, will not substantially change the development approved; or</li> <li>d. cancel a development approval.</li> </ol> </li> </ol> <p><b>Residential Development - Residential Design Codes of Western Australia (as amended) and Local Planning Scheme No. 9 (as amended)</b></p>



	<p>1. To determine all development applications for a single house (including outbuildings), grouped and multiple dwelling development including:</p> <p>a. Variations to the deemed-to-comply requirements of the Residential Design Codes, Local Planning Policies and Scheme provisions in accordance with the conditions of the delegation.</p> <p>b. Minor amendments to Development Applications previously approved (including those previously approved by resolution of Council) that, if amended, would not substantially change the development approved and for which no objection has been received during advertising (if applicable).</p> <p>c. Proposals for the extension of development approval where that approval has since expired or is due to expire prior to project commencement or completion, including determination as to whether public advertising is required.</p> <p><b>Discretionary Land Use and Development</b></p> <p>To determine all applications for development approval where the proposed use is a 'D' use in the zoning table of Local Planning Scheme No. 9 including:</p> <p>1. Variations to the deemed-to-comply requirements of the Residential Design Codes, Local Planning Policies and Scheme provisions in accordance with the conditions of delegation.</p> <p>2. Minor amendments to Development Applications previously approved, (including those previously approved by resolution of Council) that, if amended, would not substantially change the development approved and for which no objection has been received during advertising (if applicable).</p> <p>3. Proposals for the extension of development approval, where that approval has since expired or is due to expire prior to project commencement or completion, including determination as to whether public advertising is required (including those previously approved by resolution of Council).</p> <p><b>Building Envelopes</b></p> <p>Determine an amendment or relocation of designated building envelopes on 'Rural Living', 'General Rural' and 'Rural Industry' zoned properties.</p> <p><b>Commercial Parking</b></p> <p>Determine all development applications for commercial parking.</p> <p><b>Advertising Signs</b></p> <p>Determine all development applications for advertising signs.</p> <p><b>Advertising</b></p> <p>1. Waive a requirement for an application to be advertised in the circumstance where an application does not comply with a requirement of the Scheme or is a 'Use Not Listed' under cl.3.4.2(b) of the Scheme.</p>
<b>Delegates</b>	CEO

<b>Conditions</b>	<p><b>Exercise of delegated power is subject to the following:</b></p> <ol style="list-style-type: none"> <li>1. The permissibility is designated a 'P' (including Incidental Uses to) and/or 'D' use in Table 1: Zoning Table of Local Planning Scheme No. 9 (as amended); and</li> <li>2. No objection or concern has been raised by an adjoining landowner or resident (if required to be advertised); or</li> <li>3. Submissions that raise concerns with respect to the proposed development are received (and those concerns are material planning considerations, but: <ol style="list-style-type: none"> <li>a. The matter is resolved through liaison with the party or parties who lodged the submissions, and/or amendments to the application and/or the application of conditions to the satisfaction of the CEO, the applicant and the party or parties who lodged the submissions.</li> <li>b. Prior to approval of the application, the applicant and/or party or parties who lodged the submissions have provided written (including via email) confirmation of their acceptance of the terms of the proposed delegated decision; and</li> <li>c. For which, if applicable, comments have been sought from any Government instrumentalities and those recommendations have been satisfactorily addressed or appropriately conditioned on the planning consent.</li> </ol> </li> <li>4. Where the development complies with Scheme provisions and any relevant Local Planning Policy standards and requirements and any other applicable planning instrument.</li> <li>5. Where variations that demonstrate compliance with the Design Principles of the Residential Design Codes, satisfy the objectives and intent of the Local Planning Scheme No. 9, relevant Local Planning Policies and any other planning instrument.</li> </ol> <p><b>Building Envelopes</b></p> <p>Where no objections are received from adjoining landowners and the proposal will not result in removal of significant vegetation.</p> <p><b>Advertising Signs</b></p> <p>Where no adverse public submissions are received during advertising (if required) and the proposal complies with the Shire's Local Planning Policy 1.12 - Advertising Signs.</p> <p><b>Advertising</b></p> <ol style="list-style-type: none"> <li>1. Advertising requirements may only be waived where any departure from the requirements of the Scheme is deemed to be of a minor nature.</li> <li>2. Advertising requirements may only be waived for a 'Use not Listed' under the Scheme where the development may be consistent with the objectives of the relevant zoning.</li> </ol>
<b>Express power to subdelegate</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2, cl. 83 Local government CEO may delegate powers
<b>Subdelegates</b>	Executive Manager Regulatory and Development Services Manager Planning and Building Planning Officer
<b>Subdelegate conditions</b>	In accordance with the primary delegation.

<b>Statutory framework</b>	<p><i>Planning and Development Act 2005</i></p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015</i></p>
<b>Policy</b>	Nil
<b>Record keeping</b>	<p>1. Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.</p> <p>2. Details of each exercise of this delegation over the preceding month will be included in the Departmental Update presented to the first Briefing Session of the month.</p>
<b>Date adopted</b>	20 June 2023
<b>Adoption references</b>	OCM 20/06/2023 - Item 13.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>8.1.8 Subdivision/Amalgamation</b>
<b>Category</b>	8. Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2, cl. 82 Delegation of any powers or duties to the CEO
<b>Express power or duty delegated</b>	<i>Planning and Development Act 2005</i> Schedule 2
<b>Function</b>	To provide recommendations (for approval or refusal) and to grant clearance for subdivisions and amalgamations of land referred to the Shire by the West Australian Planning Commission.
<b>Delegates</b>	CEO
<b>Conditions</b>	Delegation is restricted to: <ol style="list-style-type: none"> <li>1. All subdivisions for 35 lots or less that conform with Council's Local Planning Scheme No. 9 (as amended); or</li> <li>2. All subdivisions/amalgamations that generally comply with the subdivision detail depicted on a Structure Plan/Local Area Plan or Local Development Plan adopted by Council.</li> <li>3. All subdivisions/amalgamations that are not required to enter into a legal agreement and/or deed unless otherwise approved by Council.</li> <li>4. All subdivisions/amalgamations that are not subject to the requirement to the provision of Public Open Space and/or Developer Contributions, unless already approved/adopted by Council (ie in a Structure Plan/Local Area Plan or Local Development Plan or legal agreement or the like).</li> </ol>
<b>Express power to subdelegate</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2, cl. 83 Local government CEO may delegate powers
<b>Subdelegates</b>	Executive Manager Regulatory and Development Services Manager Planning and Building Planning Officer
<b>Subdelegate conditions</b>	In accordance with the primary delegation.
<b>Statutory framework</b>	<i>Planning and Development Act 2005</i>  <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
<b>Policy</b>	Nil
<b>Record keeping</b>	<ol style="list-style-type: none"> <li>1. Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.</li> <li>2. Details of each exercise of this delegation over the preceding month will be included in the Departmental Update presented to the first Briefing Session of the month.</li> </ol>

**MINUTES  
ORDINARY COUNCIL MEETING  
21 MAY 2024**

**APPENDIX 12.1.1**

Shire of Gingin

<b>Date adopted</b>	20 June 2023
<b>Adoption references</b>	OCM 20/06/2023 - Item 13.1
<b>Last reviewed</b>	20 June 2023

9. Public Health Act 2016

<b>Delegation</b>	<b>9.1.1 Designation of Authorised Officers</b>
<b>Category</b>	9. Public Health Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Public Health Act 2016:</i> <ul style="list-style-type: none"> <li>• s.21 Enforcement agency may delegate</li> </ul>
<b>Express power or duty delegated</b>	<i>Public Health Act 2016:</i> <ul style="list-style-type: none"> <li>• s.24(1) and (3) Designation of authorised officers</li> </ul>
<b>Function</b>	<p>1. Authority to designate a person or class of persons as authorised officers for the purpose of:</p> <ul style="list-style-type: none"> <li>a. The <i>Public Health Act 2016</i> or another specified Act.</li> <li>b. Specified provisions of the <i>Public Health Act 2016</i> or another specified Act.</li> <li>c. Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act.</li> </ul> <p>Including:</p> <ul style="list-style-type: none"> <li>a. An environmental health officer or environmental health officers as a class; OR</li> <li>b. A person who is not an environmental health officer or a class of persons who are not environmental health officers; OR</li> <li>c. a mixture of the two [s.24(1) and (3)].</li> </ul>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>1. Subject to each person so appointed being:</p> <ul style="list-style-type: none"> <li>a. appropriately qualified and experienced [s.25(10)(a)]; and</li> <li>b. issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31].</li> </ul> <p>2. A register of authorised officers is to be maintained in accordance with s.27.</p>
<b>Express power to subdelegate</b>	Nil - the <i>Public Health Act 2016</i> does not contain a power of subdelegation unless a regulation enacted under the <i>Public Health Act 2016</i> specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
<b>Subdelegate conditions</b>	Not applicable.

<b>Statutory framework</b>	<p><i>Public Health Act 2016:</i></p> <ul style="list-style-type: none"> <li>• s.20 Conditions on performance of functions by enforcement agencies</li> <li>• s.25 Certain authorised officers required to have qualifications and experience</li> <li>• s.26 Further provisions relating to designations</li> <li>• s.27 Lists of authorised officers to be maintained</li> <li>• s.28 When designation as authorised officer ceases</li> <li>• s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers</li> <li>• s.30 Certificate of authority</li> <li>• s.31 Issuing and production of certificate of authority for purposes of other written laws</li> <li>• s.32 Certificate of authority to be returned</li> <li>• s.136 Authorised officer to produce evidence of authority</li> </ul> <p><i>Criminal Investigation Act 2006:</i></p> <ul style="list-style-type: none"> <li>• Parts 6 and 13 - refer s.246 of the <i>Public Health Act 2016</i></li> </ul> <p><i>The Criminal Code:</i></p> <ul style="list-style-type: none"> <li>• Chapter XXVI - refer s.252 of the <i>Public Health Act 2016</i></li> </ul>
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	21 February 2017
<b>Adoption references</b>	OCM 21 February 2017 - Item 11.1.1
<b>Last reviewed</b>	20 June 2023

<b>Delegation</b>	<b>9.1.2 Appoint Authorised Officer or Approved Officer (Asbestos Regs)</b>
<b>Category</b>	9. Public Health Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Health (Asbestos) Regulations 1992:</i> <ul style="list-style-type: none"> <li>• r15D(7) Infringement notices</li> </ul>
<b>Express power or duty delegated</b>	<i>Health (Asbestos) Regulations 1992:</i> <ul style="list-style-type: none"> <li>• r.15(30(5) Infringement notices</li> </ul>
<b>Function</b>	1. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [r.15D(5)].
<b>Delegates</b>	CEO
<b>Conditions</b>	1. Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].
<b>Express power to subdelegate</b>	Nil - the <i>Health (Asbestos) Regulations 1992</i> do not provide for subdelegation.
<b>Subdelegate conditions</b>	Nil
<b>Statutory framework</b>	<i>Criminal Procedure Act 2004</i> - Part 2
<b>Policy</b>	Nil
<b>Record keeping</b>	Each exercise of delegated power must be captured in the Shire's electronic records management system as required by <i>Local Government Act 1995</i> s.5.46 and <i>Local Government (Administration) Regulations 1996</i> r.19.
<b>Date adopted</b>	16 October 2018
<b>Adoption references</b>	OCM 16 October 2018 - Item 11.1.2
<b>Last reviewed</b>	20 June 2023



## 12.2 DOGS LOCAL LAW 2024

File	LAW/1
Author	Lee-Anne Burt - Coordinator Governance
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	20 December 2022 - Item 11.4
Appendices	1. Dogs Local Law 2024 (1) [12.2.1 - 12 pages]

### DISCLOSURES OF INTEREST

Nil

### PURPOSE

To commence the statutory process for adoption of a local law (Shire of Gingin Dogs Local Law 2024) in accordance with the *Local Government Act 1995* (the Act) s.3.12.

### BACKGROUND

This amendment local law arises out of the Periodic Review of Local Laws completed by Council at its Ordinary Meeting held on 20 December 2022, as required by s.3.16 of the Act.

At the conclusion of the review, Council ultimately resolved that the Dogs Local Law 2004 should be repealed and replaced.

Accordingly, a new Shire of Gingin Dogs Local Law has been prepared for Council's consideration (**see appendix**).

### COMMENT

If adopted by Council at the conclusion of the statutory public submission period, the proposed Shire of Gingin Dogs Local Law 2024 will repeal and replace the existing Dogs Local Law 2004.

There are a number of matters that Council should be aware of, as follows:

1. Terms used
  - a. "the local government" – means the organisation, so depending on the context it may be that where a matter is administrative (a form, notice to the Administration etc) no delegation is required. However, where a decision is required, consistent with the Department of Local Government, Sport and Cultural Industries' Guidelines relating to local laws, it should be read as being the highest possible decision making level, which is the Council. In line with the Guidelines these decisions may be delegated to the CEO unless specified.

There are important legislative and administrative differences between appointment as an authorised person and delegation of power.

- b. Council, CEO or other specific position – the function, role or power cannot be removed from that position or role, nor over-ridden.
  - c. Authorised person/delegation – an authorised person’s function and actions are defined by the local law and the authorised person is able to act within previously defined parameters. A delegation provides a person with the power to make a decision rather than the Council.
2. Use of policy to specify standards and activities. In accordance with the *Local Government Act 1995* s.2.7, policies are to be set by Council, not the CEO (the CEO may still issue executive instructions). Care needs to be exercised since policy should be seen as instructions by Council to employees on what they may approve, or when to act. Policy should not be used as a direct control of the public unless the necessary processes are undertaken.
  3. Application of the local law – the local law applies throughout the district, but then limits that application to land with specific zoning in various clauses and Parts.

As well as addressing these matters, specific provisions now addressed include:

- removal of “pound keeper” requiring a separate appointment, in favour of “authorised person” being broader and more flexible;
- differentiation between “local public notice” as defined by regulations, and “public notice” defined by the local law, the requirements being able to be set by an authorised person;
- dealing with applications for additional dogs, conditions that may be applied, and when approval cannot be given;
- provisions for objections and appeals of discretionary decisions made;
- removal of penalty provisions scattered throughout the local law, and placing them all in a Schedule to avoid the potential for inconsistency with legislation or within the local law itself;
- overarching statement regarding offences; and
- provisions for a general penalty, rather than inconsistent provisions for different amounts throughout the local law.

The same statutory process applies to the making of new, amendment and repeal local laws, and is as follows:

- Council must resolve to commence the process of making the local law;

- Local public notice of the proposed local law must be given inviting public submissions. A submission period of at least 6 weeks must be allowed;
- During the public submission period the proposed local law must also be submitted to the Department of Local Government, Sport and Cultural Industries (DLGSC) and any other department responsible for administering the Act under which the local law is made for comment;
- At the conclusion of the public submission period, a summary of submissions received, and any changes recommended by the DLGSC or another department must be considered by Council. At this point Council may resolve to make the local law either as proposed, or in a form that is not significantly different from what was proposed. If, as a result of public submissions, Council wishes to make substantial changes to the proposed local law, then a further public submission period will be required;
- Once Council has resolved to make the local law, it must be published in the Government Gazette and a further copy provided to the DLGSC;
- Local public notice must be given of the adoption, gazettal and commencement date of the local law; and
- A copy of the local law, together with a copy of the required Explanatory Memorandum, must then be submitted to the Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) for review.

The JSCDL will review the local law and its effects, and may recommend to Parliament that it be amended, or request that it be disallowed. If amendment is required, then the local government will be requested to provide an undertaking to progress the amendment within a specified time frame.

The *Local Government (Functions and General) Regulations 1996* requires that, in commencing to make a local law, the person presiding at a Council meeting is to give notice of the purpose and effect of the local law by ensuring that the purpose and effect are included in the Agenda and Minutes for that meeting.

Accordingly, the purpose and effect for the Shire of Gingin Dogs Local Law 2024 are:

**Purpose:** To make provisions about the impounding of dogs, the number of dogs that may be kept on premises and the manner of keeping dogs, and to create offences for non-compliance.

**Effect:** To repeal the Shire of Gingin Dogs Local Law 2004, provide for the control of dogs within the district and impose penalties for non-compliance.

## **STATUTORY/LOCAL LAW IMPLICATIONS**

### *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

Section 3.13 – Significant changes after public comment period require recommencement of proposal

Section 3.14 – Unless otherwise provided for, local laws come into effect 14 days after Gazettal

Section 3.15 – Local public notice of the final adoption/making of a local law to be given

### *Local Government (Functions and General) Regulations 1996*

Part 1A – Local laws

Regulation 3 – Prescribed manner of giving notice of purpose and effect of proposed local law (Act s.3.12(2))

### *Dog Act 1976*

Part IX - Local laws

Section 49 – Local laws

## **POLICY IMPLICATIONS**

Nil

## **BUDGET IMPLICATIONS**

Costs will be incurred as a result of the statutory advertising and gazettal process, which will be met from the adopted Advertising/Publications budget.

## **STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

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

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe

SECONDED: Councillor Sorensen

That Council agree, in accordance with the *Local Government Act 1995* s.3.12(2) and (3) and all other legislation enabling it, to give local public notice of its intention to make the Shire of Gingin Dogs Local Law 2024, and within that notice invite public submissions for a minimum 6-week period and advise of the following Purpose and Effect:

**Purpose:** To make provisions about the impounding of dogs, the number of dogs that may be kept on premises and the manner of keeping dogs, and to create offences for non-compliance.

**Effect:** To repeal the Shire of Gingin Dogs Local Law 2004, provide for the control of dogs within the district and impose penalties for non-compliance.

CARRIED UNANIMOUSLY

7 / 0

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

**AGAINST:** *Nil*

Table of Contents inserted for administrative ease of use and will not be published as part of the  
Gazetted local law

**LOCAL GOVERNMENT ACT 1995  
DOG ACT 1976**

**SHIRE OF GINGIN**

**DOGS LOCAL LAW 2024**

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DRAFT



LOCAL GOVERNMENT ACT 1995  
DOG ACT 1976

SHIRE OF GINGIN

DOGS LOCAL LAW 2024

Under the powers conferred by the *Dog Act 1976*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Gingin resolved on \_\_\_\_\_ 2024 to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Gingin Dogs Local Law 2023*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

The *Shire of Gingin Local Law Dogs Local Law 2004*, published in the *Government Gazette* on 23 March 1998 and the amendment published in the *Government Gazette* on 2 December 2016 is repealed.

1.5 Terms used

In this local law unless the context otherwise requires –

**Act** means the *Dog Act 1976*;

**adjoining** includes land or premises which have a portion of a common boundary with a lot or is separated from that lot by a public reserve, road, right-of-way, pedestrian access way, access leg of a battle-axe lot or the equivalent not more than 6m in width;

**authorised person** means a person appointed by the local government under section 9.10 of the *Local Government Act 1995* to perform all or any of the functions conferred on an authorised person under this local law and includes the CEO;

**CEO** means the Chief Executive Officer of the local government;

**dangerous dog** has the meaning given to it by section 3(1) of the Act;

**district** means the district of the Shire of Gingin;

**dog management facility** has the meaning given to it in section 3(1) of the Act, and includes a kennel establishment;

**general rural lot** means a lot where a general rural use –

- (a) is or may be permitted under a local planning scheme; and
- (b) is or will be the predominant use of the lot;

**infringement notice** means the notice referred to in clause 7.4;

**kennel establishment** means any premises where more than the number of dogs under clause 3.3 over the age of three months are kept, boarded, trained or bred temporarily, usually for profit and where the occupier of the premises is not the ordinary keeper of the dogs;

**licence** means a licence to keep an approved kennel establishment on premises granted under clause 4.4;

**licensee** means the holder of a licence granted under clause 4.4;

**local government** means the Shire of Gingin;

**local planning scheme** means a planning scheme of the local government made under the *Planning and Development Act 2005*;

**nuisance** means –



- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person's ownership or occupation of land; or
- (c) interference which causes material damage to land or other property on the land affected by the interference;

**owner** in relation to a dog, has the same meaning as in section 3(1) and (2) of the Act;

**person liable for the control of the dog** has the same meaning as in section 3(1) of the Act;

**premises** in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence made under clause 4.1;

**public notice** means such notice as the local government considers necessary –

- (a) stipulating duration and placement of notices as is considered relevant to inform the community,
- (b) not requiring compliance with local public notice under section 1.7 of the Local Government Act; and
- (c) the local government may place the notice given as a public notice on the local government's website or other means of informing the public;

**public place** has the meaning given to it by section 3(1) of the Act;

**Regulations** means the *Dog Regulations 2013*;

**Schedule** means a schedule to this local law;

**set fee** means a fee or charge made by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*;

**thoroughfare** has the meaning given to it in section 1.4 of the *Local Government Act 1995*;

**transferee** means a person who applies for the transfer of a licence to her or him under clause 4.12.

## **PART 2 - IMPOUNDING OF DOGS**

### **2.1 Fees and charges**

The following set fees and charges are to be imposed and determined by the local government –

- (a) the charges to be levied under section 29(4) of the Act relating to the seizure and impounding of a dog;
- (b) the additional set fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.2; and
- (c) application for additional costs of the destruction and the disposal of a dog referred to in section 29(15) of the Act.

### **2.2 Attendance of authorised person at dog management facility**

An authorised person is to be in attendance at such places for the release of dogs at the times and on the days of the week as determined by the CEO.

### **2.3 Release of impounded dog**

- (1) A claim for the release of a dog seized and impounded is to be made to an authorised person or if absent.
- (2) An authorised person is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of an authorised person, evidence –
  - (a) of her or his ownership of the dog or of her or his authority to take delivery of it; or
  - (b) that he or she is the person identified as the owner on a microchip implanted in the dog.

### **2.4 Unauthorised release**

Unauthorised release of dogs is dealt with by section 43 of the Act.

## **PART 3 - KEEPING OF DOGS**

### **3.1 Dogs to be confined**

- (1) An occupier of premises on which a dog is kept must –

- (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
  - (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
  - (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises (unless the gate is temporarily opened in a manner that ensures that the dog remains confined) and is fitted with a proper latch or other means of fastening it;
  - (d) maintain the fence and all gates and doors in the fence in good order and condition; and
  - (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.
- (2) Notwithstanding subclause (1) the confinement of dangerous dogs is dealt with in the Act and the Regulations.

### **3.2 Limitation on the number of dogs**

- (1) This clause does not apply to premises which have been –
- (a) licensed under Part 4 of this local law as an approved kennel establishment; or
  - (b) granted an exemption under section 26(3) of the Act.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act –
- (a) two dogs over the age of three months and the young of those dogs under that age if the premises are on premises not zoned as a general rural lot; or
  - (b) six dogs over the age of three months and the young of those dogs under that age if the premises are zoned as a general rural lot.

### **3.3 Application to keep additional dog or dogs**

- (1) Subject to clause 3.5, an authorised person may consider an application to keep an additional dog on premises that are not zoned as a general rural lot that –
- (a) provides sufficient detail regarding the reason for keeping more than two dogs;
  - (b) provides written consent from owners and occupiers of any premises adjoining the premises; and
  - (c) in the case of a tenanted property, provides written consent from either the landowner or their appointed real estate agent.
- (2) Where an application to keep an additional dog or dogs has complied with subclause (1) an authorised person shall have regard to –
- (a) the property is deemed suitable by an authorised person –
    - (i) having sufficient space capable of confining all dogs;
    - (ii) noise, odours, fleas, flies and other vectors of disease will be effectively controlled; and
    - (iii) the care and welfare of the dogs is considered adequate;
  - (b) the details of every dog proposed to be kept on the premises are provided including name, age, colour/description, breed, registration number and microchip details; and
  - (c) sufficient reason has been provided, including but not limited to –
    - (i) replacement of an elderly or sick dog not expected to live;
    - (ii) a family emergency resulting in the dog being inherited;
    - (iii) merging of two households; or
    - (iv) where the applicants have had approval to keep an additional dog or dogs in another local authority.

### **3.4 Determination of application**

In determining an application for approval to keep additional dogs, the local government is to have regard to –

- (a) any policy adopted by Council;
- (b) the matters referred to in clause 3.5;

- (c) the effect which approval of the proposed may have on the environment or amenity of the neighbourhood; and
- (d) whether approval of the application will create a nuisance for the owners and occupiers of adjoining premises.

**3.5 Where application cannot be approved**

The local government will not approve an application to keep an additional dog or dogs where –

- (a) more than six dogs are proposed to be kept on premises; or
- (b) where any dog already kept on the premises is a dangerous dog.

**3.6 Conditions of approval**

- (1) The local government may approve an application to keep an additional dog or dogs subject to any conditions as considered appropriate.
- (2) Approval of an application is not transferable to successive owners or occupiers of the premises.
- (3) A person who fails to comply with a condition imposed under subclause (1) commits an offence.

**3.7 Variation of approved conditions**

The local government may vary the conditions of approval by giving not less than 14 days notice.

**3.8 Revocation of approval to keep additional dogs**

Where a person does not comply with the conditions of approval to keep an additional dog or dogs under clause 3.6 the local government may revoke the approval to keep an additional dog or dogs.

**PART 4 - APPROVED KENNEL ESTABLISHMENTS**

**4.1 Application for licence for approved kennel establishment**

An application for a licence containing the information specified in Schedule 1, must be lodged with the local government together with –

- (a) copies of the notices to be given under clause 4.2(1);
- (b) a written acknowledgement that the applicant has read and agrees to comply with any code of practice relating to the keeping of dogs nominated by the local government;
- (c) any other information reasonably required by the local government; and
- (d) the set fee for the application for a licence.

**4.2 Notice of proposed use**

- (1) An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment after the application for a licence has been lodged –
  - (a) in a public notice within the district; and
  - (b) to the owners and occupiers of any premises adjoining the premises.
- (2) The public notices in subclause (1) must specify that –
  - (a) any written submissions as to the proposed use are to be lodged with the local government within 14 days of the date the notice is given; and
  - (b) the application, plans and specifications may be inspected at the offices of the local government.
- (3) The local government may refuse to determine the application for a licence until the public notice or public notices, as the case may be, is given in accordance with its directions where –
  - (a) a public notice given under subclause (1) does not clearly identify the premises; or
  - (b) a public notice given under subclause (1)(a) is of a size or in a location in the newspaper which, in the opinion of an authorised person, would fail to serve the purpose of notifying persons of the proposed use of the premises.

**4.3 Exemption from notice requirements**

The requirements of clauses 4.1(b), 4.2 and 4.4(a) do not apply in respect of the application for a licence where under a local planning scheme an application for a licence is made in respect of premises on which an approved kennel establishment is either a –

- (a) permitted use; or

- (b) use which the local government may approve subject to compliance with specified notice requirements.

**4.4 When application can be determined**

An application for a licence is not to be determined by the local government until –

- (a) the applicant has complied with clause 4.1;
- (b) the applicant submits proof that the notices referred to in clause 4.2(1) have been given in accordance with that clause; and
- (c) the local government has considered any written submissions received within the time specified in clause 4.2(2)(a) on the proposed use of the premises.

**4.5 Determination of application**

In determining an application for a licence, the local government is to have regard to –

- (a) the matters referred to in clause 4.6;
- (b) any written submissions received within the time specified in clause 4.2(2)(a) on the proposed use of the premises;
- (c) any economic or social benefits which may be derived by any person in the district if the application for a licence is approved;
- (d) the effect which the kennel establishment may have on the environment or amenity of the neighbourhood;
- (e) whether the approved kennel establishment will create a nuisance for the owners and occupiers of adjoining premises; and
- (f) whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the approved kennel establishment identified in the preceding paragraphs.

**4.6 Where application cannot be approved**

The local government cannot approve an application for a licence where –

- (a) an approved kennel establishment cannot be permitted by the local government on the premises under a local planning scheme; or
- (b) an applicant for a licence or another person who will have the charge of the dogs will not reside on the premises, or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare.

**4.7 Conditions of approval**

- (1) The local government may approve an application for a licence subject to the conditions contained in Schedule 2 and to such other conditions as the local government considers appropriate.
- (2) In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.
- (3) A person who fails to comply with a condition imposed under subclause (1) commits an offence.

**4.8 Fees**

- (1) On lodging an application for a licence, the applicant is to pay a set fee to the local government.
- (2) On the issue or renewal of a licence, the licensee is to pay a set fee to the local government.
- (3) On lodging an application for the transfer of a valid licence, the transferee is to pay a set fee to the local government.

**4.9 Form of licence**

The licence is to be in the form determined by the local government from time to time and is to be issued to the licensee.

**4.10 Period of licence**

- (1) The period of effect of a licence is set out in section 27(5) of the Act.
- (2) A licence is to be renewed if the set fee is paid to the local government prior to the expiry of the licence.

- (3) On the renewal of a licence the conditions of the licence at the time of its renewal continue to have effect.

**4.11 Variation or cancellation of licence**

- (1) The local government may vary the conditions of a licence.
- (2) The local government may cancel a licence –
- (a) on the request of the licensee;
  - (b) following a breach of the Act, the Regulations or this local law; or
  - (c) if the licensee is not considered to be a fit and proper person in the opinion of an authorised person.
- (3) The date a licence is cancelled is to be, in the case of –
- (a) paragraph (a) of subclause (2), the date requested by the licensee; or
  - (b) paragraphs (b) and (c) of subclause (2), the date determined under section 27(6) of the Act.
- (4) If a licence is cancelled the set fee paid for that licence is not refundable for the term of the licence that has not yet expired.

**4.12 Transfer**

- (1) A written application for the transfer of a valid licence from the licensee to another person must be –
- (a) made by the transferee;
  - (b) made with the written consent of the licensee; and
  - (c) lodged with the local government together with –
    - (i) written evidence that a person will reside at or within reasonably close proximity to the premises the subject of the licence;
    - (ii) the set fee for the application for the transfer of a licence; and
    - (iii) any other relevant information required.
- (2) The local government is not to determine an application for the transfer of a valid licence until the transferee has complied with subclause (1).
- (3) The local government may approve, whether or not subject to such conditions as it considers appropriate, or refuse to approve an application for the transfer of a valid licence.
- (4) Where the local government approves an application for the transfer of a valid licence, then on the date of approval, unless otherwise specified in the notice issued under clause 4.13(b), the transferee becomes the licensee of the licence for the purposes of this local law.

**4.13 Notification**

The local government is to give written notice to –

- (a) an applicant for a licence of the local government's decision on her or his application;
- (b) a transferee of the local government's decision on her or his application for the transfer of a valid licence;
- (c) a licensee of any variation made under clause 4.11(1);
- (d) a licensee when her or his licence is due for renewal and the manner in which it may be renewed;
- (e) a licensee when her or his licence is renewed;
- (f) a licensee of the cancellation of a licence under clause 4.11(2)(a); and
- (g) a licensee of the cancellation of a licence under paragraphs (b) or (c) of clause 4.11(2), which notice is to be given in accordance with section 27(6) of the Act.

**4.14 Inspection of kennel**

With the consent of the occupier, an authorised person may inspect an approved kennel establishment at any time.

**PART 5 - DOGS IN PUBLIC PLACES**

**5.1 Places where dogs are prohibited absolutely**

- (1) Designation of places where dogs are prohibited absolutely is dealt with in the Act.
- (2) If a dog enters or is in a place specified in subclause (1), every person liable for the control of the dog at that time commits an offence.

- (3) Subclause (2) does not apply to a dog who is being used as an assistance animal as defined in the *Disability Discrimination Act 1992* (Commonwealth).

**5.2 Places which are dog exercise areas**

Designation of places which are dog exercise areas is dealt with in the Act.

**PART 6 - MISCELLANEOUS**

**6.1 Offence to excrete**

- (1) A dog must not excrete on –  
(a) any thoroughfare or other public place; or  
(b) any land which is not a public place without the consent of the occupier.  
(2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.  
(3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

**6.2 False or misleading statement**

A person shall not make a false or misleading statement in connection with an application in respect of a licence under this local law.

**6.3 Objections and appeals**

Any person who is aggrieved by the conditions imposed in relation to a licence, the revocation of a licence, or by the refusal of the local government to grant a licence may object to or appeal against the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

**PART 7 - ENFORCEMENT**

**7.1 Offences**

A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

**7.2 General penalty**

- (1) A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of the day during which the offence has continued.  
(2) Notwithstanding subclause (1) a person who commits an offence under clause 6.1(2) is liable, on conviction, to a penalty not exceeding \$1,000.

**7.3 Modified penalties**

- (1) The offences contained in Schedule 3 are offences in relation to which a modified penalty may be imposed.  
(2) The amount appearing in the fourth column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is not a dangerous dog.

**7.4 Form of infringement notices**

- (1) For the purposes of this local law –  
(a) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and  
(b) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.  
(2) Where an infringement notice is given under section 9.16 of the Act in respect of an alleged offence against clause 2.4, the notice is to contain a description of the alleged offence.

**Schedule 1 – Application for a licence for an approved kennel establishment**

[cl. 4.1]

An application for a licence for an approved kennel establishment shall contain the following information –

- (a) full name/s of applicant/s;
- (b) postal address;
- (c) email address;
- (d) landline and mobile telephone numbers as appropriate;
- (e) facsimile number if appropriate;
- (f) address of proposed kennel premises;
- (g) number of dogs;
- (h) breed of dogs if appropriate;
- (i) either –
  - (i) name and contact details of the person residing on the premises, and date from which taking up residence on the premises; or
  - (ii) name, address and contact details of the person sufficiently close to the premises so as to control the dogs and ensure their health and welfare, and date from which taking up responsibility for the premises;
- (j) a site plan of the premises showing the location of the kennels and yards and all other buildings and structures and fences;
- (k) plans and specifications of the proposed kennel establishment;
- (l) copy of proposed public notice of proposed use to appear in newspaper;
- (m) copy of proposed notice of proposed use to be given to adjoining premises;
- (n) written evidence that a person will reside –
  - (i) at the premises; or
  - (ii) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare; and
- (o) if the person in item (n) is not the applicant, written evidence that the person is a person in charge of the dogs; and
- (p) signed by the applicant.

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**Schedule 2 – Conditions of a licence for an approved kennel establishment**

[cl. 4.7]

An application for a licence for an approved kennel establishment may be approved subject to the following conditions –

- (a) each kennel, unless it is fully enclosed, must have a yard attached to it;
- (b) each kennel and each yard must be at a distance of not less than –
  - (i) 25m from the front boundary of the premises and 5m from any other boundary of the premises;
  - (ii) 10m from any dwelling; and
  - (iii) 25m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government;
- (d) the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;
- (e) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;



- (f) the upper surface of the kennel floor must be –
  - (i) at least 100mm above the surface of the surrounding ground;
  - (ii) smooth so as to facilitate cleaning;
  - (iii) rigid;
  - (iv) durable;
  - (v) slip resistant;
  - (vi) resistant to corrosion;
  - (vii) non-toxic;
  - (viii) impervious;
  - (ix) free from cracks, crevices and other defects; and
  - (x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government;
- (g) all kennel floor washings must pass through the drain in item (f)(x) and must be piped to approved apparatus for the treatment of sewage in accordance with the health requirements of the local government;
- (h) the kennel floor must have a durable upstand rising 75mm above the floor level from the junction of the floor and external and internal walls, or internal walls must be so constructed as to have a minimum clearance of 50mm from the underside of the bottom plate to the floor;
- (i) where a yard is to be floored, the floor must be constructed in the same manner as the floor of any kennel;
- (j) from the floor, the lowest internal height of a kennel must be, whichever is the lesser of -
  - (i) 2m; or
  - (ii) four times the height of the breed of dog in the kennel, when it is fully grown, measured from the floor to the uppermost tip of its shoulders while in a stationary upright position;
- (k) the walls of each kennel must be constructed of concrete, brick, stone or framing sheeted internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other durable material approved by the local government;
- (l) all external surfaces of each kennel must be kept in good condition;
- (m) the roof of each kennel must be constructed of impervious material;
- (n) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorised person;
- (o) all refuse, faeces and food waste must be disposed of daily into the approved apparatus for the treatment of sewage;
- (p) noise, odours, fleas, flies and other vectors of disease must be effectively controlled;
- (q) suitable water must be available at the kennel via a properly supported standpipe and tap; and
- (r) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside –
  - (i) at the premises; or
  - (ii) in the opinion of the local government, sufficiently close to the premises so as to control the dogs, and to ensure their health and welfare.

**Schedule 3 – Prescribed offences**

[cl.7.3]

Item	Clause	Nature of offence	Modified penalty \$
1	3.1	Failing to provide means for effectively confining a dog	200
2	3.6	Failure to comply with conditions of approval to keep additional dog or dogs	200
3	4.7	Failure to comply with conditions of a licence	200



4	6.1	Dog excreting in prohibited place	100
5	6.2	Making a false or misleading statement	300
6	7.1	All other offences not otherwise specified	200

\_\_\_\_\_  
Dated \_\_\_\_\_ 2024

The Common Seal of the Shire of Gingin was affixed by authority of a resolution of Council in the presence of –

Wayne FEWSTER, President

\_\_\_\_\_, Chief Executive Officer

### 12.3 EXTRACTIVE INDUSTRIES LOCAL LAW 2024

File	LAW/1
Author	Lee-Anne Burt - Coordinator Governance
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	20 December 2022 - Item 11.4
Appendices	1. Extractive Industries Local Law 2024 [12.3.1 - 17 pages]

#### DISCLOSURES OF INTEREST

Nil

#### PURPOSE

To commence the statutory process for adoption of a local law (Shire of Gingin Extractive Industries Local Law 2024) in accordance with the *Local Government Act 1995* (the Act) s.3.12.

#### BACKGROUND

This new local law arises out of the Periodic Review of Local Laws completed by Council at its Ordinary Meeting held on 20 December 2022, as required by s.3.16 of the Act.

At the conclusion of the review, Council ultimately resolved that the Extractive Industries Local Law 2004 should be repealed and replaced.

Accordingly, a new Shire of Gingin Extractive Industries Local Law has been prepared for Council's consideration (**see appendix**).

#### COMMENT

If adopted by Council at the conclusion of the statutory public submission period, the proposed Shire of Gingin Extractive Industries Local Law 2024 will repeal and replace the existing Extractive Industries Local Law 2004.

There are a number of matters that Council should be aware of:

1. Terms used
  - a. "the local government" – means the organisation, so depending on the context it may be that where a matter is administrative (a form, notice to the Administration etc) no delegation is required. However, where a decision is required, consistent with the Department of Local Government, Sport and Cultural Industries' Guidelines relating to local laws, it should be read as being the highest possible decision making level, which is the Council. In line with the Guidelines these decisions may be delegated to the CEO unless specified.

There are important legislative and administrative differences between appointment as an authorised person and delegation of power.

- b. Council, CEO or other specific position – the function, role or power cannot be removed from that position or role, nor over-ridden.
- c. Authorised person/delegation – an authorised person’s function and actions are defined by the local law and the authorised person is able to act within previously defined parameters. A delegation provides a person with the power to make a decision rather than the Council.

As well as addressing these matters, specific provisions now addressed include:

- 1. An authorised person may require that notice be given to the community of proposed operations – this is not “local public notice” as defined by regulations, but the extent and methods etc are determined by the authorised person;
- 2. Notice of temporary and permanent cessation of operations will now be required to be given, with required details and provisions for care and maintenance of the site;
- 3. Creation of an offence to make a false or misleading declaration;
- 4. Provision for giving notice to correct and undertaking remedial works – clause 8.1 contains the powers of the Council where damage, nuisance or other non-compliance has occurred. Similar to an infringement notice or a prosecution, these also rely on knowing the identity of the offender. These clauses make provision, where the offender is known, for:
  - a. The issue a notice to repair, pay for repairs or carry out works needed for compliance with the local law. Generally, if there is damage it is suggested that paying for reinstatement or repairs is most appropriate as the local government would then control the standard of works;
  - b. Infringement or prosecution if the recipient of the notice does not comply with the notice;
  - c. The local government to carry out the works and recover the cost as a debt, applying interest to the outstanding amount if necessary, or taking legal action. This is consistent with the provisions of the *Local Government Act 1995* s.3.25 and 3.26 in relation to notices issued concerning Schedule 3.1 matters.

The same statutory process applies to the making of new, amendment and repeal local laws, and is as follows:

- Council must resolve to commence the process of making the local law;

- Local public notice of the proposed local law must be given inviting public submissions. A submission period of at least 6 weeks must be allowed;
- During the public submission period the proposed local law must also be submitted to the Department of Local Government, Sport and Cultural Industries (DLGSC) and any other department responsible for administering the Act under which the local law is made for comment;
- At the conclusion of the public submission period, a summary of submissions received, and any changes recommended by the DLGSC or another department must be considered by Council. At this point Council may resolve to make the local law either as proposed, or in a form that is not significantly different from what was proposed. If, as a result of public submissions, Council wishes to make substantial changes to the proposed local law, then a further public submission period will be required;
- Once Council has resolved to make the local law, it must be published in the Government Gazette and a further copy provided to the DLGSC;
- Local public notice must be given of the adoption, gazettal and commencement date of the local law; and
- A copy of the local law, together with a copy of the required Explanatory Memorandum, must then be submitted to the Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) for review.

The JSCDL will review the local law and its effects, and may recommend to Parliament that it be amended, or request that it be disallowed. If amendment is required, then the local government will be requested to provide an undertaking to progress the amendment within a specified time frame.

The *Local Government (Functions and General) Regulations 1996* requires that, in commencing to make a local law, the person presiding at a Council meeting is to give notice of the purpose and effect of the local law by ensuring that the purpose and effect are included in the Agenda and Minutes for that meeting.

Accordingly, the purpose and effect for the Shire of Gingin Extractive Industries Local Law 2024 are:

- Purpose:** To establish the requirements and conditions with which extractive industries within the Shire of Gingin must comply.
- Effect:** To repeal the Shire of Gingin Extractive Industries Local Law 2004, provide for the regulation, control and management of extractive industries and create offences for non-compliance.

## **STATUTORY/LOCAL LAW IMPLICATIONS**

### *Local Government Act 1995*

Part 3 – Functions of local governments

Division 2 – Legislative functions of local governments

Section 3.5 – Legislative power of local governments

Section 3.10 – Creating offences and prescribing penalties

Section 3.12 – Procedure for making local laws

Section 3.13 – Significant changes after public comment period require recommencement of proposal

Section 3.14 – Unless otherwise provided for, local laws come into effect 14 days after Gazettal

Section 3.15 – Local public notice of the final adoption/making of a local law to be given

### *Local Government (Functions and General) Regulations 1996*

Part 1A – Local laws

Regulation 3 – Prescribed manner of giving notice of purpose and effect of proposed local law (Act s.3.12(2))

## **POLICY IMPLICATIONS**

Nil

## **BUDGET IMPLICATIONS**

Costs will be incurred as a result of the statutory advertising and gazettal process, which will be met from the adopted Advertising/Publications budget.

## **STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

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

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe

SECONDED: Councillor Woods

That Council agree, in accordance with the *Local Government Act 1995* s.3.12(2) and (3) and all other legislation enabling it, to give local public notice of its intention to make the Shire of Gingin Extractive Industries Local Law 2024, and within that notice invite public submissions for a minimum 6-week period and advise of the following Purpose and Effect:

**Purpose:** To establish the requirements and conditions with which extractive industries within the Shire of Gingin must comply.

**Effect:** To repeal the Shire of Gingin Extractive Industries Local Law 2004, provide for the regulation, control and management of extractive industries and create offences for non-compliance.

CARRIED UNANIMOUSLY  
7 / 0

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

**AGAINST:** *Nil*

Table of Contents inserted for administrative ease of use and will not be published as part of the  
Gazetted local law

**LOCAL GOVERNMENT ACT 1995**

**SHIRE OF GINGIN**

**EXTRACTIVE INDUSTRIES LOCAL LAW 2018**

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LOCAL GOVERNMENT ACT 1995

SHIRE OF GINGIN

EXTRACTIVE INDUSTRIES LOCAL LAW 2024

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Gingin resolved on \_\_\_\_\_ to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Gingin Extractive Industries Local Law 2024*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

- (1) The provisions of this local law –
- (a) subject to paragraphs (b), (c), (d) and (e) –
    - (i) apply and have force and effect throughout the whole of the district; and
    - (ii) apply to every excavation whether commenced prior to or following the coming into operation of this local law;
  - (b) do not apply to the extraction of minerals under the *Mining Act 1978*;
  - (c) do not apply to the carrying on of an extractive industry on Crown land; and
  - (d) do not apply to the carrying on of an extractive industry on land by the owner or occupier of that land solely for use on that land.
- (2) In subclause (1)(d) land includes adjoining lots or locations in the same occupation or ownership of the owner or occupier.

1.4 Repeal

The *Shire of Gingin Extractive Industries Local Law 2004* as published in the *Government Gazette* on 13 September 2004 and amended in the *Government Gazette* on 10 October 2006 and 10 July 2015, is repealed.

1.5 Transitional provisions

- (1) An application for, or the renewal of a licence, permit or other authorisation made under a repealed local law that has not been finally determined before the commencement day is to be dealt with and determined as if it were an application under this local law.
- (2) A licence, permit or other authorisation under a repealed local law that is in force before the commencement day is to be regarded on and after that day as a licence under this local law and may be dealt with accordingly.

1.6 Terms used

In this local law unless the context otherwise requires –

**Act** means the *Local Government Act 1995*;

**application for licence** includes application to renew, transfer, vary or cancel a licence as the context requires;

**authorised person** means a person appointed by the local government under section 9.10 of the *Local Government Act 1995* to perform all or any of the functions conferred on an authorised person under this local law and includes the CEO;

**carry on an extractive industry** means quarrying and excavating for stone, gravel, sand and other material, and the transporting of the material off the site, but excludes extractive activities undertaken by statutory authorities;

**CEO** means the Chief Executive Officer of the local government;

**cessation of operations** means termination of activities associated with the extraction and transport of the materials whether permanent or temporary, but does not include activities under clauses 6.3 for the care and maintenance of the site, or clause 6.4.

**district** means the district of the Shire of Gingin;

**excavation** includes quarry;

**infringement notice** means the notice referred to in clause 10.4(a);

**land**, unless the context requires otherwise, means the land on which the applicant proposes carrying on the extractive industry to which the licence application relates, and includes adjoining lots or locations in the same occupation or ownership;

**licence** means a licence, permit or approval issued under this local law and a previous licence;

**licensee** means the person named in the licence as the licensee;

**local government** means the Shire of Gingin;

**local planning scheme** means a planning scheme of the local government made under the *Planning and Development Act 2005*;

**occupier** has the meaning given to it in section 1.4 of the Act;

**owner** has the meaning given to it in section 1.4 of the Act;

**person** does not include the local government;

**planning approval** means an approval for a development or a land use that is issued under a local planning scheme administered by the local government;

**previous licence** means a licence that is in force at the date of commencement of this local law;

**public notice** means such notice as an authorised person considers necessary –

- (a) stipulating duration and placement of notices as is considered relevant to inform the community,
- (b) not requiring compliance with local public notice under section 1.7 of the Act; and
- (c) the authorised person may place the notice as a public notice on the local government's website or other means of informing the public;

**Schedule** means a schedule to this local law;

**secured sum** means the sum required to be paid or the amount of a bond, bank guarantee or other security under clause 3.8;

**set fee** means a fee determined by the local government in accordance with sections 6.16 to 6.19 of the Act;

**site** means the land specified by the local government in a licence;

**thoroughfare** has the meaning given to it in section 1.4 of the Act; and

**transferee** means a person who applies for the transfer of a licence to her or him under clause 4.8.

## **PART 2 - REQUIREMENT FOR LICENCE**

### **2.1 Extractive industries prohibited without licence**

A person must not carry on an extractive industry –

- (a) unless the person is the holder of a valid and current licence; and
- (b) otherwise than in accordance with any terms and conditions set out in, or applying in respect of, the licence.

## **PART 3 - APPLICATION REQUIREMENTS**

### **3.1 Applicant to advertise proposal**

- (1) Unless the local government first approves otherwise, a person seeking the issue of a licence shall, before making an application for a licence –
  - (a) forward a notice to –
    - (i) the owners and occupiers of all land adjoining the land upon which it is proposed to excavate, or within an area determined by the local government as likely to be affected by the granting of a licence; and
    - (ii) every authority or person having control or jurisdiction over any of the things referred to in clause 3.4(1)(g) and (h) within 500 metres from the boundaries of the land, or within an area determined by the local government as likely to be affected by the granting of a licence; and

- (b) as soon as practicable after complying with the requirements of paragraph (a) –
    - (i) forward a copy of the notice to the local government; and
    - (ii) give such public notice as may be required by an authorised person.
- (2) The information contained in the notice referred to in subclause (1) shall include but is not limited to –
  - (a) particulars of the proposed excavation; and
  - (b) inviting objections or comments to be made to the local government within 21 days of date of receipt of the notice.
- (3) The local government may undertake a public consultation process including but not limited to –
  - (a) provision of information by mail or similar;
  - (b) electronically through a website or similar; and
  - (c) public meetings.
- (4) The local government may, within 14 days after receiving a copy of a notice referred to in subclause (1), cause to be displayed, or require the proposed applicant to display, in a prominent position on the land one or more notices –
  - (a) in a form approved by the local government;
  - (b) the content, size, construction and position of which have been approved by the local government;
  - (c) specifying particulars of the proposed excavation; and
  - (d) inviting objections or comments within 21 days from the placement of the notice.

### **3.2 Application for licence**

- (1) An application for a licence shall –
  - (a) be made in writing;
  - (b) state –
    - (i) name of person or company for whom the application is being lodged;
    - (ii) name of primary contact person for the company and in relation to the application;
    - (iii) telephone, mobile phone and email contact details; and
    - (iv) postal and street address.
  - (c) be accompanied by –
    - (i) the set fee;
    - (ii) a current certificate of currency for public liability policy in accordance with clause 7.1;
    - (iii) the consent in writing to the application from the owner of the land of the proposed excavation site; and
    - (iv) a copy of the planning approval for an extractive industry to be conducted on the land;
  - (d) include any information that the local government may reasonably require; and
  - (e) be signed by the applicant.
- (2) An application for a licence must be lodged with the local government together with details of the proposed excavation, including but not limited to –
  - (a) a plan of the excavation site in accordance with clause 3.4;
  - (b) a works and excavation program in accordance with clause 3.5;
  - (c) a rehabilitation and decommissioning program in accordance with clause 3.6;
  - (d) evidence that a datum peg has been established on the land related to a point approved by the local government on the surface of a constructed public thoroughfare or such other land in the vicinity;
  - (e) a certificate from a licensed surveyor;
  - (f) evidence that the requirements of clause 3.1(1) have been carried out;
  - (g) copies of all land use planning approvals required under any planning legislation;
  - (h) copies of any environmental approval required under any environmental legislation;
  - (i) details of Aboriginal and European heritage survey or assessment undertaken;
  - (j) copies of any geotechnical information relating to the excavation site;
  - (k) evidence that an application for a clearing permit has been lodged with the Department of Water and Environmental Regulation if that is required under section 51C(a) of the *Environmental Protection Act 1986*; and
  - (l) any other information that the local government may reasonably require.
- (3) The application under subclause (1) and detailed information under subclause (2) shall consist of one signed paper copy and an electronic copy.

**3.3 Applications by community or sporting organisations**

- (1) Notwithstanding any other provision, the local government may waive any requirement or provision of this local law (including a requirement to hold a valid licence), where the local government is satisfied on receiving a written application for an exemption under this clause that the extractive industry is to be carried out –
  - (a) solely for the benefit of a community or sporting organisation (whether incorporated or not) within the district; and
  - (b) will not be a commercial activity.
- (2) Where the local government is so satisfied –
  - (a) the extractive industry may only be carried out if the local government has authorised it in writing;
  - (b) the local government may impose conditions on the authorisation pursuant to which the extractive industry shall operate (including in a case where the local government otherwise waives the requirement to hold a valid and current licence);
  - (c) the person carrying out the extractive industry shall comply with any conditions imposed by the local government on the authorisation;
  - (d) failure to comply with any condition imposed by the local government is deemed to be an offence pursuant to clause 2.1(b);
  - (e) the local government may from time to time vary or delete any conditions previously imposed, and may impose a new condition or conditions; and
  - (f) the local government may at any time determine that the extractive industry authorised pursuant to this clause shall cease, provided that the local government shall give written notice to the person carrying out the extractive industry which allows not less than 28 days for the cessation of operations.

**3.4 Plan of excavation site**

- (1) The plan referred to in clause 3.2(2)(a) shall be in a scale of between 1:500 and 1:2000 showing –
  - (a) the existing and proposed land contours based on the Australian Height Datum and plotted at one metre contour intervals;
  - (b) the land on which the excavation site is to be located;
  - (c) the external surface dimensions of the land;
  - (d) the location and depth of the existing and proposed excavation of the land;
  - (e) the location of existing and proposed thoroughfares or other means of vehicle access to and egress from the land and to public thoroughfares in the vicinity of the land;
  - (f) the location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land;
  - (g) the location of existing infrastructure services including but not limited to powerlines and communication cables, and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and registered grants of easement or other encumbrances over, on, under or adjacent to or in the vicinity of the land;
  - (h) the location of all existing bores, dams, watercourses, drains or sumps on or adjacent to the land;
  - (i) the location and description of existing and proposed fences, gates and warning signs around the land; and
  - (j) the locations of proposed stockpiled or excavated material, treated material, overburden and soil storage on the land and elsewhere.
- (2) All survey data supplied by an applicant for the purpose of subclause (1) shall comply with Australian Height Datum and Australian Map Grid standards.

**3.5 Works and excavation program**

The works and excavation program referred to in clause 3.2(2)(b) shall contain –

- (a) site –
  - (i) the nature and estimated duration of the proposed excavation for which the licence is applied;
  - (ii) the stages and the timing of the stages in which it is proposed to carry out the excavation;
  - (iii) hours of operation including crushing, blasting and excavation;

- (iv) proposed end use of site;
- (b) operations –
  - (i) details of the methods to be employed in the proposed excavation and a description of any on-site processing works;
  - (ii) details of the depth and extent of the existing and proposed excavation of the site;
  - (iii) an estimate of the depth of and description of the nature and quantity of the overburden to be removed;
  - (iv) a description of any proposed buildings, water supply, treatment plant, tanks and other improvements, including refueling facilities, and storage of chemicals and explosives;
  - (v) type of material to be excavated;
  - (vi) type of equipment to be used, including size of trucks and machinery;
- (c) transport –
  - (i) a description of the means of access to the excavation site and the types of thoroughfares to be constructed;
  - (ii) details of the proposed number and size of trucks entering and leaving the site each day and the route or routes to be taken by those vehicles;
  - (iii) proposed road warning signage;
- (d) environmental –
  - (i) a description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled;
  - (ii) details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained;
  - (iii) a description of the measures to be taken to minimise sand drift, dust nuisance, erosion, watercourse siltation and dangers to the general public;
  - (iv) a noise management plan, including a description of the measures to be taken to comply with the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997*;
  - (v) a description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land;
  - (vi) details of the nature of existing vegetation, shrubs and trees and a description of measures to be taken to minimise the destruction of existing vegetation;
  - (vii) assessment of the risk of spreading *Phytophthora* dieback and management techniques appropriate to that level of risk;
- (e) amenity –
  - (i) a description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby thoroughfares or other areas; and
  - (ii) details of measures to reduce impact on the adjoining owners and occupiers, and the wider community.
- (f) heritage –
  - (i) measures proposed for preservation of Aboriginal and European heritage, where identified.
- (g) other matters –
  - (i) any other information the local government may reasonably require.

### **3.6 Rehabilitation and decommissioning program**

The rehabilitation and decommissioning program referred to in clause 3.2(2)(c) shall indicate –

- (a) the objectives of the program, having due regard to the nature of the surrounding area and the proposed end-use of the excavation site;
- (b) whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations;
- (c) how any face is to be made safe and batters sloped;
- (d) the method by which topsoil is to be replaced and revegetated;
- (e) the numbers and types of trees and shrubs to be planted and other landscaping features to be developed;
- (f) how rehabilitated areas are to be maintained; and
- (g) the program for the removal of buildings, plant, waste and final site clean up.

**3.7 Certificate of a licensed surveyor**

The certificate in clause 3.2(2)(e) shall certify the correctness of –

- (a) the datum peg and related point referred to in clause 3.2(2)(d); and
- (b) the plan referred to in clause 3.2(2)(a).

**3.8 Security for restoration of excavation site and for road infrastructure**

- (1) The local government may require that the licensee shall give to the local government a bond, bank guarantee or other security, of a kind and in a form acceptable to the local government, in or for a sum determined by the local government, for the purposes of –
  - (a) ensuring that an excavation site is properly restored or reinstated; and
  - (b) ensuring that road infrastructure is repaired and maintained to the standard agreed in accordance with clause 4.5(2) and (3).
- (2) The security required under subclause (1) may be required to be provided by the applicant to the local government –
  - (a) as a condition of a licence; or
  - (b) before the issue of a licence.
- (3) A security required under subclause (1) is to be paid into a fund established by the local government for the purposes of this clause.
- (4) If a bank guarantee or other security required under subclause (1) ceases to be current, excavation is to cease until a further security in a form acceptable to the local government has been provided.
- (5) Subject to clause 7.4, any interest accrued in respect of the bond paid into the fund under subclause (3) is to be returned to the licensee at the completion of the restoration and reinstatement works required by the licence conditions or otherwise under this local law.

**PART 4 - LICENCING**

**4.1 When an application may be determined**

An application for a licence is not to be determined by the local government until –

- (a) the applicant submits proof that the requirements for public notices, public information and consultation have been undertaken in accordance with clause 3.1(1) and (2);
- (b) the applicant has made an application for a licence in accordance with clause 3.2;
- (c) the local government has considered any written submissions received within the time specified in clauses 3.1(2)(b) and 3.1(4), and
- (d) planning approval for an extractive industry use of the land has been obtained.

**4.2 Determination of application**

- (1) Upon receipt of an application, the local government may –
  - (a) refuse the application; or
  - (b) approve the application –
    - (i) over the whole or part of the land in respect of which the application is made; and
    - (ii) on such terms and conditions, if any, as it sees fit.
- (2) The local government may refuse to consider an application for a licence that does not comply with the requirements of clause 3.2.
- (3) Where the local government approves an application for a licence, it shall –
  - (a) determine the licence period, not exceeding 5 years from the date of issue; and
  - (b) approve the issue of a licence in the form determined by the local government from time to time.
- (4) Where the local government approves the issue of a licence, the local government shall issue the licence to the applicant upon receipt by the local government of –
  - (a) payment of the set fee;
  - (b) payment of the secured sum if any, imposed under clause 3.8;
  - (c) the documents, if any, executed to the satisfaction of an authorised person, under clause 3.8; and
  - (d) a copy of the public liability insurance policy required under clause 7.1(1).

**4.3 Conditions which may be imposed**



- (1) Clause 4.5 applies as a condition to all licences.
- (2) Without limiting clause 4.2(1), the local government may impose conditions in respect of the following matters, including but not limited to –
  - (a) the orientation of the excavation to reduce visibility from other land;
  - (b) the appropriate siting of access thoroughfares, buildings and plant;
  - (c) the stockpiling of material;
  - (d) the hours during which any excavation work may be carried out;
  - (e) the hours during which any processing plant associated with, or located on, the site may be operated;
  - (f) requiring all crushing and treatment plant to be enclosed within suitable buildings to minimise the emission of noise, dust, vapour and general nuisance to the satisfaction of the local government;
  - (g) the depths below which a person shall not excavate;
  - (h) distances from adjoining land or roads within which a person must not excavate;
  - (i) the safety of persons employed at or visiting the excavation site;
  - (j) the control of dust and wind-blown material;
  - (k) the planting, care and maintenance of trees, shrubs and other landscaping features during the time in which the extractive industry is carried out in order to effectively screen the area to be excavated and to provide for progressive rehabilitation;
  - (l) the prevention of the spread of *Phytophthora* dieback or other disease;
  - (m) the drainage of the excavation site and the disposal of water;
  - (n) the restoration and reinstatement of the excavation site, the staging of such works, and the minimising of the destruction of vegetation;
  - (o) the provision of retaining walls to prevent subsidence of any portion of the excavation or of land abutting the excavation;
  - (p) requiring the licensee to furnish to the local government a surveyor's certificate each year, prior to the set fee for renewal being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved excavation program;
  - (q) requiring the licensee to enter into an agreement with the local government to pay a contribution in respect of thoroughfares in the district used by heavy or extraordinary traffic conducted by or on behalf of the licensee under the licence, in accordance with clause 4.5(2) and (3) –
    - (i) any extraordinary expenses incurred by the local government;
    - (ii) requirement for increased maintenance; and
    - (iii) repair of damage caused;
  - (r) requiring the licensee to enter into an agreement with the local government in respect of any condition or conditions imposed under this local law; and
  - (s) any other matter for properly regulating the carrying on of an extractive industry.

#### **4.4 Variation of conditions**

- (1) Within 30 days of the date of the annual report becoming due In accordance with clause 7.3, the local government may, in respect of the licence –
  - (a) vary or delete a condition; and
  - (b) may impose one or more other conditions, as specified in clause 4.3(2).
- (2) A condition that is varied, deleted or imposed under subclause (1) does not become effective until 90 days (or such longer period as is specified by the local government) after written notice of the condition is given by the local government to the licensee.

#### **4.5 Transport of materials**

- (1) The local government may, from time to time, prescribe by giving written notice to the licensee –
  - (a) determine routes to be taken by the licensee for the transport of materials from the site through the roads within the district, if the proposed routes are not suitable for the proposed haulage;
  - (b) the tonnage limits to be transported along a particular route; and
  - (c) the times during which materials from the site may be transported through the roads within the district.
- (2) If a road on a route prescribed under subclause (1) is inadequate for the transport of materials from the

site, the local government may require the licensee to pay all or part of the costs or estimated costs, as determined by the local government, of upgrading the road to the standard required by the local government for these purposes.

- (3) The licensee must pay to the local government, as and when required by the local government, the costs or estimated costs, as determined by the local government, of repairs and maintenance to any road that are required as a result of the transport of materials from the site.
- (4) Each licence is to be taken to be subject to a condition requiring the licensee to comply with this clause.

#### **4.6 Renewal of licence**

- (1) An application to renew a licence is not to be determined by the local government until the applicant has complied with subclause (2).
- (2) An application to renew a licence shall –
  - (a) be made in writing;
  - (b) state –
    - (i) name of person or company for whom the application is being lodged;
    - (ii) name of primary contact person for the company and in relation to the application;
    - (iii) telephone, mobile phone and email contact details; and
    - (iv) postal and street address.
  - (c) be accompanied by –
    - (i) the set fee;
    - (ii) by a copy of the current licence;
    - (iii) a current certificate of currency for public liability policy in accordance with clause 7.1;
  - (d) be lodged by the licensee at least 90 days before the date of expiry of the licence;
  - (e) include a plan showing the contours of the excavation carried out to the date of that application;
  - (f) detail the works, excavation and rehabilitation stages reached and of any changes or proposed changes with respect to any of the things referred to in clause 3.2(2)(b) and (c); and
  - (g) submit any other things referred to in clauses 3.2 and 4.2.
- (3) The local government may waive any of the requirements specified in subclause (2)(f) or (g).
- (4) The applicant shall not be obliged, unless otherwise required by the local government to submit details of any of the things referred to in clauses 3.2 and 4.2 if –
  - (a) an application to renew a licence is in relation to land in respect of which the current licence was issued less than 12 months prior to the date from which the new licence if granted would apply; and
  - (b) the methods to be employed in the proposed land excavation are identical to those being employed at the date of the application.
- (5) Upon receipt of an application for renewal of a licence, the local government may –
  - (a) refuse the application; or
  - (b) approve the application on such terms and conditions as it sees fit.
- (6) Where the local government renews, or refuses to renew, a licence under subclause (5), it shall notify the licensee and owner of the excavation site in writing.

#### **4.7 Variation of licence**

- (1) An application to vary a licence by a licensee –
  - (a) may be made at any time; and
  - (b) is not to be determined by the local government until the applicant has complied with subclause (2).
- (2) An application to vary a licence shall –
  - (a) be made in writing;
  - (b) state –
    - (i) name of person or company for whom the application is being lodged;
    - (ii) name of primary contact person for the company and in relation to the application;
    - (iii) telephone, mobile phone and email contact details; and
    - (iv) postal and street address;
  - (c) be accompanied by –
    - (i) the set fee;



- (ii) by a copy of the current licence; and
  - (iii) a current certificate of currency for public liability policy in accordance with clause 7.1;
- (d) be lodged by the licensee at least 90 days before the date of expiry of the licence;
- (e) include a plan showing the contours of the excavation carried out to the date of that application;
- (f) detail the works, excavation and rehabilitation stages reached and of any changes or proposed changes with respect to any of the things referred to in clause 3.2(2)(b) and (c);
- (g) any other things referred to in clauses 3.2 and 4.2.
- (h) include any information that the local government may reasonably require; and
- (i) be signed by the licensee and the owner of the excavation site (if different to the licensee);
- (3) The local government may waive any of the requirements specified in subclause (2)(f) or (g).
- (4) The applicant shall not be obliged, unless otherwise required by the local government to submit details of any of the things referred to in clauses 3.2 and 4.2 if –
  - (a) an application to vary a licence is in relation to land in respect of which the current licence was issued less than 12 months prior to the date from which the new licence if granted would apply; and
  - (b) the methods to be employed in the proposed land excavation are identical to those being employed at the date of the application.
- (5) Upon receipt of an application to vary a licence, the local government may –
  - (a) refuse the application; or
  - (b) approve the application on such terms and conditions as it sees fit.
- (6) Where the local government approves, or refuses to approve, a licence variation under subclause (5), it shall notify the licensee and owner of the excavation site in writing.

#### **4.8 Transfer of licence**

- (1) An application to transfer a licence is not to be determined by the local government until the applicant has complied with subclause (2).
- (2) An application to transfer a licence shall –
  - (a) be made in writing;
  - (b) state –
    - (i) name of person or company for whom the application is being lodged;
    - (ii) name of primary contact person for the company and in relation to the application;
    - (iii) telephone, mobile phone and email contact details; and
    - (iv) postal and street address.
  - (c) be accompanied by –
    - (i) the set fee;
    - (ii) a copy of the current licence;
    - (iii) a certificate of currency in the name of the proposed transferee for a public liability insurance policy in accordance with clause 7.1; and
    - (iv) the consent in writing to the transfer from the owner of the excavation site;
  - (d) be lodged by the licensee at least 90 days before the date of proposed transfer of the licence;
  - (e) comply with and satisfy all conditions and requirements of the current licence;
  - (f) provide equivalent security under clause 3.8 as is required by the current licence; and
  - (g) include any information that the local government may reasonably require; and
  - (h) be signed by the licensee and the proposed transferee.
- (3) Upon receipt of an application to transfer a licence, the local government may –
  - (a) refuse the application; or
  - (b) approve the application on such terms and conditions as it sees fit.
- (4) Where the local government approves, or refuses to approve, the transfer of a licence under subclause (3), it shall notify the licensee and owner of the excavation site in writing.
- (5) Where the local government approves the transfer of a licence it shall not be required to refund any part of the fees and charges paid by the former licensee in respect of the transferred licence.
- (6) Where the local government does not approve the transfer of a licence –
  - (a) the local government may cancel the licence in accordance with clause 4.9, or
  - (b) the licensee may –
    - (i) continue operations in accordance with the licence issued; or

- (ii) give notice of cessation of operations in accordance with clause 6.1.

#### **4.9 Cancellation of licence**

- (1) The local government may cancel a licence where the licensee has –
  - (a) ceased to substantially carry on the extractive industry for a period in excess of 12 months or has not advised the local government of cessation of operations under clause 6.1;
  - (b) been convicted of an offence against –
    - (i) this local law; or
    - (ii) any other law relating to carrying on an extractive industry;
  - (c) failed to comply with –
    - (i) any of the conditions of the licence;
    - (ii) any provisions of this local law; or
    - (iii) any term of an agreement made with the local government in accordance with this local law and default continues for a period of 14 days from service on the licensee of written notice of default;
  - (d) transferred or assigned or attempted to transfer or assign the licence without the consent of the local government;
  - (e) permitted another person to carry on an extractive industry otherwise than in accordance with the terms and conditions of the licence and of the provisions of this local law;
  - (f) failed to make the annual report under clause 7.3;
  - (g) failed to have a current public liability insurance policy under clause 7.1(1); or
  - (h) failed to provide a copy of the policy or evidence of its renewal as the case may be, under clause 7.1(2).
- (2) Where the local government cancels a licence under this clause –
  - (a) the cancellation takes effect on and from the day on which the licensee is served with the notice, and
  - (b) the local government shall advise the licensee and owner of the excavation site in writing.
- (3) Where the local government cancels a licence under subclause (1), the local government shall not be required to refund any part of the fees and charges paid by the licensee in respect of the cancelled licence.
- (4) Where the local government cancels a licence under subclause (1), the licensee shall comply with clause 6.4, unless otherwise approved by the local government.

### **PART 5 - LIMITATIONS, OBLIGATIONS AND PROHIBITIONS ON LICENSEE**

#### **5.1 Obligations of the licensee**

A licensee shall –

- (a) where the local government so requires, securely fence the excavation to a standard determined by the local government and keep the gateways locked when not actually in use in order to prevent unauthorised entry;
- (b) erect and maintain warning signs along each of the boundaries of the area excavated under the licence so that each sign –
  - (i) is not more than 200 metres apart;
  - (ii) is not less than 300 mm high and not less than 450 mm wide;
  - (iii) the top of the sign is between 1.2 metres and 1.8 metres above ground level; and
  - (iv) bears the words “DANGER EXCAVATIONS – KEEP OUT”;
- (c) except where the local government approves otherwise, drain and keep drained to the local government’s satisfaction any excavation to which the licence applies so as to prevent the accumulation of water;
- (d) restore and reinstate the excavation site in accordance with the terms and conditions of the licence, the site plans and the works and excavation program approved by the local government;
- (e) take all reasonable steps to prevent the emission of dust, noise, vibration and other forms of nuisance from the excavation site; and
- (f) comply with the conditions imposed by the local government in accordance with clause 4.3.

**5.2 Limits on excavation**

Subject to any licence conditions imposed by the local government, a person shall not, without the written approval of the local government, excavate within –

- (a) 50 metres of any bore, watercourse, wetland, swamp or other water reserve;
- (b) 50 metres of any thoroughfare;
- (c) 20 metres of any land affected by a registered grant of easement; or
- (d) 2 metres of the estimated maximum groundwater level as determined from time to time by the Department of Water and Environmental Regulation or otherwise as adopted by the local government.

**5.3 Prohibitions**

A licensee shall not –

- (a) remove any trees or shrubs within 40 metres of the boundary of any thoroughfare on land in respect of which a licence has been granted without written permission from the local government and if required, the Department of Water and Environmental Regulation, except for the purpose of constructing access thoroughfares, erecting buildings or installing plant for use in connection with the excavation and then only with the written approval of the local government and subject to any conditions which the local government may impose in accordance with clause 4.3;
- (b) store, or permit to be stored, except in the case of approved rock quarry sites, any explosives or explosive devices on the site to which the licence applies other than with the approval of the local government and the Department of Mines, Industry Regulation and Safety; or
- (c) fill or excavate, other than in accordance with the terms and conditions of the licence, the site plans and the works and excavation program approved by the local government.

**5.4 Blasting**

(1) A person shall not carry out or permit to be carried out any blasting in the course of excavating unless –

- (a) the local government has otherwise given approval in respect of blasting generally or in the case of each blast;
- (b) subject to subclause (2), the blasting takes place only between the hours of 8.00am and 5.00pm, or as determined by the local government, on Mondays to Fridays inclusive;
- (c) the blasting is carried out in strict accordance with the *Mines Safety and Inspection Act 1994*, the *Environmental Protection Act 1986*, and all relevant local laws of the local government; and
- (d) in compliance with any other conditions imposed by the local government concerning –
  - (i) the time and duration of blasting;
  - (ii) the purposes for which the blasting may be used; and
  - (iii) the methods of detonation and blasting;
  - (iv) the types of explosives to be used; and
  - (v) such matters as the local government may reasonably require in the interests of the safety and protection of members of the public and of property within the district.

(2) A person shall not carry out or permit to be carried out any blasting on a Saturday, Sunday or public holiday except with the prior approval of the local government.

**PART 6 - CESSATION OF OPERATIONS**

**6.1 Notice of cessation of operations by licensee**

(1) A notice of cessation shall –

- (a) be made in writing not later than 1 week after operations have ceased;
- (b) state –
  - (i) name of person or company for whom the application is being lodged;
  - (ii) name of primary contact person for the company and in relation to the application;
  - (iii) telephone, mobile phone and email contact details; and
  - (iv) postal and street address;
- (c) be accompanied by –
  - (i) a copy of the current licence; and

- (ii) a current certificate of currency for public liability policy in accordance with clause 7.1;
- (d) advise if the cessation is to be –
  - (i) temporary and the expected duration or circumstances for re-commencement; or
  - (ii) permanent,
- (e) detail arrangements for meeting any ongoing liabilities or environmental obligations –
  - (i) name of person or company to whom matters are to be referred;
  - (ii) name of primary contact person for the company;
  - (iii) telephone, mobile phone and email contact details; and
  - (iv) postal and street address;
- (f) be lodged by the licensee as soon as cessation of operations has been determined by the licensee and not more than seven days after the operations have ceased in any event;
- (g) include a plan showing the contours of the excavation carried out to the date of that application;
- (h) detail the works, excavation and rehabilitation stages reached and of any changes or proposed changes with respect to any of the things referred to in clause 3.2(2)(b) and (c);
- (i) any other things referred to in clauses 3.2 and 4.2.
- (j) include any information that the local government may reasonably require; and
- (k) be signed by the licensee.
- (2) Upon notice of cessation of operations, the local government shall –
  - (a) acknowledge the notice of cessation of operations; and
  - (b) confirm the acceptability or otherwise of the arrangements for the cessation of operations.

**6.2 Cessation of operations – permanent**

- (1) Where a licensee has given written notice to the local government of the intention to permanently cease carrying on an extractive industry on the site to which the licence applies, the licence is deemed to have expired on the date such cessation is so notified.
- (2) The permanent cessation of the carrying on of an extractive industry on a site or the deemed expiration or cancellation of a licence does not entitle the licensee to any refund of any set fee.

**6.3 Cessation of operation – temporary**

- (1) Where a licensee has given written notice of temporary cessation of operations, then on or before the annual report date, the licensee shall –
  - (a) confirm to the local government the matters in clause 6.1(1)(d) and (e); and
  - (b) provide a certificate of currency in the name of the licensee of the current public liability insurance policy required under clause 7.1.
- (2) The licence granted under clause 4.2 shall remain valid for the term of the licence and shall not be extended by the duration of cessation of operations.
- (3) The temporary cessation of the carrying on of an extractive industry on a site or the deemed expiration or cancellation of a licence does not entitle the licensee to any refund of any set fee.

**6.4 Works to be carried out on permanent cessation of operations**

Where the carrying on of an extractive industry on the site permanently ceases or on the expiration or cancellation of the licence applicable to the site, whichever first occurs, the licensee shall, as well as complying with the provisions of clause 6.1 –

- (a) restore and reinstate the excavated site in accordance with the proposals approved by the local government or in such other manner as the local government may subsequently agree in writing with the licensee;
- (b) ensure that any face permitted to remain upon the excavation site is left safe with all loose materials removed and where the excavation site is –
  - (i) sand, the sides are sloped to a batter of not more than 1:3 (vertical : horizontal); and
  - (ii) limestone or material other than sand, the sides are sloped to a batter which, in the opinion of the local government, would enable the site to be left in a stable condition;
- (c) ensure that the agreed floor level of the excavation is graded to an even surface or is otherwise in accordance with the rehabilitation and decommissioning program approved by the local government;
- (d) ensure that all stockpiles or dumps of stone, sand or other materials are left so that no portion of

- that material can escape onto land not owned or occupied by the licensee nor into any stream, watercourse or drain that is not wholly situated within the land owned or occupied by the licensee;
- (e) erect retaining walls where necessary to prevent subsidence of land in the vicinity of any excavation;
  - (f) remove from the site all buildings, plant and equipment erected, installed or used for or in relation to the carrying on of an extractive industry on the site and fill all holes remaining after such removal to the level of the surrounding ground and compact such filled holes sufficiently to prevent settling; and
  - (g) break up, scarify, cover with topsoil and plant with grass, trees and shrubs all parts of the site where buildings, plant and equipment were erected or installed and all areas which were used for stockpiling unless otherwise specified under this local law.

#### **PART 7 - MISCELLANEOUS**

##### **7.1 Public liability**

- (1) A licensee shall have at all times a current public liability insurance policy naming the local government and indemnifying the licensee and the local government for a sum of not less than \$20,000,000 in respect of any one claim relating to any of the excavation operations.
- (2) The licensee shall provide to the local government a copy of the policy taken out under subclause (1), within 14 days after the issue of that policy and shall provide to the local government evidence of policy renewal within 14 days of each policy renewal date.

##### **7.2 Mines Safety and Inspection Act 1994 and Environmental Protection Act 1986**

- (1) In any case where the *Mines Safety and Inspection Act 1994* or the *Environmental Protection Act 1986* applies to any excavation carried on or proposed to be carried on at a site, the licensee in respect of that site shall provide to the local government within 14 days full particulars of any inspection or report made under that Act or those Acts.
- (2) In this clause, the *Mines Safety and Inspection Act 1994* and the *Environmental Protection Act 1986* include all subsidiary legislation made under those Acts.

##### **7.3 Annual report**

- (1) Not less than one week prior to 30 June in each year, a licensee must report to the local government –
  - (a) the name of person or company for whom the licence is held;
  - (b) the name of primary contact person for the company and in relation to the application;
  - (c) the telephone, mobile phone and email contact details;
  - (d) the postal and street address;
  - (e) be accompanied by –
    - (i) the set fee;
    - (ii) a copy of the current licence; and
    - (iii) a current certificate of currency for public liability policy in accordance with clause 7.1;
  - (f) include a plan showing the contours of the excavation carried out to the date of that application;
  - (g) detail the works, excavation and rehabilitation stages reached and of any changes or proposed changes with respect to any of the things referred to in clause 3.2(2)(b) and (c);
  - (h) any other things referred to in clauses 3.2 and 4.2.
  - (i) include any information that the local government may reasonably require; and
  - (j) be signed by the licensee.
- (2) Upon receipt of the annual report, the local government shall –
  - (c) acknowledge the notice of cessation of operations; and
  - (d) confirm the acceptability or otherwise of the arrangements for the cessation of operations.

##### **7.4 Use of secured sum y the local government**

- (1) The provisions of clause 8.3 apply if a licensee fails to pay any fees and charges or carry out or complete the restoration and reinstatement works required by the licence conditions either –
  - (a) within the time specified in those conditions; or
  - (b) where no such time has been specified, within 60 days of the completion of the excavation or

portion of the excavation specified in the licence conditions.

- (2) The local government may apply the proceeds of any bond, bank guarantee or other security provided by the licensee under clause 3.8 towards its costs under this clause.
- (3) The liability of a licensee to pay the local government's costs or any outstanding fees and charges under this clause is not limited to the amount, if any, secured under clause 3.8.
- (4) For avoidance of doubt, the local government's powers under this clause are in addition to its other enforcement powers under this local law.

#### **7.5 False or misleading statement**

- (1) A person shall not make a false or misleading statement in connection with any matter under this local law.
- (2) In addition to any penalty imposed under clauses 10.2 or 10.3 the local government may –
  - (a) refuse to –
    - (i) approve an application for a licence;
    - (ii) renew a licence; or
    - (iii) transfer a licence; or
  - (b) revoke a licence where the statement was material to the decision to approve, renew or transfer the licence.

### **PART 8 - NOTICES**

#### **8.1 Notice to remedy non-compliance**

Where any thing is required to be done or not permitted to be done by this local law, an authorised person may give the licensee a notice in writing requiring the licensee to comply with the requirements of this local law.

#### **8.2 Notice requirements**

A notice given must –

- (a) be in writing;
- (b) specify the reason for giving the notice;
- (c) the work or action that is required to be undertaken; and
- (d) the time within which the work or action is to be undertaken, being –
  - (i) where the time is specified elsewhere in this local law, that time period; or
  - (ii) if not specified elsewhere in this local law, not less than 14 days.

#### **8.3 Local government may undertake requirements of notice**

- (1) If a person fails to comply with a notice referred to in clause 8.1, the local government may –
  - (a) do the thing specified in the notice;
  - (a) take whatever remedial action it considers appropriate and which would have been if the breach or failure had not occurred; and
  - (b) recover all costs from the licensee, as a debt.
- (2) The provisions of this clause are subject to section 3.25 and item 12 of Division 1 of Schedule 3.1 of the *Local Government Act 1995* and any power of entry exercised by the local government under this local law is subject to Part 3, Division 3 of the *Local Government Act 1995*.

#### **8.4 Offence to fail to comply with notice**

A person who fails to comply with a notice given under this local law commits an offence.

### **PART 9 - OBJECTIONS AND REVIEW**

#### **9.1 Objection and review rights**

The provisions of Division 1 of Part 9 of the Act and regulation 33 of the *Local Government (Functions and General) Regulations 1996* shall apply when the local government makes a decision as to whether it will –

- (a) grant a person a licence under this local law; or
- (b) renew, vary, transfer or cancel a licence that a person has under this local law.

**PART 10 - OFFENCES AND PENALTIES**

**10.1 Offences**

A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

**10.2 General penalty**

A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of the day during which the offence has continued.

**10.3 Modified penalties**

- (1) An offence against a clause in this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is \$500.

**10.4 Forms**

For the purposes of this local law –

- (a) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- (b) the form of the notice sent under section 9.20 of the Act withdrawing an infringement notice is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

\_\_\_\_\_  
Dated \_\_\_\_\_

The Common Seal of the Shire of Gingin was affixed by authority of a resolution of Council in the presence of –

Wayne FEWSTER, President

\_\_\_\_\_, Chief Executive Officer



## 12.4 FENCING LOCAL LAW 2024

File	LAW/1
Author	Lee-Anne Burt - Coordinator Governance
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	20 December 2022 - Item 11.4
Appendices	1. Fencing Local Law 2024 [12.4.1 - 13 pages]

### DISCLOSURES OF INTEREST

Nil

### PURPOSE

To commence the statutory process for adoption of a local law (Shire of Gingin Fencing Local Law 2024) in accordance with the *Local Government Act 1995* (the Act) s.3.12.

### BACKGROUND

This new local law arises out of the Periodic Review of Local Laws completed by Council at its Ordinary Meeting held on 20 December 2022, as required by s.3.16 of the Act.

At the conclusion of the review, Council ultimately resolved that the Fencing Local Law 2016 should be repealed and replaced.

Accordingly, a new Shire of Gingin Fencing Local Law has been prepared for Council's consideration (**see appendix**).

### COMMENT

If adopted by Council at the conclusion of the statutory public submission period, the proposed Shire of Gingin Fencing Local Law 2024 will repeal and replace the existing Fencing Local Law 2016.

There are a number of matters that Council should be aware of:

1. Terms used –
  - a. “the local government” – means the organisation, so depending on the context it may be that where a matter is administrative (a form, notice to the Administration etc) no delegation is required. However, where a decision is required, consistent with the Department of Local Government, Sport and Cultural Industries' Guidelines relating to local laws, it should be read as being the highest possible decision making level, which is the Council. In line with the Guidelines these decisions may be delegated to the CEO unless specified.



There are important legislative and administrative differences between appointment as an authorised person and delegation of power.

- b. Council, CEO or other specific position – the function, role or power cannot be removed from that position or role, nor over-ridden.
  - c. Authorised person/delegation – an authorised person’s function and actions are defined by the local law and the authorised person is able to act within previously defined parameters. A delegation provides a person with the power to make a decision rather than the Council.
2. Use of Australian Standards – these may be referred to in a local law, but the Joint Standing Committee on Delegated Legislation will require provisions be made for residents to inspect them free of charge. The Standards can be obtained electronically very easily, and are not required to be on hand at all times, only made available when requested. Being copyright, a resident may inspect free of charge and make notes, but copying the Standards or taking photos is not permitted.
  3. Application of the local law – the local law applies throughout the district, but then limits that application to land with specific zoning in various clauses and Parts.

As well as addressing these matters, specific provisions now addressed include:

1. Updating requirements for the current zones used in the Local Planning Scheme;
2. Stating the priority of the Local Planning Scheme, planning policies, and the requirements of the *Building Act 2011*;
3. Prohibition on construction of a fence that is not a sufficient fence;
4. Inclusion of a general discretion to consider applications for fences that do not meet the requirements of a sufficient fence, but are considered to be appropriate in specific circumstances;
5. Provisions for fences separating different planning zones;
6. Differentiation of electric fences used for stock control or security;
7. Use of second hand materials;
8. Use of factory coloured metal fencing panels;
9. Powers to require repair or replacement of a fence that is poorly maintained or in dangerous condition;

10. Offence to make a false or misleading declaration;
11. Notice to correct and undertaking remedial works – clause 8.1 contains the powers of the Council where damage, nuisance or other non-compliance has occurred. Similar to an infringement notice or a prosecution, these also rely on knowing the identity of the offender. These clauses make provision, where the offender is known, for:
  - a. The issue of a notice to repair, pay for repairs or carry out works needed for compliance with the local law. Generally, if there is damage it is suggested that paying for reinstatement or repairs is most appropriate as the local government would then control the standard of works;
  - b. Infringement or prosecution if the recipient of a notice does not comply with the notice; and
  - c. The local government to carry out the works and recover the cost as a debt, applying interest to the outstanding amount if necessary, or taking legal action. This is consistent with the provisions of the *Local Government Act 1995* s.3.25 and 3.26 in relation to notices issued concerning Schedule 3.1 matters.

The *Dividing Fences Act 1961* does have impact on fencing generally, however it has no local law making powers. Accordingly, the local law is made solely under the *Local Government Act 1995*.

The same statutory process applies to the making of new, amendment and repeal local laws, and is as follows:

- Council must resolve to commence the process of making the local law;
- Local public notice of the proposed local law must be given inviting public submissions. A submission period of at least 6 weeks must be allowed;
- During the public submission period the proposed local law must also be submitted to the Department of Local Government, Sport and Cultural Industries (DLGSC) and any other department responsible for administering the Act under which the local law is made for comment;
- At the conclusion of the public submission period, a summary of submissions received, and any changes recommended by the DLGSC or another department must be considered by Council. At this point Council may resolve to make the local law either as proposed, or in a form that is not significantly different from what was proposed. If, as a result of public submissions, Council wishes to make substantial changes to the proposed local law, then a further public submission period will be required;

- Once Council has resolved to make the local law, it must be published in the Government Gazette and a further copy provided to the DLGSC;
- Local public notice must be given of the adoption, gazettal and commencement date of the local law; and
- A copy of the local law, together with a copy of the required Explanatory Memorandum, must then be submitted to the Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) for review.

The JSCDL will review the local law and its effects, and may recommend to Parliament that it be amended, or request that it be disallowed. If amendment is required, then the local government will be requested to provide an undertaking to progress the amendment within a specified time frame.

The *Local Government (Functions and General) Regulations 1996* requires that, in commencing to make a local law, the person presiding at a Council meeting is to give notice of the purpose and effect of the local law by ensuring that the purpose and effect are included in the Agenda and Minutes for that meeting.

Accordingly, the purpose and effect for the Shire of Gingin Fencing Local Law 2024 are:

**Purpose:** To prescribe a sufficient fence and the standards for construction of fences.

**Effect:** To repeal the Shire of Gingin Fencing Local Law 2016, establish the minimum requirements for fencing, provide for permitted and prohibited fencing, and create offences for non-compliance.

## **STATUTORY/LOCAL LAW IMPLICATIONS**

### *Local Government Act 1995*

Part 3 – Functions of local governments

Division 2 – Legislative functions of local governments

Section 3.5 – Legislative power of local governments

Section 3.10 – Creating offences and prescribing penalties

Section 3.12 – Procedure for making local laws

Section 3.13 – Significant changes after public comment period require recommencement of proposal

Section 3.14 – Unless otherwise provided for, local laws come into effect 14 days after Gazettal

Section 3.15 – Local public notice of the final adoption/making of a local law to be given

### *Local Government (Functions and General) Regulations 1996*

Part 1A – Local laws

Regulation 3 – Prescribed manner of giving notice of purpose and effect of proposed local law (Act s.3.12(2))

## POLICY IMPLICATIONS

Nil

## BUDGET IMPLICATIONS

Costs will be incurred as a result of the statutory advertising and gazettal process, which will be met from the adopted Advertising/Publications budget.

## STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

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

## VOTING REQUIREMENTS - SIMPLE MAJORITY

### COUNCIL RESOLUTION/OFFICER RECOMMENDATION

**MOVED:** Councillor Balcombe

**SECONDED:** Councillor Peczka

That Council agree, in accordance with the *Local Government Act 1995* s.3.12(2) and (3) and all other legislation enabling it, to give local public notice of its intention to make the Shire of Gingin Fencing Local Law 2024, and within that notice invite public submissions for a minimum 6-week period and advise of the following Purpose and Effect:

**Purpose:** To prescribe a sufficient fence and the standards for construction of fences.

**Effect:** To repeal the Shire of Gingin Fencing Local Law 2016, establish the minimum requirements for fencing, provide for permitted and prohibited fencing, and create offences for non-compliance.

**CARRIED UNANIMOUSLY**

**7 / 0**

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

**AGAINST:** *Nil*

Table of Contents inserted for administrative ease of use and will not be published as part of the  
Gazetted local law

**LOCAL GOVERNMENT ACT 1995**

**SHIRE OF GINGIN**

**FENCING LOCAL LAW 2024**

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LOCAL GOVERNMENT ACT 1995

SHIRE OF GINGIN

FENCING LOCAL LAW 2024

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Gingin resolved on \_\_\_\_\_ 2024 to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Gingin Fencing Local Law 2024*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Repeal

The *Shire of Gingin Fencing Local Law* published in the *Government Gazette* on 2 December 2016 is repealed.

1.4 Application

This local law applies throughout the district.

1.5 Terms used

In this local law unless the context otherwise requires –

**adversely affect land** has the meaning given to it in section 3 of the *Building Act 2011*;

**applicant** means a person who makes an application for a licence under this local law;

**AS or AS/NZS** means an Australian or Australian/New Zealand Standard published by Standards

Australia, and available for viewing free of charge at the Shire of Gingin Shire Office;

**authorised person** means a person authorised by the local government to perform any of the functions under this local law and includes the CEO;

**barbed wire** means a wire or strand of wires having small pieces of sharply pointed wire twisted around it at short intervals;

**building setback** has the meaning given to it in the local planning scheme;

**CEO** means the Chief Executive Officer of the local government;

**conservation lot** means a lot where a conservation use –

(a) is or may be permitted under a local planning scheme; and

(b) is or will be the predominant use of the lot;

**dangerous** in relation to any fence means –

(a) an electrified fence that does not comply with clause 5.2 or 5.3 of this local law;

(b) a fence containing barbed wire other than a fence constructed and maintained in accordance with this local law;

(c) a fence containing exposed broken glass, asbestos fibre, razor wire, metal spikes excluding manufactured decorative fencing panels or any other potentially harmful projection or material;

or

(d) a fence that is likely to collapse or fall, or part of which is likely to collapse or fall, from any cause;

**district** means the district of the local government;

**dividing fence** has the meaning given in section 5 of the *Dividing Fences Act 1961*;

**electrified fence** means a fence carrying or designed to carry an electric charge for the purposes of either –

(a) stock control; or



- (b) security;
- fence** means any structure used or functioning as a barrier, other than a retaining wall, irrespective of where it is located and includes a gate or door that separates the road reserve and a lot adjacent to the road reserve;
- front boundary** means the boundary that separates a thoroughfare and the front of a lot;
- front fence** means a fence in the front setback area of a lot;
- front setback area** means the area between the building line of a lot and the front boundary of that lot; measured at a right angle to the front boundary;
- future development lot** means a lot where a future development use –
- (a) is or may be permitted under a local planning scheme; and
  - (b) is or will be the predominant use of the lot;
- general industry lot** means a lot where a general industry use –
- (c) is or may be permitted under a local planning scheme; and
  - (d) is or will be the predominant use of the lot;
- general rural lot** means a lot where a general rural use –
- (a) is or may be permitted under a local planning scheme; and
  - (b) is or will be the predominant use of the lot;
- general rural – coded lot** means a lot where a general rural – coded use –
- (a) is or may be permitted under a local planning scheme; and
  - (b) is or will be the predominant use of the lot;
- height** in relation to a fence means the vertical distance between the top of the fence at any point and –
- (a) the ground level; or
  - (b) where the ground levels on each side of the fence are not the same, the higher ground level, immediately below that point;
- land** includes a house, building, work or structure in or on the land;
- landscape protection lot** means a lot where a landscape protection use –
- (c) is or may be permitted under a local planning scheme; and
  - (d) is or will be the predominant use of the lot;
- licence** means a licence, permit or approval issued under this local law;
- local government** means the Shire of Gingin;
- local planning scheme** means a local planning scheme and includes any structure plan adopted or approved by the local government made under the *Planning and Development Act 2005*;
- lot** means a defined portion of land depicted on a plan or diagram available from, or deposited with, the Western Australian Land Information Authority and for which a separate Crown grant or certificate of title has been or can be issued and includes a strata lot;
- masonry** includes stone, concrete, brick or other solid material;
- mixed business lot** means a lot where a mixed business use –
- (a) is or may be permitted under a local planning scheme; and
  - (b) is or will be the predominant use of the lot;
- natural ground level**, in relation to a development, means –
- (a) the level approved, for the purposes of the development, by the local government, under a local planning scheme; or
  - (b) in any other case, the level that existed immediately before the commencement of the development (including any site works);
- notice of breach** means a notice referred to in clause 8.1;
- occupier** has the meaning given to it in section 1.4 of the *Local Government Act 1995*;
- owner** has the meaning given to it in section 1.4 of the *Local Government Act 1995*;
- razor wire** means a coiled strong wire with pieces of sharp cutting edges set across it at close intervals;
- repair** has the meaning given to it in section 5 of the *Dividing Fences Act 1961*;
- residential lot** means a lot where a residential use –
- (a) is or may be permitted under a local planning scheme;
  - (b) is or will be the predominant use of the lot;
- retaining wall** means any structure that prevents the movement of soil in order to allow ground levels of different elevations to exist adjacent to one another;
- rural industry use** means a lot where a rural industry use –



(a) is or may be permitted under a local planning scheme; and

(b) is or will be the predominant use of the lot;

**Schedule** means a Schedule to this local law;

**secondary frontage** in the case of a lot that has a frontage and access to more than one thoroughfare, means the longer or the longest of the boundaries that separates the lot from the thoroughfare;

**set fee** means a fee determined by the local government in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995*;

**special use lot** means a lot where a special use –

(a) is or may be permitted under a local planning scheme; and

(b) is or will be the predominant use of the lot;

**sufficient fence** means a fence described in clause 2.2 or 2.3;

**thoroughfare** has the meaning given to it in section 1.4 of the *Local Government Act 1995*, but does not include a private thoroughfare that is not under the management or control of the local government;

**tourism lot** means a lot where a tourism use –

(a) is or may be permitted under a local planning scheme; and

(b) is or will be the predominant use of the lot;

**town centre lot** means a lot where a town centre use –

(a) is or may be permitted under a local planning scheme; and

(b) is or will be the predominant use of the lot;

**visually permeable** in reference to a wall, gate, door, screen or fence that the vertical surface when viewed directly from the street or other public space has –

(a) continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area;

(b) continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or

(c) a surface offering equal or lesser obstruction to view; and

**watercourse** means a river, stream or creek in which water flows in a natural channel, whether permanently or intermittently.

#### 1.6 Requirements of planning legislation and local planning scheme

Nothing within this local law affects any provision of –

(a) the *Planning and Development Act 2005*, or any regulations or orders made under that Act; or

(b) a local planning scheme.

#### 1.7 Requirements of Building Act 2011

Nothing in this local law affects a provision in any written law in respect of a building permit for a fence.

#### 1.8 Transitional provision

A dividing fence or fence lawfully constructed prior to this local law coming into operation constitutes a sufficient fence.

### PART 2 - SUFFICIENT FENCES

#### 2.1 Sufficient fences – requirement

Subject to clause 2.4, a person shall not construct or alter a dividing fence that does not satisfy the requirements of a sufficient fence.

#### 2.2 Sufficient fences – generally

Subject to clauses 2.3 and 2.4, a sufficient fence –

(a) on a residential lot, a town centre lot or a tourism lot, is a dividing fence constructed and

(b) on a mixed business lot, general industry lot or a rural industry lot, is a dividing fence constructed and maintained in accordance with Schedule 2; and

(c) on a general rural lot, a general rural – coded lot, a rural living lot or a conservation lot, is a dividing fence constructed and maintained in accordance with Schedule 3;

- (d) on a future development lot, is a dividing fence constructed and maintained in accordance with the requirements for a sufficient fence in accordance with the future zoning; or
- (e) on a special use lot, is a dividing fence constructed and maintained in accordance with the requirements for a sufficient fence in accordance with the underlying zoning.

**2.3 Sufficient fences – between lots having different requirements**

Subject to clause 2.4, where a fence is constructed on or near the boundary a sufficient fence is a fence constructed and maintained –

between a –	and a –	in accordance with –
residential lot town centre lot tourism lot	mixed business lot general industry lot rural industry lot general rural lot general rural – coded lot landscape protection lot conservation lot future development lot special use lot	Schedule 1
mixed business lot general industry lot rural industry lot	general rural lot general rural – coded lot landscape protection lot conservation lot future development lot special use lot	Schedule 2

**2.4 General discretion of the local government**

- (1) Notwithstanding the provisions of clauses 2.1, 2.2 or 2.3, and subject to Part 6, an authorised person may issue a licence for the construction or repair of a dividing fence that is not a sufficient fence where all of the owners of the lots adjoining the fence give written consent for a licence for that purpose.
- (2) In determining whether to consent to the erection or repair of any fence, the authorised person may consider, whether the construction or retention of the fence would have an adverse effect on:
  - (a) the safe or convenient use of any land; or
  - (b) the safety or convenience of any person.
- (3) An agreement in respect of a dangerous fence is taken not to be an agreement between owners of adjoining properties for the purposes of subclause (1).

**PART 3 - FENCING GENERALLY**

**3.1 Fences within front setback areas**

A person shall not construct a fence more than 1200mm in height, within the front setback area of a residential lot, a town centre lot or a tourism lot without a licence.

**3.2 Fences on secondary frontages**

Subject to clauses 3.1 and 3.3 a person shall not construct or maintain a fence on any secondary frontage of a residential lot, a town centre lot or tourism lot unless –

- (a) the fence is a sufficient fence;
- (b) in accordance with the Residential Design Codes; or
- (c) with approval of an authorised person.

**3.3 Sightlines at vehicle access point**

- (1) Fences are to be truncated or reduced to a height not more than 750mm, within 1500mm where walls, fences and other structures adjoin vehicle access points where a driveway meets a thoroughfare and where two thoroughfares intersect –
  - (a) in accordance with the Residential Design Codes; or

- (b) with approval of an authorised person.
- (2) The provision of subclause (1) shall not apply to a visually permeable fence that does not obscure the lines of vision of a motorist using the driveway for access to a thoroughfare.

**3.4 Obstruction of watercourse**

No person shall construct a fence of impervious material in any place, position or location where it will, or is likely to, act as a barrier to or restrict the flow of a watercourse.

**3.5 Gates or doors in fences**

A person shall not construct a gate or door in a fence that –

- (a) encroaches into or over any –
  - (i) thoroughfare; or
  - (ii) other land unless with the agreement of the owner of that land; or
- (b) opens by sliding parallel to the fence on the outside of the fence.

**3.6 Retaining walls**

A person shall not construct a retaining wall exceeding 500mm in height unless a building permit has been granted under section 20 of the *Building Act 2011*.

**3.7 Masonry fences and walls**

A person shall not construct a wall or fence exceeding 750mm in height constructed or partially constructed of masonry unless a building permit has been granted under section 20 of the *Building Act 2011*.

**3.8 Alteration of ground levels**

- (1) A person shall not alter the natural ground level of land on or within 1000mm of the boundary of a lot, whether by removing soil or bringing onto the land any fill of any kind, by more than 500mm without a licence.
- (2) A fence constructed of corrugated fibre-reinforced pressed cement shall not have more than 150mm difference in the ground levels on each side of the fence.

**3.9 Maintenance of fences**

- (1) An owner or occupier of a lot on which a fence is constructed shall maintain the fence in good condition so as to prevent it from becoming damaged, dangerous, dilapidated or unsightly.
- (2) Where in the opinion of an authorised person, a fence is in a state of disrepair or is dangerous or is otherwise in breach of a provision of this local law, an authorised person may give a notice of breach under clause 8.1 to the owner or occupier of the lot on which the fence is constructed.

**3.10 Fences across rights-of-way, public access ways or thoroughfares**

A person shall not construct, place or maintain a fence or obstruction across any right-of-way, public access way or thoroughfare without the approval of the local government in accordance with regulation 9 of the *Local Government (Uniform Local Provisions) Regulations 1996*.

**PART 4 - FENCING MATERIALS**

**4.1 Prohibited materials**

A person shall not construct, maintain or allow to remain a fence that is comprised, in whole or in part of broken glass, jagged materials, barbed wire, razor wire, asbestos or any other dangerous material except to the extent provided for in Part 5.

**4.2 Pre-used fencing materials**

- (1) A person shall not construct or maintain a dividing fence from pre-used materials without a licence issued by an authorised person.
- (2) Where a licence is issued for the use of pre-used materials, the materials shall be structurally fit for the purpose, and comply with any conditions imposed by an authorised person.
- (3) Conditions for use of pre-used fencing materials may include but are not limited to –

- (a) painting;
- (b) treatment;
- (c) specific use or placement; and
- (d) upgrading.

## **PART 5 - RESTRICTED FENCING**

### **5.1 Barbed wire fencing**

- (1) An owner or occupier of a residential lot, a town centre lot or a tourism lot shall not affix or allow to remain any barbed wire on any fence bounding that lot.
- (2) An owner or occupier of a general rural lot, a general rural – coded lot, a rural living lot or a conservation lot shall not place or affix barbed wire upon a fence on that lot where the fence is adjacent to a thoroughfare or other public place unless the barbed wire is fixed to the side of the fence posts furthest from the thoroughfare or other public place.
- (3) An owner or occupier of a mixed business lot, a general industry or a rural industry lot shall not construct or affix to any fence bounding that lot any barbed wire unless –
  - (a) the wire or material are attached on posts vertically or at an angle of 45 degrees; and
  - (b) the bottom row of wire or other materials is not less than 2000mm above the ground level.
- (4) If the posts that carry the barbed wire or other materials referred to in subclause (3) are angled towards the outside of the lot bounded by the fence, the face of the fence shall be set back from the lot boundary a sufficient distance to ensure that the angled posts, barbed wire or other materials do not encroach onto or over adjoining land.

### **5.2 Electrified fencing for stock control**

- (1) An owner or occupier of a lot shall not construct or use an electrified fence for stock on that lot without first obtaining a licence.
- (2) Notwithstanding subclause (1), a licence is not required for an electrified fence that is –
  - (a) constructed on a general rural lot or a conservation lot;
  - (b) for the purpose of stock control;
  - (c) installed in accordance with the manufacturer's specifications; and
  - (d) not the dividing fence with a residential lot.
- (3) Notwithstanding subclause (2)(a) to (c), the local government may by written notice require an electrified fence to be removed where it is a dividing fence with an adjoining property having different requirements.

### **5.3 Electrified fencing for security**

- (1) An owner or occupier of a lot shall not construct or use an electrified fence for security on that lot without first obtaining a licence.
- (2) An electrified fence for the purpose of security shall not be present on a lot unless it complies with *AS/NZS 3016:2002 Electrical Installations – Electric Security Fences*.
- (3) A licence to have and use an electrified fence for the purpose of security shall not be issued –
  - (a) on a residential lot or that portion of a fence adjoining a residential lot; or
  - (b) on any other lot without the approval of the local government.

### **5.4 Razor wire fencing**

- (1) An owner or occupier of a lot shall not construct a fence wholly or partly of razor wire on that lot without the approval of the local government under subclause (2).
- (2) A licence to have a fence constructed wholly or partly of razor wire shall not be issued –
  - (a) in respect of a lot that is a residential or that portion of a fence adjoining a residential lot;
  - (b) if the fence is within 3000mm of the boundary of the lot; or
  - (c) where any razor wire used in the construction of the fence is less than 2000mm or more than 2400mm above the ground level.

## **PART 6 - LICENCES**

**6.1 Application for a licence**

- (1) An owner of a lot may apply to the local government for a licence under this Part.
- (2) An application for a licence under this local law shall –
  - (a) provide all necessary documentation and information required for a decision;
  - (b) provide two copies of a plan and specifications of the proposed fence;
  - (c) provide engineering certification of structural or electrical engineering specifications, if required;
  - (d) be signed by the owner of the lot;
  - (e) be forwarded to the local government together with any set fee; and
  - (f) be in the form determined by the local government from time to time.
- (3) An authorised person may require an applicant to provide additional information reasonably related to an application before determining an application for a licence.
- (4) Any costs incurred in complying with the request under subclause (3) are to be paid by the applicant.

**6.2 Determination of an application**

- (1) An authorised person may refuse to consider an application that does not comply with clause 6.1.
- (2) An authorised person may –
  - (a) approve an application;
  - (b) approve an application subject to conditions as the authorised person sees fit; or
  - (c) refuse an application.
- (3) In determining whether to issue a licence, an authorised person may consider, in addition to any other matter authorised to consider, whether the construction or retention of the fence would have an adversely affect land or impact on –
  - (a) the safe or convenient use of any land;
  - (b) the safety or convenience of any person; or
  - (c) the visual amenity of the streetscape or neighbouring properties.
- (4) An authorised person may by written notice amend a condition imposed under subclause (2)(b).
- (5) An amendment under subclause (4) is effective from the date specified in the notice.
- (6) If an authorised person approves an application, a written licence and any conditions applied is to be given to the applicant.
- (7) If an authorised person refuses to approve an application, written notice of that refusal and the reasons for the decision is to be given to the applicant.

**6.3 Compliance with licence issued**

Where a licence is issued under clause 6.2, the applicant and the owner or occupier of the lot to which the licence relates, shall comply with the terms and any conditions of that licence.

**6.4 Cancellation of a licence**

An authorised person may cancel a licence if –

- (a) the owner or occupier requests an authorised person to do so;
- (b) the fence to which the licence relates has been demolished and is not rebuilt for a period of 6 months;
- (c) the circumstances have changed in such a way that a licence for the fence could no longer be granted under this local law;
- (d) the owner or occupier fails to comply with a condition of the licence or breaches a provision of this local law in respect of the fence; or
- (e) the owner or occupier fails to comply with a notice of breach issued under clause 8.1.

**6.5 Duration of a licence**

- (1) Unless otherwise stated in the licence, a licence granted under this local law transfers with the lot to which it relates and is deemed to transfer to each successive owner or occupier of that lot.
- (2) Where a licence is transferred under subclause (1), the successive owner or occupier may apply to an authorised person for written confirmation of this transfer.
- (3) For the avoidance of doubt, a licence granted under this local law may be relied upon by any subsequent owner or occupier of the lot, and may be enforced against them by the local government.

**6.6 False or misleading statement**

A person shall not make a false or misleading statement in connection with any application, requirement or request under this local law.

**PART 7 - OBJECTIONS AND REVIEW**

**7.1 Objections and review**

Division 1 of Part 9 of the *Local Government Act 1995* applies to a decision under this local law to –

- (a) refuse an application for a licence;
- (b) impose or vary a condition of a licence; or
- (c) cancel a licence.

**PART 8 - ENFORCEMENT**

**8.1 Notices of breach**

- (1) Where a breach of any provision of this local law has occurred in relation to a fence on a lot, an authorised person may give a notice of breach in writing to the owner or occupier of that lot.
- (2) A notice of breach shall –
  - (a) specify the provision of this local law that has been breached;
  - (b) specify the particulars of the breach; and
  - (c) state that the owner or occupier is required to remedy the breach within the time specified in the notice.
- (3) An owner or occupier given a notice of breach shall comply with the terms of the notice and remedy the breach within the time specified in the notice.
- (4) Should an owner or occupier fail to comply with a notice, an authorised person may enter upon the lot to which the notice relates and remedy the breach or cause the breach to be remedied, and may recover the expenses of doing so from the owner or occupier of the lot, as the case may be, in a court of competent jurisdiction.
- (5) This local law is subject to sections 3.25 and 3.27 and Schedules 3.1 and 3.2 of the *Local Government Act 1995* and any power of entry exercised by the local government under this local law is subject to Part 3, Division 3, Subdivision 3 of the Act.

**8.2 Offences**

A person who fails to do anything required or directed to be done under this local law, or who does anything that under this local law that person is prohibited from doing, commits an offence.

**8.3 General penalty**

Any person who commits an offence under this local law is liable, upon conviction to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

**8.4 Modified penalties**

- (1) An offence against a clause specified in Schedule 4 is a prescribed offence for the purposes of section 9.16(1) of the *Local Government Act 1995*.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 4.

**8.5 Form of notices**

For the purposes of this local law –

- (a) the form of the infringement notice referred to in section 9.17 of the *Local Government Act 1995* is to be in the form of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- (b) the form of the withdrawal of infringement notice referred to in section 9.20 of the *Local Government Act 1995* is to be in the form of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

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**Schedule 1 – Sufficient fence for residential, town centre and tourism lots**

[Clause 2.2(1)(a)]

1. On a residential lot, a town centre lot or a tourism lot a sufficient fence is a dividing fence that –
  - (a) is constructed of –
    - (i) corrugated fibre-reinforced pressed cement sheeting;
    - (ii) timber pickets or post and rail;
    - (iii) brick, stone or concrete;
    - (iv) factory coloured sheet metal post and panelled fence; or
    - (v) any combination of the materials described in paragraphs (i) to (iv);
  - (b) in the case of a front fence –
    - (i) is not more than 1200mm in height; or
    - (ii) is between 1200mm and 1800mm in height; and is visually permeable fence above 1200mm;
  - (c) in the case of a side boundary fence forward of the building setback line, a fence that –
    - (i) uniformly slopes down from not more than 1800mm to not more than 1200mm in height;
    - (ii) over a maximum distance of 1500mm from the start of the front setback area from the building to the front of the lot; and
  - (d) in the case of any other dividing fence, the fence is between 1750mm and 1850mm in height, and to which an extension of lattice or other permeable material as agreed between the owner or occupiers of adjoining properties parties may be added so that the total height of the fence is a maximum of 2100mm.
2. The fence shall not adversely affect land or impact on –
  - (a) the safe or convenient use of any land;
  - (b) the safety or convenience of any person; or
  - (c) the visual amenity of the streetscape or neighbouring properties.

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**Schedule 2 – Sufficient fence for mixed business, general industry and rural industry lots**

[Clause 2.2(1)(b)]

1. On a mixed use lot, a general industry lot or a rural industry lot, a sufficient fence is a dividing fence that –
  - (a) is constructed in accordance with Schedule 1; or
  - (b) in the case of any other dividing fence, the fence is no more than 2000mm in height, unless topped with up to 3 strands of plain or barbed wire to not more than 2400mm in height;
  - (c) is constructed of –
    - (i) galvanised or PVC coated link mesh;
    - (ii) fibre reinforced cement sheets;
    - (iii) painted or galvanized steel or aluminium sheeting;
    - (iv) factory coloured sheet metal post and panelled fence;
    - (v) timber, brick, stone or concrete; or
    - (vi) any combination of the materials described in paragraphs (i)-(v);
  - (d) in the case of a front fence –
    - (i) is not more than 1200mm in height; or
    - (ii) with the approval of an authorised person, is more than 1200mm but not higher than 2000mm unless topped with up to 3 strands of plain or barbed wire to not more than 2400mm in height; and is visually permeable above 1200mm;
  - (e) in the case of a side boundary fence forward of the building setback line, a fence that –
    - (i) complies with subclause (c), and is of similar height and construction; or



- (ii) uniformly slopes down from not more than 2000mm to not more than 1200mm in height; and
  - (iii) over a maximum distance of 1500mm from the start of the front setback area from the building to the front of the lot; and
2. Upon application, an authorised person may issue a licence varying clause 1(d), and may impose conditions.
3. The fence shall not adversely affect land or impact on –
- (a) the safe or convenient use of any land;
  - (b) the safety or convenience of any person; or
  - (c) the visual amenity of the streetscape or neighbouring properties.

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**Schedule 3 – Sufficient fence for general rural, general rural – coded, rural living and conservation lots**

[Clause 2.2(1)(c)]

1. On a general rural lot, a general rural – coded, rural living or a conservation lot a sufficient fence is a dividing fence that is at least 1200mm in height so as to prevent stock passing through and –
- (a) is of –
    - (i) post and wire construction with at least five wires, including any electrified wire of an electrified fence, with the lower wires spaced closer together than the higher wires and each wire connected to posts in all cases; or
    - (ii) post and rail construction, with at least three rails connected to posts in all cases; and
    - (iii) not exceeding 1500mm in height without a licence; and
  - (b) where any portion of the fence is an electrified fence, is constructed in accordance with clause 5.2(2) or clause 5.3 as the case may be.
2. The fence shall not adversely affect land or impact on –
- (a) the safe or convenient use of any land;
  - (b) the safety or convenience of any person; or
  - (c) the visual amenity of the streetscape or neighbouring properties.

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**Schedule 4 – Prescribed offences**

[Clause 8.4]

Item	Clause	Nature of offence	Modified penalty \$
1	3.6	Construction of a retaining wall more than 500mm in height without a building permit	500
2	3.8(1)	Alteration of natural ground levels without a licence	500
3	3.10	Construction or maintenance of a fence across right-of-way etc. without approval	500
4	4.1	Use of prohibited materials in a fence	500
5	5.1(4)	Encroachment of barbed wire on a commercial, general industry, industrial, professional office or tourist lot over other land	500
6	5.3(1)	Construction of an electrified fence for the purposes of security without a licence	500



7	5.3(2)	Construction of a non-compliant electrified fence for the purposes of security	500
8	5.4(1)	Construction of a razor wire fence without a licence	500
9	6.3	Failure to comply with conditions of a licence for fence	500
10	6.6	Making a false or misleading statement	500
11	8.1(3)	Failure to comply with notice of breach in relation to Part 5 – Restricted Fencing	500
12	8.2(1)	Other offences not specified	250

\_\_\_\_\_  
Dated this \_\_\_\_\_ 2024

The Common Seal of the Shire of Gingin was affixed by authority of a resolution of Council in the presence of –

Wayne FEWSTER, President

\_\_\_\_\_, Chief Executive Officer

## 12.5 CATS LOCAL LAW 2024

File	LAW/1
Author	Lee-Anne Burt - Coordinator Governance
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	20 December 2022 - Item 11.4
Appendices	1. Cats Local Law 2024 [12.5.1 - 8 pages]

### DISCLOSURES OF INTEREST

Nil

### PURPOSE

To commence the statutory process for adoption of a local law (Shire of Gingin Cats Local Law 2024) in accordance with the *Local Government Act 1995* (the Act) s.3.12.

### BACKGROUND

This new local law arises out of the Periodic Review of Local Laws completed by Council at its Ordinary Meeting held on 20 December 2022, as required by s.3.16 of the Act.

At the conclusion of the review, Council ultimately resolved that the Keeping and Control of Cats Local Law 2016 should be repealed and replaced.

Accordingly, a new Shire of Gingin Cats Local Law has been prepared for Council's consideration (**see appendix**).

### COMMENT

If adopted by Council at the conclusion of the statutory public submission period, the proposed Shire of Gingin Cats Local Law 2024 will repeal and replace the existing Keeping and Control of Cats Local Law 2016.

There are a number of matters that Council should be aware of, as follows:

#### 1. Terms used

- a. "the local government" – means the organisation, so depending on the context it may be that where a matter is administrative (a form, notice to the administration, etc) no delegation is required. However, where a decision is required, consistent with the Department of Local Government, Sport and Cultural Industries' Guidelines relating to local laws, it should be read as being the highest possible decision making level, which is the Council. In line with the Guidelines these decisions may be delegated to the CEO unless specified.

There are important legislative and administrative differences between appointment as an authorised person and delegation of power.

- b. Council, CEO or other specific position – the function, role or power cannot be removed from that position or role, nor can it be over-ridden.
  - c. Authorised person/delegation – an authorised person’s function and actions are defined by the local law and the authorised person is able to act within previously defined parameters. A delegation provides a person with the power to make a decision rather than the Council.
2. Use of policy to specify standards and activities. In accordance with the *Local Government Act 1995* s.2.7, policies are to be set by Council, not the CEO (the CEO may still issue executive instructions). Care needs to be exercised since policy should be seen as instructions by Council to employees on what they may approve, or when to act. Policy should not be used as a direct control of the public unless the necessary processes are undertaken.
  3. Application of the local law – the local law applies throughout the district, but then limits that application to land with specific zoning in various clauses and Parts.

As well as addressing these matters, specific provisions now addressed include:

- general keeping of cats, cats not to be a nuisance etc; and
- standard number of cats on land zoned as general rural is four, but elsewhere is two cats (townsites etc ).

The same statutory process applies to the making of new, amendment and repeal local laws, and is as follows:

- Council must resolve to commence the process of making the local law;
- Local public notice of the proposed local law must be given inviting public submissions. A submission period of at least 6 weeks must be allowed;
- During the public submission period the proposed local law must also be submitted to the Department of Local Government, Sport and Cultural Industries (DLGSC) and any other department responsible for administering the Act under which the local law is made for comment;

- At the conclusion of the public submission period, a summary of submissions received, and any changes recommended by the DLGSC or another department must be considered by Council. At this point Council may resolve to make the local law either as proposed, or in a form that is not significantly different from what was proposed. If, as a result of public submissions, Council wishes to make substantial changes to the proposed local law, then a further public submission period will be required;
- Once Council has resolved to make the local law, it must be published in the Government Gazette and a further copy provided to the DLGSC;
- Local public notice must be given of the adoption, gazettal and commencement date of the local law; and
- A copy of the local law, together with a copy of the required Explanatory Memorandum, must then be submitted to the Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) for review.

The JSCDL will review the local law and its effects, and may recommend to Parliament that it be amended, or request that it be disallowed. If amendment is required, then the local government will be requested to provide an undertaking to progress the amendment within a specified time frame.

The *Local Government (Functions and General) Regulations 1996* requires that, in commencing to make a local law, the person presiding at a Council meeting is to give notice of the purpose and effect of the local law by ensuring that the purpose and effect are included in the Agenda and Minutes for that meeting.

Accordingly, the purpose and effect for the Shire of Gingin Cats Local Law 2024 are:

- Purpose:** To make provisions about the control of cats, the number of cats that may be kept on premises and the keeping of cats throughout the district, and to create offences for non-compliance.
- Effect:** To repeal the Shire of Gingin Keeping and Control of Cats Local Law 2016 and to extend the control over cats which exists under the *Cat Act 2011*.

## **STATUTORY/LOCAL LAW IMPLICATIONS**

### *Local Government Act 1995*

Part 3 – Functions of local governments

Division 2 – Legislative functions of local governments

Section 3.5 – Legislative power of local governments

Section 3.10 – Creating offences and prescribing penalties

Section 3.12 – Procedure for making local laws

Section 3.13 – Significant changes after public comment period require recommencement of proposal

Section 3.14 – Unless otherwise provided for, local laws come into effect 14 days after Gazettal

Section 3.15 – Local public notice of the final adoption/making of a local law to be given

### *Local Government (Functions and General) Regulations 1996*

Part 1A – Local laws

Regulation 3 – Prescribed manner of giving notice of purpose and effect of proposed local law (Act s.3.12(2))

### *Cat Act 2011*

Part 5 – Subsidiary legislation

Division 2 Local Laws

Section 79 – Local Laws

Section 84 – Creating offences and prescribing penalties

## **POLICY IMPLICATIONS**

Nil

## **BUDGET IMPLICATIONS**

Costs will be incurred as a result of the statutory advertising and gazettal process, which will be met from the adopted Advertising/Publications budget.

## **STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

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

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Kestel

SECONDED: Councillor Balcombe

That Council agree, in accordance with the *Local Government Act 1995* s.3.12(2) and (3) and all other legislation enabling it, to give local public notice of its intention to make the Shire of Gingin Cats Local Law 2024, and within that notice invite public submissions for a minimum 6-week period and advise of the following Purpose and Effect:

**Purpose:** To make provisions about the control of cats, the number of cats that may be kept on premises and the keeping of cats throughout the district, and to create offences for non-compliance.

**Effect:** To repeal the Shire of Gingin Keeping and Control of Cats Local Law 2016 and to extend the control over cats which exists under the *Cat Act 2011*.

CARRIED UNANIMOUSLY

7 / 0

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

**AGAINST:** *Nil*

Table of Contents inserted for administrative use and will not be published as part of the Gazetted local law

**LOCAL GOVERNMENT ACT 1995  
CAT ACT 2011**

**SHIRE OF GINGIN**

**CATS LOCAL LAW 2024**

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LOCAL GOVERNMENT ACT 1995  
CAT ACT 2011

SHIRE OF GINGIN

CATS LOCAL LAW 2024

Under the powers conferred by the *Cat Act 2011*, the *Local Government Act 1995*, and under all other powers enabling it, the Council of the Shire of Gingin resolved on \_\_\_\_\_ 2024 to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Gingin Cats Local Law 2024*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Application

This local law applies throughout the district.

1.4 Repeal

This local law repeals the *Shire of Gingin Cats Local Law 2016* published in the *Government Gazette* on 2 December 2016.

1.5 Terms Used

In this local law unless the context otherwise requires –

**Act** means the *Cat Act 2011*;

**applicant** means the occupier of the premises who makes an application for a permit under this local law;

**application** means an application for a permit;

**authorised person** means a person authorised by the local government, under section 9.10 of the *Local Government Act 1995* to perform the functions conferred on an authorised person under this local law;

**cat** has the meaning given to it in the Act;

**cat management facility** has the meaning given to it in the Act;

**cat prohibited area** means an area as outlined in Schedule 3;

**cattery** means any premises where more than 6 cats are kept, bred, boarded, housed, or trained temporarily, whether for profit or otherwise, and where the occupier of the premises is not the ordinary owner of the cats;

**CEO** means the Chief Executive Officer of the local government;

**district** means the district of the local government;

**effective control** in relation to a cat means any of the following methods–

- (a) held by a person who is capable of controlling the cat;
- (b) securely tethered;
- (c) secured in a cage; or
- (d) any other means of preventing escape;

**general rural lot** means a lot where a general rural use –

- (a) is or may be permitted under a local planning scheme; and
- (b) is or will be the predominant use of the lot;

**grouped dwelling** as defined by a local planning scheme

**local government** means the Shire of Gingin;

**local planning scheme** means a local planning scheme of the local government made under the



*Planning and Development Act 2005;*

**multiple dwelling** as defined by a local planning scheme;

**nuisance** means –

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
- (c) interference which causes material damage to land or other property on the land affected by the interference;

**occupier** has the meaning given to it in the *Local Government Act 1995*;

**owner** has the meaning given to it in the Act;

**permit** means a permit issued by the local government under Part 3;

**permit holder** means a person who holds a valid permit under Part 3;

**premises** has the meaning given to it in the Act;

**public place** means any place to which the public has lawful access;

**RSPCA** means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;

**set fee** means fees and charges imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act;

## PART 2 - CAT CONTROL

### 2.1 Cats not to be a nuisance

- (1) An owner shall not allow a cat to be or create a nuisance.
- (2) Where in the opinion of an authorised person, a cat is creating a nuisance, the local government may give written notice to the owner of the cat requiring that person to abate the nuisance.
- (3) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for the period specified by the local government in the notice which shall not exceed 28 days.
- (4) An owner given a notice to abate the nuisance shall comply with the notice within the period specified in the notice.
- (5) A cat control notice under subclause 2.1(2) shall be in the form of Schedule 1, Form 3 of the *Cat Regulations 2012*.

### 2.2 Interference with cat traps

Where a trap has been set for cats in or on any public place or premises lawfully entered, a person other than an authorised person or the land owner or occupier shall not –

- (a) interfere with, remove or relocate, or damage the trap; or
- (b) release any cat from the trap.

## PART 3 - PERMITS FOR KEEPING CATS

### 3.1 Interpretation

In this part, *cat* does not include a cat less than 6 months old.

### 3.2 Prescribed premises

For the purposes of the definition of prescribed premises in regulation 4(1) of the *Cat (Uniform Local Provisions) Regulations 2013*, this local law limits the number of cats that may be kept at any premises within the district except –

- (a) a cat management facility operated by a body prescribed as a cat management facility operator under the *Cat Regulations 2012*; or
- (b) a cat management facility operated by the local government; or
- (c) a veterinary clinic or veterinary hospital as defined under section 2 of the *Veterinary Surgeons Act 1960*.

### 3.3 Standard number of cats

For the purposes of the definition of *standard number of cats* in regulation 4(1) of the *Cat (Uniform Local*

*Provisions) Regulations 2013, no more than –*

- (a) two (2) cats on any premises not zoned as a general rural lot; or
- (b) four (4) cats on any premises zoned as a general rural lot.

**3.4 Cats for which permit is required**

- (1) Subject to subclause (2) a person is required to have a permit to –
  - (c) keep more than two (2) cats on any premises not zoned as a general rural lot;
  - (d) keep more than four (4) cats on any premises zoned as a general rural lot; or
  - (e) use any premises as a cattery or cat management facility.
- (2) Approval may be given by the local government for up to two (2) additional cats, where the total cats kept on the prescribed premises –
  - (a) will not exceed four (4) cats on any premises not zoned as a general rural lot; or
  - (b) will not exceed six (6) cats on any premises zoned as a general rural lot.
- (3) A permit is not required under subclause (1) if the premises concerned are –
  - (a) a refuge of the RSPCA or any other body prescribed in regulation 4 of the *Cat Regulations 2012*;
  - (b) a cat management facility which has been approved by the local government; or
  - (c) a veterinary surgery.

**3.5 Application for permit**

An application for a permit under clause 3.4—

- (a) shall be made in writing by an occupier of the premises in relation to those premises;
- (b) be in a form approved by the local government, describing and specifying the number of cats to be kept on the premises;
- (c) shall accompanied by a brief reason and justification for the request;
- (d) may be required by an authorised person to be accompanied by the plans of the premises to which the application relates.
- (e) accompanied by the consent in writing of the owner of the premises where the occupier is not the owner of the premises to which the application relates; and
- (f) accompanied by the set fee.

**3.6 Refusal to determine application**

The local government may refuse to determine an application for a permit if it is not made in accordance with clause 3.5.

**3.7 Factors relevant to the determination of application**

- (1) In determining an application for a permit, the local government may have regard to –
  - (a) the reasons and justification provided for the request;
  - (b) the physical suitability of the premises for the proposed use;
  - (c) the suitability of the zoning of the premises under a local planning scheme which applies to the premises for the proposed use;
  - (d) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
  - (e) the structural suitability of any enclosure in which any cat is to be kept;
  - (f) the likelihood of a cat causing nuisance, inconvenience, or annoyance to the occupiers of adjoining land;
  - (g) the likely effect on the amenity of the surrounding area of the proposed use;
  - (h) the likely effect on the local environment including any pollution or other environmental damage, which may be caused by the use;
  - (i) any submissions received under subclause (2) within the time specified in subclause (2); and
  - (j) such other factors which the local government may consider to be relevant in the circumstances of the particular case.
- (2) The local government may require an applicant to—
  - (a) consult with nearby landowners; or
  - (b) advise nearby landowners that they may make submissions to the local government on the application for a permit within 14 days of receiving that advice, before determining the application

for the permit.

- (3) The local government may specify the extent of consultation with nearby residents, as specified in subclause 3.7(2)(a) and may specify which properties should be consulted.

**3.8 Decision on application**

- (1) The local government may –
- (a) approve an application for a permit as it was submitted, in which case it shall approve it subject to the conditions in clause 3.9 and may approve it subject to any other conditions it sees fit;
  - (b) approve an application but specify an alternative number of cats permitted to be housed at the address; or
  - (c) refuse to approve an application for a permit.
- (2) If the local government approves an application under subclause (1), then it shall issue a permit to the applicant in the form determined by the local government.
- (3) If the local government refuses to approve an application under subclause (1) then it shall advise the applicant accordingly in writing.
- (4) A permit may only be issued by the local government for a maximum of 6 cats on any premises other than a cattery or cat management facility or a premises specified in clause 3.4(2).

**3.9 Conditions of permit**

- (1) Every permit is issued subject to the following conditions—
- (a) each cat kept on the premises to which the permit relates shall comply with the requirements of the Act;
  - (b) each cat shall be contained on the premises unless under the effective control of a person;
  - (c) the permit holder will provide adequate space for the exercise of the cats;
  - (d) the premises shall be maintained in good order and in a clean and sanitary condition;
  - (e) those conditions contained in Schedule 1.
- (2) In addition to the conditions subject to which a permit is to be issued under this clause, a permit may be issued subject to other conditions, as the local government considers appropriate.

**3.10 Compliance with conditions of permit**

Where an application for a permit has been approved subject to conditions, the permit holder shall comply with each of those conditions, as amended.

**3.11 Duration of a permit**

Unless otherwise specified in a condition on a permit, a permit commences on the date of issue and expires –

- (a) if it is revoked; or
- (b) the permit holder ceases to reside at the premises to which the permit relates.

**3.12 Renewal of permit**

- (1) A permit holder may apply to the local government for the renewal of a permit for an application under clause 3.4(1)(c).
- (2) An application for renewal shall –
- (a) be in the form determined by the local government;
  - (b) be signed by the permit holder;
  - (c) provide the information required by the local government;
  - (d) be forwarded to the local government no later than 28 days before the expiry of the permit, or within a shorter period that the local government in a particular case permits; and
  - (e) be accompanied by any set fee.
- (3) The provisions of this Part that apply to an application for a permit also apply to an application for the renewal of a permit as though it were an application for a permit.

**3.13 Revocation**

- (1) The local government may revoke a permit if –
- (a) the permit was obtained improperly;

- (b) the permit holder has persistently or frequently contravened a term or condition of the permit, or a provision of this local law; or
- (c) the permit holder fails to observe any provision of this local law or a condition of a permit.
- (2) On revocation of a permit the permit holder is to be taken to have forfeited any set fees paid in respect of the permit.

**3.14 Permit not transferable**

A permit issued under clause 3.8 (1) is not transferable either in relation to the permit holder or the premises.

**3.15 Permit to be kept at premises and available for view**

- (1) A permit issued by the local government shall be kept at the premises to which it applies and shall be provided to an authorised person on demand.
- (2) In the case of a registered cattery or cat management facility, the permit shall be displayed in a prominent place within the premises.

**3.16 False or misleading statement**

A person shall not make a false or misleading statement in connection with an application in respect of a permit under this local law.

**PART 4 - MISCELLANEOUS**

**4.1 Giving of a notice**

A notice given under this local law may be given to a person –

- (a) personally;
- (b) by postal mail addressed to the person; or
- (c) by leaving it for the person at her or his address.

**PART 5 - OBJECTIONS AND APPEALS**

**5.1 Objections and appeal rights**

Any person who is aggrieved by the conditions imposed in relation to a permit, the revocation of a permit, or by the refusal of the local government to grant a permit may object or appeal against the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

**PART 6 - ENFORCEMENT**

**6.1 Offences**

A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

**6.2 General penalty**

A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of the day during which the offence has continued.

**6.3 Prescribed offences**

- (1) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount of a modified penalty for a prescribed offence is the number specified adjacent to the clause in Schedule 2.

**6.4 Form of infringement notices**

- (1) The issue of infringement notices, their withdrawal and the payment of modified penalties are dealt with in Division 4 of Part 4 of the Act.

- (2) An infringement notice in respect of an offence against this local law may be given under section 62 of the Act and is to be in the form of Schedule 1, Form 6 of the *Cat Regulations 2012*.
- (3) A notice sent under section 65 of the Act withdrawing an infringement notice is to be in the form of Schedule 1, Form 7 of the *Cat Regulations 2012*.

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**Schedule 1 – Additional Conditions Applicable to Particular Permits**

[Clause 3.9(1)(e)]

**A. Permit to keep more than 2 cats on premises not zoned as a general rural lot**

*Additional conditions*

- (1) In the case of a grouped dwelling where there is no suitable dividing fence or multiple dwellings on the same level, the written consent to the application for a permit of the occupier of the adjoining dwellings has been obtained.
- (2) Without the consent of the local government, the permit holder will not substitute or replace any cat that is the subject of a permit once that cat –
  - (a) dies; or
  - (b) is permanently removed from the premises.

**B. Permit to use premises as a cattery or cat management facility**

*Additional conditions*

- (1) All building enclosures must be structurally sound, have impervious flooring, be well lit and ventilated and otherwise comply with all legislative requirements.
- (2) There is to be a feed room, wash area, isolation cages and maternity section.
- (3) Materials used in structures are to be approved by the local government.
- (4) The internal surfaces of walls are, where possible, to be smooth, free from cracks, crevices, and other defects.
- (5) All fixtures, fittings and appliances are to be capable of being easily cleaned, resistant to corrosion and constructed to prevent the harbourage of vermin.
- (6) Washing basins with a minimum of running cold water are to be available to the satisfaction of the local government.
- (7) The maximum number of cats to be kept on the premises stated on the permit is not to be exceeded.
- (8) A register is to be kept recording in respect of each cat the –
  - (a) date of admission;
  - (b) date of departure;
  - (c) breed, age, colour, and sex; and
  - (d) name and residential address of the owner.
- (9) The register is to be made available for inspection on the request of an authorised person.
- (10) Enclosures are to be thoroughly cleaned each day and disinfected at least once a week to minimise disease.
- (11) Any sick or ailing cat is to be removed from the premises or transferred to an isolation cage separated from other cats kept on the premises.
- (12) Any other matter which in the opinion of the local government is deemed necessary for the health and wellbeing of any cat, or person, or adjoining premises or the amenity of the area (or any part thereof).

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**Schedule 2 – Prescribed offences**

clause 6.3]

Item	Clause	Nature of offence	Modified penalty \$
1	2.1(1)	Cat causing a nuisance	200
2	2.1(2)	Failure to abate a nuisance	200
3	2.2(a)	Unauthorised interference with a trap	300
4	2.2(b)	Unauthorised release of a cat from a trap	300
5	3.4(1)(a)	Failure of a person to hold a permit when keeping more than 2 cats on premises not zoned as general rural lot	200
6	3.4(1)(b)	Failure of a person to hold a permit when keeping more than 4 cats on premises zoned as general rural lot	200
7	3.4(1)(c)	Failure of a person to hold a permit for a cattery or cat management facility	300
8	3.10	Failure to comply with conditions of a permit	200
9	3.16	Making a false or misleading statement in an application	500
10	6.1(2)	Other offences not specified	200

Dated \_\_\_\_\_ 2024

The Common Seal of the Shire of Gingin was affixed by authority of a resolution of Council in the presence of –

Wayne FEWSTER, President

\_\_\_\_\_, Chief Executive Officer

## 12.6 CORPORATE BUSINESS PLAN 2023-2027

File	COR/37
Author	Linda Fidge - Coordinator Corporate Planning
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	15 November 2022, Item 11.3
Appendices	1. Corporate Business Plan 2023-2027 [12.6.1 - 22 pages]

### DISCLOSURES OF INTEREST

Nil

### PURPOSE

To adopt the draft Shire of Gingin Corporate Business Plan 2023-2027.

### BACKGROUND

The *Local Government Act 1995* (s. 5.56) and supporting regulations require local governments throughout Western Australia to 'Plan for the Future' by developing a series of strategies and plans, including a Strategic Community Plan (SCP) and Corporate Business Plan (CBP), as part of the State Government's Integrated Planning and Reporting Framework for local government.

In accordance with the *Local Government (Administration) Regulations 1996* (Reg. 19DA), the Shire of Gingin is to ensure that it maintains a rolling four-year CBP, revised annually. The Corporate Business Plan is to put into action the Shire's SCP 2022-2032 (adopted by Council on 15 March 2022) and focuses on specific Actions to be undertaken over the next four years. The CBP is integrated with the Shire's Long-Term Financial, Organisation Activity, Asset Management and Workforce Plans.

The first year of the CBP, covering the 2023/24 budget year, is consistent with and reflects the Shire of Gingin's adopted budget (adopted by Council on 17 August 2023).

Regulation 19DA of the *Local Government (Administration) Regulations 1996* specifies that the Shire must meet the following CBP requirements:

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*



- (3) *A corporate business plan for a district is to –*
- (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
  - (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
  - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.*
- \*Absolute majority required.*
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

The draft CBP 2023-2027 is attached for Council's consideration (**Appendix 12.8.1**).

#### **COMMENT**

The draft CBP 2023-2027 has been prepared to inform of activities to meet the Aspirations from the Shire's SCP 2022-2032. The adoption of future CBPs will be presented under the strategic direction of the SCP 2024-2034 which is currently under review.

In essence the draft CBP 2023-2027:

- Translates the SCP into projects/programs/services;
- Provides a link to existing service delivery (regulated/legislated activity);
- In the first year, includes the current year budget;
- Aligns to the Long-Term Financial Plan/Organisation Activity Plan; and



- Aligns with the priorities/recommendations set out in the Asset Management and Workforce Plans.

Activities identified in the CBP may be subject to approved grant funding, and activity details for fiscal years beyond the 2023/24 budget are subject to change.

#### **STATUTORY/LOCAL LAW IMPLICATIONS**

*Local Government Act 1995*

Part 5 – Administration

Division 5 – Annual reports and planning

Section 5.56 – Planning for the future

*Local Government (Administration) Regulations 1996*

Part 5 – Annual reports and planning

Division 3 – Planning for the future

Regulation 19DA – Corporate business plans, requirements for (Act s. 5.56)

#### **POLICY IMPLICATIONS**

Nil

#### **BUDGET IMPLICATIONS**

The CBP supports and is integrated with the Shire's Long-Term Financial Plan/Organisation Activity Plan and Annual Budget process. Ongoing reviews of the Long-Term Financial Plan/Organisation Activity Plan impact projected projects and programs within the CBP and as such amendments will be made to the CBP at the yearly review.

#### **STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

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

**VOTING REQUIREMENTS - ABSOLUTE MAJORITY**

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION**

**MOVED:** Councillor Sorensen

**SECONDED:** Councillor Woods

That Council adopt the draft Corporate Business Plan 2023-2027, as shown at Appendix 12.8.1, in accordance with s. 5.56 of the *Local Government Act 1995* and r. 19DA of the *Local Government (Administration) Regulations 1996*.

**CARRIED BY ABSOLUTE MAJORITY  
7 / 0**

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

**AGAINST:** *Nil*



# Corporate Business Plan

2023 - 2027



# Contents

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About the Corporate Business Plan 2023-2027	5
Shire of Gingin's Role	6
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## About the Shire of Gingin

### VISION

“We are a welcoming and progressive community that celebrates its diversity and unique rural and coastal environment.”

Home to one of WA's oldest towns, several historic shipwrecks, numerous popular coastal tourist destinations, and a thriving agricultural industry, the Shire of Gingin is located on the northern doorstep to the Perth metropolitan area and is one of the State's fastest growing country local governments.

The Shire encompasses an area of 3,223km<sup>2</sup> and is home to a population of approximately 5,700 residents. In recent years the Shire has experienced considerable population growth and it is forecast to continue growing, with numbers expected to reach 6,600 by 2025 and 7,900 by 2031. There are five townships within the Shire: Gingin, Guilderton, Lancelin, Ledge Point, and Seabird, and several substantial rural residential estates.

Geographically, the Shire stretches from the coastline across the flat sandy soils of the Swan Coastal Plain in the west to the hinterland and foothills of the Darling Scarp in the east. It also embraces the lower reaches of Moore River together with a system of freshwater lakes, streams and swamps, and the watercourse of the Gingin Brook.

Agriculture is the Shire's primary economic contributor. It accounts for 42% of local businesses and some 137,145 hectares of land. The Shire is continuing to widen its focus from traditional broad acre farming to intensive horticulture enterprises given ongoing peri-urban growth and associated pressures on market gardening and diversification.

Local industries within the Shire include cattle and sheep grazing, apiaries, irrigated horticulture, viticulture, olive groves, aquaculture, piggeries, poultry farms, wineries, abattoirs, feedlots and crayfishing.

In addition to rural industries, the Shire's economy is also based around tourism with coastal areas consistently experiencing large influxes of people during weekends and holiday periods.

With its wide-open spaces, beautiful coastline, river systems, and passionate communities, the Shire of Gingin has much to offer and is an exceptional place to live and visit.







## Our Strategic Direction

The Shire of Gingin's Strategic Community Plan 2022-2032, adopted by Council in March 2022, is the apex strategic planning document that describes the community's vision and aspirational goals. The aspirations and objectives of the Strategic Community Plan (SCP) are framed from community sentiment and other informing documents and services that Council must consider when planning for the future.

This is the final year that this version of the SCP will be used to prioritise projects and service activity of the Shire Administration. A minor review of the SCP is being undertaken in 2024 and will inform the projects delivered in the 2024/25 and 2025/26 financial years until until a major review is undertaken in approximately 2026.

## ASPIRATIONAL OBJECTIVES

### ASPIRATION 1 - ATTRACTIONS & ECONOMY

#### **Objective - Actively Pursue Tourism and Economic Development**

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

### ASPIRATION 2 - CONNECTIONS & WELLBEING

#### **Objective - Grow and Nurture Community Connectedness and Wellbeing**

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

### ASPIRATION 3 - PLANNING & SUSTAINABILITY

#### **Objective - Plan for Future Generations**

Climate Change and Adaptation	Energy Alternatives
Planning and Land Use	Community Engagement
Sustainable Waste Solutions	Preservation and Management of Endangered Habitats and Coastal Reserves

### ASPIRATION 4 - EXCELLENCE & ACCOUNTABILITY

#### **Objective - Deliver Quality Leadership and Business Expertise**

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

# About the Corporate Business Plan



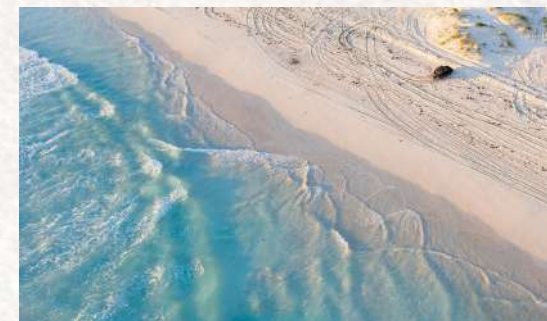
The Corporate Business Plan (CBP) is a four-year plan reviewed annually and is an element of the Integrated Planning and Reporting framework. The CBP brings together the Shire's Long-Term Financial, Asset and Workforce Plans, and regulated services into a four-year action plan to deliver on the SCP's aspirations and objectives, with the first year of the SCP being the current financial year.

The purpose of the CBP is to activate short to medium term activities for the current financial year and the following three years. The projects, services and programs support the Vision and Aspirational Objectives of the SCP. Reporting on activities within the current financial year of the CBP is undertaken on a quarterly basis to Council and annually via the Annual Report.

Specific actions under each Aspirational Area are identified within the CBP to meet the SCP's objectives.

Service activities or programs in the CBP form a large part of the Shire's regular service delivery and are funded from the Shire's Operational Budget.

A capital project generally relates to asset improvement or development and may be subject to funding from an external partner such as State or Federal Governments to progress.





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# Shire of Gingin's Role

The Shire is committed to working towards the SCP's Aspirations and Strategic Objectives. To do this there are seven roles that could be undertaken for a specific outcome. If, for example, the Shire has a legal responsibility to undertake the building permit approval process, this activity would fit under "Regulator" whereby the Shire has statutory responsibility and directs these activities as required.

If the activity is providing grant funding to a community organisation (via the community grants process), then the role is that of "Funder". There are many instances where the Shire's level of influence is limited, in these cases the Shire takes on an "Advocator" role to decision-making entities such as State and Federal Government.

There are also many cases where the Shire takes on the role of "Facilitator", bringing entities together to secure community outcomes.

## Regulator



Has statutory responsibilities and directs these activities as required.

## Monitor



Gathers information and checks on progress.

## Facilitator



Encourages others to be involved in activities that enhance the quality of life in the Shire of Gingin.

## Advocator



Promotes the aspirations of the Shire to other decision-making organisations such as State and Federal Governments.

## Funder



Provides grants to community organisations.

## Partner



Works collaboratively with others to deliver programs and services.

## Provider



Responsible for direct service delivery.

## APPENDIX 12.6.1

The Shire operates with four distinct divisions that are not mutually exclusive to each other. Each division has a role to play in the delivery of services to the Shire's communities, with governance nuances from each providing robust customer service.

It is the Shire's responsibility to monitor and mitigate any potential risk to the organisation, including, but not limited to financial and reputational risk. The Shire has processes, policies and procedures in place to mitigate the possibilities of risk to the organisation, which ultimately is defined as not delivering the SCP's objectives to the community.





# Shire Organisational Structure

## Office of the Chief Executive

- Chief Executive Officer and Management
- Human Resources
- Integrated and Corporate Planning and Reporting
- Communications and Marketing
- Emergency Services Planning and Management
- Council Meetings Agenda and Minute Preparation
- CEO Administration and Financial Management
- Commercial Leases
- Tourism and Economic Development
- Coastal Management Projects
- Local Law and Policy Development
- Cemetery Services

## Operations & Assets

- Executive Management Operations and Assets
- Road Works
- Environmental/Coastal Maintenance
- Council Items and Reporting
- Shire Facilities' Cleaning
- Shire Event Support
- Asset and Infrastructure Management
- Infrastructure Planning
- Tenders and Contractual Agreements
- Civil Engineering
- Parks and Gardens
- Traffic Maintenance
- Project Management
- Operations Administration and Financial Management

## Regulatory & Development Services

- Executive Management R&D
- Building/Development Applications and Permits
- Ranger Services
- Environmental Health Services
- Compliance
- Council Items and Reporting
- Local Planning Strategy and Schemes
- Waste Services
- R&D Administration and Financial Management
- Local Public Health Plan

## Corporate & Community Services

- Executive Management C&CS
- Annual Budget and Rates
- Long Term Financial Plan
- Accounts and Invoicing
- Information Technology
- Events - Planning/Approvals
- C&CS Administration and Financial Management
- Customer Services
- Records Management
- Council Items and Reporting
- Department of Transport Licencing Agency
- Concept Enquiries
- Library Services
- Community Development and Project Management
- Shire Community Grants Funding and Reporting
- Aquatic Centre
- Non-commercial Leasing
- Recovery Coordination
- Payroll

## **ASPIRATION 1 - ATTRACTIONS & ECONOMY**

### ***Objective - Actively Pursue Tourism and Economic Development***

#### ***Plans and Frameworks***

- Operational Plans
- Health Plan
- Age Friendly Plan
- Youth Strategy
- Regional Growth Alliance Northern Growth Corridor - Infrastructure Priority Report (not completed)
- Asset Management Plans
- Trails Master Plan
- Legislation/Regulation



<b><i>Services</i></b>	<b><i>Sub-Service</i></b>
<b>Building/Planning/Environmental Health</b>	Building/Planning Permits and Approvals
	Environmental Health
	Strategic/Statutory Planning
<b>Environment</b>	Conservation and Environmental Management
<b>Tourism</b>	Community Resource Centres
	Parks/Reserves/Foreshores
	Roads/Paths/Trails
	Development and Tourism Infrastructure
	Marketing and Communications
	Caravan Parks
	Advocacy

Aspiration	Actions	Operational/ Capital Funding	Total Budget	External Funding Source	Delivery Year			
					23/24	24/25	25/26	26/27
1.1 Investment Attraction - foster relationships with key stakeholders to attract economic development initiatives that will contribute to the Shire’s economy.								
Gingin Community Resource Centre	Tourism initiatives to support local economic development.	Operational	\$10,000		✓	✓	✓	✓
Lancelin Community Resource Centre	Tourism initiatives to support local economic development.	Operational	\$10,000		✓	✓	✓	✓
1.2 Business Development - foster relationships with key stakeholders to support business development and job opportunity initiatives.								
Growing Youth Employment	Connecting key stakeholders and integrated solutions (traineeships, work experience, local stakeholders).	Operational			✓	✓	✓	✓
Guilderton Foreshore	Purchase of road reserve for shop expansion.	Capital	\$90,000		✓			
1.3 Food Bowl Sub-Region - support initiatives that value-add to the Shire’s position within the ‘food bowl’ region.								
Northern Growth Corridor Infrastructure Priority Report	This report has been commissioned to support the future growth and prosperity of the Northern Growth Corridor (NGC). The NGC has a range of economic opportunities from its existing agricultural strength through to tourism, resources, and energy.	Operational			✓	✓		
1.4 Infrastructure Investment - lobby State and Federal Government to establish infrastructure and development opportunities in the Shire.								
Granville Park	Electric vehicle charging station.	Capital	\$20,000			✓		
Granville Park Dam System	Replace walking bridges.	Capital	\$25,000		✓			
Guilderton Foreshore Development	Foreshore upgrade development.	Capital	\$50,000		✓	✓	✓	
Lancelin	Commence Stage 2 upgrades to skate and BMX park.	Capital	\$10,000		✓			
Ledge Point Marina	Actively seek political support and progress development.	Operational			✓	✓	✓	✓

Aspiration	Actions	Operational/ Capital Funding	Total Budget	External Funding Source	Delivery Year			
					23/24	24/25	25/26	26/27
(CONTINUED) 1.4 Infrastructure Investment - lobby State and Federal Government to establish infrastructure and development opportunities in our Shire.								
Ledge Point to Lancelin Road and Pathway	Actively seek political support and progress development.	Capital/ Operational	Unknown at this stage	Unknown at this stage	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Regional Investment	Attraction and marketing on behalf of the Shire including Regional Growth Alliance economic initiatives.	Operational			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Trail Development Gingin	Planning of Gingin Heritage Trail realign and upgrade.	Capital	\$10,000			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Trail Development Moore River	Planning of Moore River and Silver Creek trail upgrades.	Capital	\$10,000					<input checked="" type="checkbox"/>
1.5 Attractions and Events - host/support iconic community events and attractions that will entice residents and visitors throughout the year.								
Shire/Community Managed Community events	Plan, coordinate and support targeted “all ages” events to support community health and well-being (this also includes the community grants program).	Operational	\$111,127		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

## ASPIRATION 2 - CONNECTIONS & WELLBEING

**Objective - Grow and Nurture Community Connectedness and Wellbeing**

### Plans and Frameworks

- Local Emergency Management Arrangements
- Youth Strategy
- Age Friendly Plan
- Sustainable Club/Groups Plan
- Reconciliation Action Plan and Cultural Heritage Management Plan
- Local Health Plan
- Legislation/Regulation
- Waste Management Plan



Services	Sub-service
<b>Community Services</b>	Community Programs/Services
	Gingin Community Resource Centre - Library Services
	Marketing and Communications
	Shire Events
	Community Facilities
<b>Medical Service</b>	General Practitioner Support
	Advocacy
<b>Health</b>	Environmental Health
	Parks/Reserves/Trails
	Emergency Services
	Waste Services
<b>Senior Services</b>	Seniors' Units
	Seniors' Events/Programs
<b>Community Safety</b>	Emergency Services
	Ranger Services

Aspiration	Actions	Operational/ Capital Funding	Total Budget	External Funding Source	Delivery Year			
					23/24	24/25	25/26	26/27
2.1 Community Safety and Support - provide support and advocacy to residents and visitors so that they feel safe and secure at home and in the community.								
Continuous Telecommunications	Advocacy for continuous telecommunications access, especially during emergency situations.	Operational			☑	☑	☑	☑
Gingin Emergency Service Centre	Construction of shed.	Capital	\$40,187	\$40,187	☑			
Guilderton Foreshore	Installation of CCTV surveillance to monitor foreshore and infrastructure, c/fwd from 2022-23.	Capital	\$40,000		☑			
Local Emergency Services	Local emergency management planning, and management of local emergencies including fire mitigation.	Operational			☑	☑	☑	☑
Neighbourhood Watch	Contribution to Neighbourhood Watch program, and funding assistance grants.	Operational	\$1,000		☑	☑	☑	☑
Police Presence Guilderton	Required during peak holiday periods.	Operational	\$12,000		☑	☑	☑	☑
Ranger Services	Delivery of local Ranger services including management of off-road vehicle areas.	Operational			☑	☑	☑	☑
2.2 Community Housing - foster relationships with key stakeholders to provide community housing options for seniors.								
Address Accommodation Shortages	Pursue partnerships, advocate with housing providers, and seek opportunities for the delivery of community housing options (seniors) within the Shire.	Operational			☑	☑	☑	☑
Gingin ECO Lifestyle Village	Shire of Gingin to purchase properties, c/fwd from 2022-23.	Capital	\$477,000		☑			
Management of Shire Community/Social Housing	Manage existing community/social housing units in Lancelin and Gingin.	Operational			☑	☑	☑	☑

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Aspiration	Actions	Operational/ Capital Funding	Total Budget	External Funding Source	Delivery Year			
					23/24	24/25	25/26	26/27
2.3 Aging in Place and Health Care - foster relationships with key stakeholders to provide aging in place opportunities and appropriate health care in our communities.								
Assisted Transport Services/Community Cars	Support the on-road costs for the Gingin and Lancelin community cars (for access to health services).	Operational			✓	✓	✓	✓
Contribution to New Ambulances	Lancelin x 6 and Gingin x 2.	Operational	\$24,000		✓	✓	✓	✓
Lower Coastal Minibus	Community Grants Scheme contribution.	Operational	\$10,000		✓			
Medical Services	Improve medical and allied health services that are accessible throughout the Shire.	Operational			✓	✓	✓	✓
Protecting People’s Health	Protect the health and wellbeing of all who live, visit and work in the Shire through the effective application of State and local public health, food, waste, and environmental legislation.	Operational			✓	✓	✓	✓
Public Health Stakeholder Network - Healthy Aging	Aged Housing and Care Service Provision working group.	Operational			✓	✓	✓	✓
2.4 Youth Investment - Promote, and undertake activities that provide youth retention and capacity building in our communities.								
Student Council (Gingin District High School)	Shire supports Student Council through mentoring, use of Council Chambers, and meeting oversight.	Operational	\$1,300		✓	✓	✓	✓
YouthCARE School Chaplain Program (Gingin District High School)	Assistance with youth resilience, life skills, support, and development (Funding Assistance Scheme).	Operational	\$5,000		✓	✓	✓	✓
Youth-Managed Projects	This includes Youth Strategy review, youth events, and ongoing youth consultation.	Operational			✓	✓	✓	✓
School Program	Lancelin Primary School Camp (Funding Assistance Scheme).	Operational	\$2,000		✓	✓	✓	✓
Playground Shade Enhancement	Contribution to Gingin District High School P & C Association.	Operational	\$5,455		✓			

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Aspiration	Actions	Operational/ Capital Funding	Total Budget	External Funding Source	Delivery Year			
					23/24	24/25	25/26	26/27
2.5 Community Capacity Building - empower all ages to be culturally aware and involved in diverse community initiatives including volunteering, culture, and the arts.								
Community Grants Program	Supports a ‘place’ that is inclusive, vibrant, and connected, with a sense of pride.	Operational	\$61,145		✓	✓	✓	✓
Funding Assistance Scheme	For partnership projects/programs contributing to SCP outcomes (re-occurring projects/programs).	Operational	\$43,000		✓	✓	✓	✓
Volunteer Coordination	Develop a sustainable volunteer program to capitalise on community skills that can assist with identified community needs.	Operational			✓	✓	✓	✓
2.6 First Nation's Heritage and Inclusion - strengthen relationships which foster mutual respect and support in addition to cultural awareness.								
“Welcome to Country”	Shire to acknowledge the Traditional Owners, the Yued Nyoongar, past, present, and emerging at events.	Operational	\$3,500		✓	✓	✓	✓
NAIDOC Week event	Active participation and promotion each year.	Operational	\$2,000		✓	✓	✓	✓
Reconciliation Action Plan and Cultural Heritage Management Plan	Review of both plans.	Operational	\$3,500		✓			



ASPIRATION 3 - PLANNING & SUSTAINABILITY

Objective - Plan for Future Generations

Plans and Frameworks

- Coastal Hazard Risk Management (not completed)
- Coastal Management Strategy (not completed)
- West Australian Waste Strategy
- Local Waste Strategy
- Community and Stakeholder Engagement Policy
- Regulatory/Compliance
- Department Planning Policies
- Local Policies

Services	Sub-service
Planning and Building	Building/Planning Permits and Approvals
	Strategic/Statutory Planning
Waste	Waste Services
	Waste Facilities
Conservation and Environmental Management	Shire's Funding Assistance Scheme - Environmental Allocation
	Ranger Services
	Coastal Management Interventions



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**APPENDIX 12.6.1**

Aspiration	Actions	Operational/ Capital Funding	Total Budget	External Funding Source	Delivery Year			
					23/24	24/25	25/26	26/27
3.1 Climate Change and Adaptation - understand the impacts of climate change and identify actions to adapt and mitigate those impacts.								
CHRMAP and Inundation Study	Upgrade and integrate, c/fwd from 2022-23.	Operational	\$27,612	\$10,580	<input checked="" type="checkbox"/>			
Coastal Management Strategy	Develop and implement a coastal management strategy to protect and enhance our coast, c/fwd from 2022-23.	Operational	\$32,885	\$20,000	<input checked="" type="checkbox"/>			
3.2 Preservation and Management of Endangered Habitats and Coastal Reserves - sustainable policy/actions supporting preservation activities.								
Coastal Protection Works and Erosion Control	Sand renourishment at Grace Darling Park to Edward Island Point.	Capital	\$90,000	\$45,000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Environmental Allocation to Groups	Contribution from the Shire’s Financial Assistance Scheme.	Operational	\$22,210		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Seabird Erosion Project	Repairs to seawall and boat ramp.	Operational	\$48,158		<input checked="" type="checkbox"/>			
Water Allocation issues	Advocacy to DWER of water allocation challenges on behalf of key stakeholders.	Operational			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3.3 Planning and Land Use - plan the use of land to meet future requirements, incorporating economic development objectives and community amenity.								
Building/Planning Permits	Deliver key service areas of building and planning permits and approvals.	Operational			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Local Planning Policy	Undertake reviews.	Operational	\$43,950		<input checked="" type="checkbox"/>			
Local Planning Strategy/Scheme	Finalisation of Omnibus Scheme Amendment, c/fwd from 22/23.	Operational	\$27,561		<input checked="" type="checkbox"/>			
3.4 Community Engagement - facilitate community engagement for residents/ratepayers to provide input into shaping the future.								
Resident Perception Survey	Integrated Planning and Reporting, c/fwd from 22/23.	Operational			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
3.5 Sustainable Waste Solutions - incorporate opportunities that support responsible and sustainable disposal of waste.								
Waste Management Plan	Develop a strategic waste plan to set the future direction in providing best practice services and disposal facilities, stages 2 - 5, c/fwd from 22/23.	Operational	\$23,000		<input checked="" type="checkbox"/>			
Waste Management	Guidance in establishing landfill rehabilitation (contractor).	Operational	\$14,500		<input checked="" type="checkbox"/>			
Minimising Waste	Continue supporting and implementing the “7 R’s” programs and campaigns to reduce waste going to landfill.	Operational			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

ASPIRATION 4 - EXCELLENCE & ACCOUNTABILITY

Objective - Deliver Quality Leadership and Business Expertise

Plans and Frameworks

- Operation Asset Management Plans
- Legislation/Regulation
- Corporate Compliance Calendar
- Community and Stakeholder Engagement Policy
- Resident Perception Survey



Services	Sub-service
Community Assets	Community and Civic Buildings
	Sport and Recreation Facilities
	Gingin Cemetery
	Roads and Paths
	Drainage
	Furniture and Equipment
	Information Technology
Community Interaction	Marketing and Communications
	Customer Service
	Resident Perception Survey
Financial Planning	Integrated Planning and Reporting
	Corporate Services
Staff/Council	Human Resources
	Elected Members Services
	Governance

Aspiration	Actions	Operational/ Capital Funding	Total Budget	External Funding Source	Delivery Year			
					23/24	24/25	25/26	26/27
4.1 Management of Assets - maintain civic buildings, sporting facilities, public places, plant, road and cycle way/pathways based on asset management plans and identified priorities.								
Annual Road Program	Continue to undertake well planned maintenance/ renewal of Shire infrastructure (roads) that contributes to safe access and egress.	Capital	Capital Projects breakdown below		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Aurisch Road	Capital	\$344,508	LRCI Phase 4 \$278,000	<input checked="" type="checkbox"/>			
	Beermullah Road West drainage.	Capital	\$54,800		<input checked="" type="checkbox"/>			
	Coonabidgee Road.	Capital	\$323,436	R2R \$309,309	<input checked="" type="checkbox"/>			
	Todman Road	Capital	\$304,000	LRCI Phase 4 \$304,000	<input checked="" type="checkbox"/>			
	Wannamal Road South.	Capital	\$132,700	LRCI Phase 1 \$95,044	<input checked="" type="checkbox"/>			
	Wannamal Road West.	Capital	\$320,510	LRCI Phase 3 \$215,243	<input checked="" type="checkbox"/>			
	Mooliabeenee Road	Capital	\$1,376,000	RRG \$505,053	<input checked="" type="checkbox"/>			
	Weld Street bridge.	Capital	\$1,682,061	R2R \$1,332,000 & FAGS \$350,061	<input checked="" type="checkbox"/>			
Drainage Construction	Renewal of drainage infrastructure portion, c/fwd from 22/23.	Capital	\$30,000		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Bus Shelters	Replacement program.	Capital				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Delivery of pathways	Continue to provide walkable neighbourhoods through implementation of the Shire’s ‘10 Year Pathway Program’, (extensive pathways undertaken in 22/23).	Capital				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Aspiration	Actions	Operational/ Capital Funding	Total Budget	External Funding Source	Delivery Year			
					23/24	24/25	25/26	26/27
(CONTINUED) 4.1 Management of Assets - maintain civic buildings, sporting facilities, public places, plant, road and cycle way/pathways based on asset management plans and identified priorities.								
Asset Maintenance Planning/ Accessible Infrastructure	Continue to undertake well planned maintenance/ renewal of community infrastructure that contributes to safe access for all.	Capital	Project breakdown below		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4 Fewster Street, Gingin	Remove asbestos fence, and replace with colourbond, install single block height retaining wall	Capital	\$20,000		<input checked="" type="checkbox"/>			
57 Lefroy Street, Gingin	Gutters and fascia replacement, gyprock internal, and new blinds.	Capital	\$40,000		<input checked="" type="checkbox"/>			
Constable Street Park Gingin	Remove plants and paving, remove old soil, and replace reticulation.	Capital	\$30,000		<input checked="" type="checkbox"/>			
Equestrian Centre (racecourse) and Scouts	Gravel upgrade to entrance track.	Capital	\$29,000		<input checked="" type="checkbox"/>			
Equestrian Centre (racecourse) and Scouts	Replacement of asbestos roof on the ablution block.	Capital	\$35,000		<input checked="" type="checkbox"/>			
Granville Civic Centre, Gingin	Switch board update throughout building, rust treatment, painting to steelwork, and repair brick pillar at front of the verandah.	Capital	\$80,000		<input checked="" type="checkbox"/>			
Gingin Aquatic Centre	Replace sand filter, c/fwd from 22/23.	Capital	\$18,000		<input checked="" type="checkbox"/>			
Gingin CWA Hall	Repair cracks to walls, paint internal walls and replace cement tile roof with colourbond.	Capital	\$90,000		<input checked="" type="checkbox"/>			
Gingin Depot	Extension to existing office and move air conditioner.	Capital	\$75,000		<input checked="" type="checkbox"/>			
Gingin Medical Centre	Replace floor coverings.	Capital	\$15,000		<input checked="" type="checkbox"/>			
Gingin Recreation Centre Relocation	Purchase land.	Capital	\$715,000		<input checked="" type="checkbox"/>			
Gingin Recreation Centre	Repair pillars, re-paint underside of verandah and railing replacement.	Capital	\$30,000		<input checked="" type="checkbox"/>			
Gingin Administration Centre Grounds	Landscaping of gardens.	Capital	\$20,000		<input checked="" type="checkbox"/>			

Aspiration	Actions	Operational/ Capital Funding	Total Budget	External Funding Source	Delivery Year			
					23/24	24/25	25/26	26/27
(CONTINUED) 4.1 Management of Assets - maintain civic buildings, sporting facilities, public places, plant, road and cycle way/pathways based on asset management plans and identified priorities.								
Gingin Administration Centre	Biomax extension, paint and re-sheet entrances, and office redevelopment design.	Capital	\$130,000		<input checked="" type="checkbox"/>			
Guilderton Caravan Park Chalets	Refurbish toilets, shower and laundry gutters, benches, urinals, and faucets.	Capital	\$40,000		<input checked="" type="checkbox"/>			
Guilderton Caravan Park Other Infrastructure	Replace gas cylinder, gas line and end of line control valve, clear gully traps, map and install sites 1 - 9 and replace bench seats in kitchen.	Capital	\$75,000		<input checked="" type="checkbox"/>			
Guilderton Caravan Park	Replace waste-water design and construction, c/fwd from 22/23.	Capital	\$300,000		<input checked="" type="checkbox"/>			
Guilderton Depot	Install sink, toilet and shower, and exterior extension, c/ fwd from 22/23.	Capital	\$30,000		<input checked="" type="checkbox"/>			
Guilderton Hall	Install new aircon (subject to insurance claim).	Capital	\$30,000		<input checked="" type="checkbox"/>			
Harold Park, Lancelin	Replacement of BBQs and replace power pole.	Capital	\$50,000		<input checked="" type="checkbox"/>			
Harold Park, Lancelin	Brickwork mortar repair of all walls (internal and external).	Capital	\$13,500		<input checked="" type="checkbox"/>			
Independent Living Units, Lancelin	Replace pex pipework to units, portion c/fwd from 22/23.	Capital	\$150,000		<input checked="" type="checkbox"/>			
Lancelin Playgroup	Replace hot water system.	Capital	\$10,000		<input checked="" type="checkbox"/>			
Lancelin Bowling Club	Community grant contribution towards synthetic bowling green.	Capital	\$88,542		<input checked="" type="checkbox"/>			
Lancelin Sporting Complex	Installation of disabled access ramp.	Capital						<input checked="" type="checkbox"/>
Lancelin Sporting Complex	Replace, upgrade and undergrounding of 415V, 3 phase power line, c/fwd from 22/23.	Capital	\$63,500		<input checked="" type="checkbox"/>			
Shire Depots	Raise roller doors at Lancelin and Ledge Point.	Capital	\$20,000		<input checked="" type="checkbox"/>			
De Burgh Street Ablution Block, Ledge Point	Asphalt carpark.	Capital	\$60,000		<input checked="" type="checkbox"/>			

**MINUTES  
ORDINARY COUNCIL MEETING  
21 MAY 2024**

**APPENDIX 12.6.1**

Aspiration	Actions	Operational/ Capital Funding	Total Budget	External Funding Source	Delivery Year			
					23/24	24/25	25/26	26/27
(CONTINUED) 4.1 Management of Assets - maintain civic buildings, sporting facilities, public places, plant, road and cycle way/pathways based on asset management plans and identified priorities.								
De Burgh Street Ablution Block, Ledge Point	Walls to be plastered and paint toilet doors.	Capital	\$30,000		☑			
Plant Replacement Program	Scheduled plant replacement, c/fwd \$546,883 from 22/23.	Capital	\$2,237,883		☑	☑	☑	☑
Seabird Frank Douglas Park	Playground and BBQ renewal.	Capital	\$15,000		☑			
4.2 Effective Governance - apply systems of compliance which assists Council to make informed decisions within a transparent, accountable, and principled environment.								
CEO's Review	Risk management, Internal control and legislative compliance.	Operational				☑		
Customer Service	Deliver key service areas in the Customer Service Charter.	Operational			☑	☑	☑	☑
Council Election	Election expenses.	Operational	\$32,727		☑		☑	
Employee Recognition Program	Employee recognition in staff/shire newsletter.	Operational			☑	☑	☑	☑
Human Resources	Deliver key service areas including recruitment processes to be inclusive/accessible.	Operational			☑	☑	☑	☑
LGIS Regional Risk Coordinator Program	Service plan.	Operational	\$14,638		☑	☑	☑	☑
Employee Satisfaction	Organisational Culture and Job Satisfaction Survey.	Operational				☑		
Code of Conduct	Review.	Operational				☑		
Disability Access & Inclusion Plan Report	Review.	Operational						☑
Local Health Plan	Annual review.	Operational			☑	☑	☑	☑
TRACK Leadership	Executive management team.	Operational			☑	☑	☑	☑
Training and Development	Elected member training (legislated requirement).	Operational			☑	☑	☑	☑

**MINUTES  
ORDINARY COUNCIL MEETING  
21 MAY 2024**

**APPENDIX 12.6.1**

MAY 2024

Aspiration	Actions	Operational/ Capital Funding	Total Budget	External Funding Source	Delivery Year			
					23/24	24/25	25/26	26/27
(CONTINUED) 4.2 Effective Governance - apply systems of compliance which assists Council to make informed decisions within a transparent, accountable, and principled environment.								
Training and Development	Staff training (personal development).	Operational			☑	☑	☑	☑
4.3 Information Sharing - targeted communications that provide clear messages and are cost effective.								
Targeted Communications	Seek opportunities to improve all aspects of Shire communication aimed at targeted groups.	Operational			☑	☑	☑	☑
4.4 Strategic and Sustainable Financial Planning - undertake long-term resource planning and allocation in accordance with the Integrated Planning and Reporting Framework.								
Asset Management Plan	Integrate updates into plan.	Operational			☑	☑	☑	☑
Corporate Business Plan and Quarterly Reporting	Annual review and upload to website/reporting process.	Operational			☑	☑	☑	☑
Population Forecast	Post Census (2021) population forecast (every 5 years).	Operational	\$15,000		☑			
Valuation Report Fair Values Land and Building	Pick up of building assets for RAMMS, and bridges revaluation.	Operational	\$103,500		☑			
Long-Term Financial Plan	Review.	Operational	\$10,000		☑	☑	☑	☑
Financial Management Systems	Review.	Operational						☑
Strategic Community Plan	2-year minor (23/24) and 4-year major (25/26) reviews.	Operational	\$5,500			☑		☑
Workforce Plan	Annual review.	Operational			☑	☑	☑	☑
Annual Audits	Commence preparation in March for interim audit in May and annual audit in mid-August. Prepare annual financial statement for preceding financial year to auditor by October.	Operational	\$37,800		☑	☑	☑	☑
4.5 Key Stakeholder Partnerships - foster applicable relationships and partnerships with key stakeholders to achieve outcomes.								
Northern Growth Alliance	Continue to work with the Alliance on upcoming initiatives/regional projects/LG support.	Operational			☑	☑	☑	☑



## 13 REPORTS - CORPORATE AND COMMUNITY SERVICES

### 13.1 CONCEPT ENQUIRY - LANCELIN COMMUNITY AND SPORTING COMPLEX - OVAL FENCING

File	CSV/14
Author	Les Crichton - Executive Manager Corporate & Community Services
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	1. Concept Enquiry - Lancelin Oval Boundary Fence & Dug Outs [13.1.1 - 13 pages]

#### DISCLOSURES OF INTEREST

*Councillor Balcombe disclosed an impartiality interest in Item 13.1 as she is a Board and Community Officer for Bendigo Bank where the Lancelin Football Club have submitted a grant application.*

*Councillor Kestel disclosed an impartiality interest in Item 13.1 as he is a Director of the Bendigo Bank and the Lancelin Football Club have applied for a grant from the Bendigo Bank.*

#### PURPOSE

For Council to consider a Concept Enquiry from the Lancelin Community and Sporting Club Inc. on behalf of the Lancelin Ledge Point Pirates for funding assistance to install a new boundary fence and dugouts at the Lancelin football oval.

#### BACKGROUND

As detailed in the attached Concept Enquiry (**see appendix**) received 3 May 2024, the Lancelin Ledge Point Football Club (LLPFC) is hosting the 2024 Central Midlands Coastal Football League Grand Final in August of this year.

In preparation for this event, representatives of the LLPFC and the Shire met onsite to discuss the Club's aspirations for this event, including upgrades to infrastructure supporting the facility as follows:

1. Additional oval maintenance – reticulation failures and surface thatching;
2. Upgrade to the stairway from the oval to the parking area;

3. Replacement of the playground equipment removed last year for safety reasons;
4. Leveling of the car park area;
5. Improved/widened vehicle access to the grounds;
6. Provision of spectator stands to the football oval and netball court;
7. Replacement of the current football oval dug outs; and
8. Installation of a boundary fence around the football oval.

A summary of progress on implementation of these initiatives is provided below.

#### Football Oval Surface

While work on this did not commence as early as anticipated, it has now been completed.

#### Oval Stairs

It was agreed at the meeting that the stairs posed significant safety concerns and that they should be removed. It was further agreed that given grassing of the bank was not achievable, replacing the stairs provided no benefit. The LLPFC has removed the stairs.

#### Replacement Playground Equipment

At its Ordinary Meeting held on 19 March 2024, Council approved a contribution of \$23,606 towards the \$35,409 cost to install new playground equipment at the site. This contribution is to be funded from the Lancelin Community Sport and Recreation Reserve (Tower Fund).

#### Leveling of the car park area/improved vehicle access

This is yet to commence, with a site inspection to be undertaken by the Shire's Operations staff.

#### Spectator Stands

As detailed in a deputation to Council's 16 April 2024 meeting, the LLPFC have decided to hire stands for the event.

#### Oval boundary fence and dug outs

These matters are the subject of this report.

### **COMMENT**

With the request for support in preparing of the Central Midlands Coastal Football final only received midway through the 2023/24 financial year, Council was unable to make provision within its 2023/24 Budget for a contribution. As such, any contribution will be unbudgeted and will require Council's approval by absolute majority, as was required when funding the replacement playground equipment.

Options to fund a contribution towards the installation of the boundary fencing and dug outs, should Council wish to support the request, are:

1. Use of Council Reserves

The reserve funds which are appropriate for this purpose include:

- a. Recreation Development Reserve (\$400,977.47) which is for the development of recreation facilities;
- b. Community Infrastructure Reserve (\$36,515.38) which is to assist in financing community facilities; and
- c. Lancelin Community Sport and Recreation Reserve (\$130,127.16) for developing building and other associated infrastructure at the Lancelin Community & Sporting Club and spent on request from the club and approval of Council.

2. Use of loans

The anticipated closing principal balance at the end of the 2023/24 year will be \$2,327,315, including one new loan approved for the 2023/24 year (Recreation Precinct loan \$747,000).

3. Use of unallocated closing surplus

The Budget Review adopted by Council at its meeting on 19 March 2024 revised the 2023/24 Budget to reflect amendments which maintained a closing surplus of \$0. Further over or underspends may arise between March and end of the year, which may provide opportunity to identify savings for reallocation to this project.

For a project identified with no certain prospect of completion by 30 June, this option is recommended as the most appropriate funding source, particularly given its funding source must be used within the current financial year.

In 2022/23 Council made a \$100,000 budget provision for the upgrade of the power supply to the Lancelin Sporting Complex following a work order issued by Western Power. Preliminary work has been undertaken, however the project has stalled as the design, approvals and installation are required to be carried out by Western Power. Current communications and deputations to the agency and its Minister to date have seen little progress to date in moving this forward.

Funding for this work is included in Council's Phase 3 Local Roads and Community Infrastructure Program (LRCI) approved by the (Australian) Department of Infrastructure, Transport, Regional Development, Communication, and the Arts (DITRDCA).

A strict condition on this funding is that it must be spent by 30 June 2024 as this program phase closes on that date. Discussions with the Department have confirmed no extensions will be provided.

It is proposed that the unspent portion of this LRCI funding (\$63,500) be reallocated to the Lancelin Oval fencing and dug out project as the work effectively shovel-ready, and the installation date of June 2024 meets the requirements of both the Club in having it installed at a time available by the contractor, and the LRCI Program funding conditions in being completed within the 2023/24 financial year. Approval for the reallocation has been submitted to the DITRDCA for its consideration.

While yet to be advised, it is anticipated a further phase (Phase 5) under the LRCI program will be announced within the next month or two, which may replace the funding source for the power upgrade once it recommences.

However, to ensure the work is funded should it recommence prior to any announcement, it is recommended Council make provision within the current budget to fund its completion through the Shire Recreation Development Reserve.

#### **STATUTORY/LOCAL LAW IMPLICATIONS**

*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**

Policy 3.17 – Asset Management

Shire of Gingin Upper Coastal Sporting Facilities Master Plan

#### **BUDGET IMPLICATIONS**

Should Council approve the granting of financial support to this request, an amendment to the 2023/24 Budget as set out in the table below is recommended.

GL/Project	Description	Current Budget	Revised Budget	(Surplus)/ Deficit
LRCI0004	LRCI Lancelin oval fencing	0	75,000	75,000
LRCI0003	LRCI Upgrade power supply Lancelin Sporting Complex	63,500	0	(63,500)

131103000	Recreation - Contribution	(38,542)	(50,042)	(11,500)
New project	Upgrade power supply Lancelin Sporting Complex	0	63,500	63,500
151101810	Transfer from Reserve - Recreation	(15,000)	(78,500)	(63,500)
<b>Change to Closing Surplus</b>				<b>0</b>

## STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

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

## VOTING REQUIREMENTS - ABSOLUTE MAJORITY

### COUNCIL RESOLUTION/OFFICER RECOMMENDATION

**MOVED:** Councillor Weeks

**SECONDED:** Councillor Balcombe

That Council agree to:

1. Contribute \$63,500 towards the purchase and installation of a boundary fence and dugouts at the Lancelin football oval, subject to:
  - a. Works being completed by 30 June 2024;
  - b. The Lancelin Community Sporting Club and its member clubs being responsible for the ongoing maintenance and replacement of the boundary fence and dugouts;
  - c. Prior to work commencing, the Shire's Operations and Assets Department being consulted with respect to the design to ensure adequate access to the grounds is maintained for oval maintenance purposes;, and
2. Amend the adopted 2023/24 Budget in accordance with the following table:



**MINUTES  
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GL/Project	Description	Current Budget	Revised Budget	(Surplus)/ Deficit
LRCI0004	LRCI Lancelin oval fencing	0	75,000	75,000
LRCI0003	LRCI Upgrade power supply Lancelin Sporting Complex	63,500	0	(63,500)
131103000	Recreation - Contribution	(38,542)	(50,042)	(11,500)
New project	Upgrade power supply Lancelin Sporting Complex	0	63,500	63,500
151101810	Transfer from Reserve - Recreation	(15,000)	(78,500)	(63,500)
Change to Closing Surplus				0

**CARRIED BY ABSOLUTE MAJORITY  
7 / 0**

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

**AGAINST:** *Nil*

# COMMUNITY PROJECTS FOR SHIRE LANDS & ASSETS

## CONCEPT ENQUIRY

### PRIOR TO COMPLETING THIS FORM

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

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

### CONCEPT ENQUIRY

<b>Project Title</b>	<i>Community Sporting Oval boundary fence and Football Dugouts</i>
----------------------	--

#### CONTACT DETAILS

<b>Contact Person (Applicant)</b>	Norm Skoglund
<b>Committee Role</b> (if applicable) Applicant must be Chair/ President; Vice; Secretary or Treasurer	President
<b>Committee Organisation</b> (if applicable)	Lancelin Community Sporting Club Inc
<b>Postal Address</b>	PO BOX 188 Lancelin WA 6044
<b>Contact Number</b>	0408 954 660
<b>Email</b>	<a href="mailto:normskoglund@gmail.com">normskoglund@gmail.com</a>

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

- What is the proposed project?**  
*Provide specific detail.*

# COMMUNITY PROJECTS FOR SHIRE LANDS & ASSETS

## CONCEPT ENQUIRY

The Lancelin and Ledge Point Football Club is to host the 2024 Central Midlands Coastal Football League Grand Final in August of this year. Whilst being a big responsibility, it is also a fantastic chance to upgrade and show off our facilities. One major priority is to clearly delineate the oval area, from spectators and areas for parking vehicles. The current fence is misshapen and incomplete. The LLFC held meetings last year with and between members, committee members, stakeholders, sponsor representatives, and CMCFL officials, to brainstorm how to best organise and prioritise our needs for Grand Final Day. This culminated in a walk through with Gingin Shire representatives, Les Crichton, Rob Kestel, & Amy Gibbs in December 2023. All parties were agreed that the boundary fence was essential. We then sourced quotes and drew up a concept plan. This included renewing the home and visitors dugout and the weather has deteriorated our current dug out facilities. The new dugouts will be constructed using fridge panelling sides, with a concrete slab base just like our current time keeping box. The fridge paneling will withstand our harsh climate and will provide insulated protection for our players in all weather conditions. Please see Concept plan and photos attached.

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

As stated above the CMCFL Grand Final is to be played on the Sporting Complex oval on 31st August 2024. This game is expected to draw a crowd over 2000 people and will be live-streamed Australia wide. Having our facilities on show means a uniform, safe fence will be not only pleasing to the eye, as well as allowing us to display sponsor signage and promote local businesses, it will increase the safety of spectators, particularly children. We are very proud of our football club, and are celebrating our 30th anniversary this year, and highlighting our first Grand Final victory in 2014. Local volunteers have put in an extraordinary amount of blood, sweat, and tears into our club, and they deserve to see it at its best when the eyes of the whole league is on us this year.

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

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

When it came to preparing for the Grand Final in August there were many big ideas thrown around, like grandstands and tiering of grass banks etc, but we kept our plans realistic and feel that the fence is the one important item that will allow us to shape our day around it. Our sponsors are the people whose donations see us able to function as a successful club, and we feel that they should be a priority to get good exposure, via signage, on this important day. A successful grand final could go a long way to setting us up financially in the next few years, allowing us to self fund some other improvements we would like to see, including the upper coastal sporting facilities plans.



# COMMUNITY PROJECTS FOR SHIRE LANDS & ASSETS

## CONCEPT ENQUIRY

### 3. What are the expected cost for the proposed project?

*Provide quotes and project budget where possible.*

Quotes have been sourced to construct the fence (see attached pages)  
They range from \$77,000, to \$65,000. We are aware this is a large figure but prices of galvanised steel posts have tripled in recent years and by getting three independent quotes we have realised this is the cost.  
Timber was an initial material we looked to use for the boundary fencing but due to our harsh coastal environment and timber shortages, this was quickly removed as an option.  
We have managed to source accommodation and food, as well as experienced volunteers, which have enabled us to get a quote as low as \$65,650.

Materials for the Home and away dugouts are being provided as in kind donations from sponsors with work carried out by volunteers with a trade.

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

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

We are hoping the Shire will provide us with \$25,000  
We have applied to Bendigo Bank for \$25,000  
And we hope to make up the rest with support from Tronox and other sponsors.  
The dugout materials needed have been supplied by sponsors and will not contribute to the cost of the project.



# COMMUNITY PROJECTS FOR SHIRE LANDS & ASSETS

## CONCEPT ENQUIRY

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

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

The Lancelin Ledge Point Football Club will be responsible for any ongoing costs, maintenance costs.

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

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

We have provided the concept plan design. This was also provided via a thumb drive at our delegation to the Shire meeting on 16th April 2024. Quotes are attached.

### SEND THIS COMPLETED FORM TO:

**Post:**

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

**Email:**

[mail@gingin.wa.gov.au](mailto:mail@gingin.wa.gov.au)  
Subject Line: 'Concept Enquiry' for Project













## Lancelin Ledge Point Pirates Football Club

### Legend for Proposed Upgrades 2024 Season & Grand Final

---

1

#### Car park -

- Needs work to ensure safety
  - Surface/Compact/Create some order
  - Spectators and Player will be walking between football oval and Netball Courts. Safety is a concern
  - Signage to warn drivers
  - For GF Day this area will be designated to officials, Special guests and volunteers only. Possibly use passes to enter
  - GF Parking solutions - Complex car park at the top of the hill. Golf Club have offered to let spectators park on the driving range
- 

2

#### Playground -

- Old Playground removed in 2023 as per Shire instruction due to its condition and evaluations deeming it condemned
  - Pirates have accessed LCSC Tower fund for a replacement playground (Playground total cost \$35,409, Would like to access \$23,606)
  - Installation of new playground will encourage children to stop playing on the Bowling greens and golf courses - End April
  - Ring lock around the playground fencing needs to be replaced
- 

3

#### Boundary Fencing -

- Replace 15 + Year old copper logs with Galvanized round capped steel fencing 2 quotes attached
- Boundary fencing on the west of the oval will have sponsors signage fixed to it and will section the football oval off from the drop off down to the golf course
- Boundary fencing to the East of the Oval (on top of hill) will prevent cars driving over edge
- Cervantes had their boundary fencing replaced by the Dandaragan Shire in 2021, with the shire providing the materials and the football club providing the labor. (Please see reference below)





**4**

### **Home & Away Dug Out -**

- Maintenance to help support to help foundations of away Dug out
- Wind has blown sand from behind dugout away
- Gold Course side needs filling and compacting, with maintenance complete to prevent this happening again.
- Wanting to replicate our Time keeping box for both dug outs (See photo below for reference.
- Concrete base - labour in kind donation, Club to pay for materials
- Fridge Paneling sides and roof with roof having a slight incline for run off. (Fridge Paneling sourced by a sponsors at a reduced price - club to finance)
- We feel this is the best option to withstand our climate and provide protection to players



**5**

### **Entrance and driveway -**

- Widen entrance and driveway to accommodate 2 way traffic
- With potentially over 2000 attendees at our 2024 Grand final this will be a big issue for cars entering the grounds
- Surface of driveway - Can we bitumise or provide a more durable surface as every winter after downpours, bit ruts form from the rain running down the hill.

**6**

### **Earthworks and tree removal -**

- Remove or reduce large trees that divide the entrance/driveway from the top of hill car parking to make the car park larger.

**7**

### **Hill Staircase -**

- Old staircase was highlighted as a hazard in 2023 season and roped off
- Staircase was removed a month ago and will not be replaced



### **Oval Condition & retic -**

- Currently the reticulation stations as marked on map, run the sprinklers as marked on the oval and the reticulation around the bar and change room area.
- This is already too many sprinklers on one station as the pressure doesn't reach the bar/change room sprinklers sufficiently.
- Oval Spongey - Discussions with shire to vertimow in June when byes and away games line up to ensure oval is pristine for Grand Final



### **Grand Final Additional Plans -**

- 2x Portable Grand Stands booked - 1 for Netball, 1 for hill. Installed and delivered by company.
- LLFC has offered LCSC sporting clubs first option to help out with jobs on GF day with those clubs receiving a financial donation. eg. Parking co-ordination, Bar, Burger station etc.
- Other clubs provided inflatables for children on Grand final days, we don't have the space so have booked face painters and will be looking at other kids entertainment that wont take up space



### **Licensed Areas and bar locations**

- Refrigerated can bar donated from Container refrigeration placed on opposite side of licensed area to ease pressure on bar

### **Grand Final Information -**

- Last 3 CMCFL Grand Finals were within the Dandaragan Shire with them Funding a lot of the ground work needed at the ovals.
- Attendance for those grand finals were -
  - Cervantes (2021) - 1800
  - Dandaragan (2022) - 1700
  - Jurien Bay (2023) - 2100
- All 3 Clubs reported that accommodation in their towns and its surrounds were booked out for the weekend and local businesses profited significantly
- With Lancelin being in close proximity to Perth, CMCFL has advised that the 2024 GF should be considerably higher than the other clubs in attendance numbers.
- Other Clubs commented on the buzz and increased sense of community within their towns with all community groups working together to make the weekend happen.
- Having a Home GF will put LLFC in a good financial position contribute their portion of funding needed for Upper Coastal Sporting facility Upgrades.



**MINUTES  
ORDINARY COUNCIL MEETING  
21 MAY 2024**

**APPENDIX 13.1.1**



ABN 46 150 064 163

PO Box 1223, Canning Bridge WA 6153

P 0433 129 934 |

E michael@jackofall.com.au

W www.jackofall.com.au

**Quote**

00005381

Bill To:

Lancelin/Ledge Point Football Club  
Lancelin Sporting Complex  
Lancelin WA

SALESPERSON: Michael

CUSTOMER PO#:

DATE: 6/04/2024

PAGE: Page 1 of 1

Phone: 0417965555 John

QTY/ UNITS	DESCRIPTION	INC AMOUNT
650	Supply & Install 650 metres of Galvanised tube barricade fencing around football oval and set area of carpark, 900 mm high twin rail, Posts to be 40 mm XLG PIPE , RAILS 32MM XLG PIPE (2.4 METRE SPANS APPROX) , Footings 350mm round x 600 mm deep , 40kgs Concrete per post. All fittings to be galvanised @ \$116 per metre	\$75,400.00
1	Note: quote includes delivery of all materials , installation of 650 metres of Fencing including 4 sections where galvanised chain access points are ( widths to be advised) includes Dingo and Auger Hire and site cleanup after install ( all residual soil and sand would be spread out onsite NOT ON OVAL)	\$116.00
	FENCE LINE IS TO BE FULLY CLEARED AND LINE MARKED BY CLIENT PROIR TO INSTALL	
1	NOTE: If as mentioned a Dingo with 350 mm auger is supplied by the client for "US TO OPERATE" for a period of 5-7 days the hire cost \$1500 would be removed from quote	
1	PLEASE NOTE: 30% DEPOSIT IS REQUIRED ON INVOICE IF QUOTE ACCEPTED TO PRE ORDER MATERIALS, START DATE FOR WORKS WOULD BE MONDAY 24TH JUNE AND TAKE APPROXIMATLEY 5-7 DAYS TO COMPLETE WORKS (DEPENDANT ON MATERIALS AVAILABILITY)	

Payment is due  
upon completion  
of service.

SALE AMT. \$68,650.91  
GST \$6,865.09  
TOTAL AMT. \$75,516.00  
PAID TODAY \$0.00  
BALANCE \$75,516.00

Payment Details:		Cash <input type="checkbox"/>	Cheque <input type="checkbox"/>	Direct Debit <input type="checkbox"/>
Name:	Lancelin/Ledge Point Football Club	Amount Paid:	\$75,516.00	Date:
Direct Debit can be made to: <b>JACK OF ALL FENCING PTY LTD</b>				
BSB	063-010	Account #	11974993	Please quote invoice# 00005381
Client Signature:		Contractor Signature:		

**MINUTES  
ORDINARY COUNCIL MEETING  
21 MAY 2024**

**APPENDIX 13.1.1**



ABN 46 150 064 163

PO Box 1223, Canning Bridge WA 6153

**P** 0433 129 934 |

**E** michael@jackofall.com.au

**W** www.jackofall.com.au

**Quote**

00005381

Bill To:

Lancelin/Ledge Point Football Club  
Lancelin Sporting Complex  
Lancelin WA

**SALESPERSON:** Michael

**CUSTOMER PO#:**

**DATE:** 22/04/2024

**PAGE:** Page 1 of 1

**Phone:** 0417965555 John

QTY/ UNITS	DESCRIPTION	INC AMOUNT
650	Supply & Install 650 metres of Galvanised tube barricade fencing around football oval and set area of carpark, 900 mm high twin rail, Posts to be 40 mm XLG PIPE , RAILS 32MM XLG PIPE (2.4 METRE SPANS APPROX) , Footings 350mm round x 600 mm deep , 40kgs Concrete per post. All fittings to be galvanised @ \$116 per metre	\$65,650.00
1	Note: quote includes delivery of all materials , installation of 650 metres of Fencing including 4 sections where galvanised chain access points are ( widths to be advised) includes Dingo and Auger Hire and site cleanup after install ( all residual soil and sand would be spread out onsite NOT ON OVAL)  FENCE LINE IS TO BE FULLY CLEARED AND LINE MARKED BY CLIENT PROIR TO INSTALL	
1	PLEASE NOTE: 30% DEPOSIT IS REQUIRED ON INVOICE IF QUOTE ACCEPTED TO PRE ORDER MATERIALS, START DATE FOR WORKS WOULD BE MONDAY 24TH JUNE AND TAKE APPROXIMATLEY 5-7 DAYS TO COMPLETE WORKS (DEPENDANT ON MATERIALS AVAILABILITY)	
1	Accommodation and Machinery now provided by Club members I have discounted my quote	

**Payment is due  
upon completion  
of service.**

SALE AMT. \$59,681.82  
GST \$5,968.18  
TOTAL AMT. \$65,650.00  
PAID TODAY \$0.00  
BALANCE \$65,650.00

Payment Details:		Cash <input type="checkbox"/>	Cheque <input type="checkbox"/>	Direct Debit <input type="checkbox"/>
Name:	Lancelin/Ledge Point Football Club	Amount Paid:	\$65,650.00	Date:
Direct Debit can be made to: <b>JACK OF ALL FENCING PTY LTD</b>				
BSB	063-010	Account #	11974993	Please quote invoice#
		00005381		
Client Signature:		Contractor Signature:		

**MINUTES  
ORDINARY COUNCIL MEETING  
21 MAY 2024**

**APPENDIX 13.1.1**

**COBBO'S CONSTRUCTION**

IF U CAN'T GET IT UP WE WILL

DATE	Wednesday, 27 March 2024		
TO	Lancelin/Ledge Point Football Club		
ADDRESS			
Lancelin W.A. 6044			
PO			
Quotation			
QUANTITY	COST EACH	TOTAL	
100.00	\$71.87	\$7,187.00	
270.00	\$27.33	\$7,379.10	
270.00	\$20.48	\$5,529.60	
100.00	\$7.59	\$759.00	
270.00	\$5.15	\$1,390.50	
270.00	\$7.18	\$1,938.60	
1200.00	\$10.55	\$12,660.00	
15.00	\$150.00	\$2,250.00	
2.00	\$943.50	\$1,887.00	
650	\$45	\$29,250.00	
		\$70,230.80	
		\$7,023.08	
		\$77,253.88	

## 13.2 COMMUNITY FUNDING PROGRAM 2023/24

File	GRA/20
Author	Olivia Forbes – Community Development Officer
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	20 December 2022 - Item 12.1
Appendices	Nil

### DISCLOSURES OF INTEREST

*Councillor Balcombe disclosed an impartiality interest in Item 13.2 as she is a Board and Community Officer for Bendigo Bank who has received funding applications.*

*Councillor Kestel disclosed an impartiality interest in Item 13.2 as he is a Director of the Bendigo Bank.*

### PURPOSE

To assess the 2024/25 Community Funding Program submissions for inclusion in the draft 2024/25 Municipal Budget.

### BACKGROUND

At its Ordinary Meeting on 20 December 2022, during the three-year review of the Community Funding Program (Item 12.3), Council resolved as follows:

1. *Commencing in the 2023/24 Budget, support:*
  - a. *an annual Community Projects Program (up to \$10,000) allocation of \$65,000 (ex GST);*
  - b. *an annual Public Liability Insurance Contributions allocation of \$5,000 with applications approved on a three-year basis, or a portion thereof;*
  - c. *an annual Budget Request Over \$10,000 allocation of \$30,000 (ex GST); and*
  - d. *an annual Funding Assistance Program allocation of \$61,000 (ex GST) with applications approved on a three-year basis, or portion thereof; and*
2. *Review the Community Funding Program and stream allocations on a three-yearly basis with the next review to be held in 2025.*

The Community Funding Program provides financial assistance to community groups and not-for-profit organisations to conduct projects or initiatives which support the aspirations of Council's *Strategic Community Plan 2022 – 2032*.

Table 1 details Community Funding allocated by Council in the last three years.

**Table 1.**

	Community Funding (Up to \$10,000)	Public Liability Insurance	Budget Request (Over \$10,000)	Funding Assistance Program
<b>2021/22</b>	\$51,096 (12 projects)	\$4,441 (12 projects)	\$62,000 (2 projects)	\$51,000 (7 projects)
<b>2022/23</b>	\$53,840 (18 projects)	\$4,706 (13 projects)	\$12,000 (1 project)	\$51,000 (7 projects)
<b>2023/24</b>	\$60,145 (22 projects)	\$4,688.77 (13 projects)	\$88,542 (1 project)	\$43,000 (8 projects)

The 2024/25 Community Funding program was open for applications from 1 February 2024 to 31 March 2024 and was promoted online, through local newspapers and in email correspondence with community groups. An online presentation guiding groups through the application process was already created and distributed, and community groups had the opportunity to contact the Community Services Team to discuss their grants.

## COMMENT

Overall, there were 40 Community Funding applications received, summarised in Table 2. This compares to 44 applications received last year, of which 38 were approved by Council for partial or full funding.

**Table 2.**

	Community Funding (Up to \$10,000)	Public Liability Insurance	Budget Request (Over \$10,000)	Funding Assistance Program
<b>Budget Allocation</b>	\$65,000 pa	\$5,000 pa	\$30,000 pa	\$61,000 pa
<b>Number of applications received</b>	17	13	2	8
<b>Total \$ value of requests (ex GST)</b>	\$93,866.36	\$6,500	\$45,792.37	\$43,000

The applications, in total, amount to \$189,158.73. This is less than the total monetary value of applications received in 2023/24 (\$196,375.77), but still amounts to \$28,159 above the agreed funding limits.



It is recommended that, due to PLI applications being approved for a three-year cycle, Council budget for a maximum rate of \$500 for all PLIs) to allow for increases in the groups' insurances. Once invoices are received, payments will be made for 50% of the invoice value to a maximum figure of \$500.

As applications can contain sensitive financial details, they have been circulated to Councillors separately (**refer Confidential Appendices**).

#### **STATUTORY/LOCAL LAW IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Policy 3.7 - Distribution of Funds to Community and Sporting Bodies through the Community Sporting and Recreation Facilities Fund.

#### **BUDGET IMPLICATIONS**

Council's determination will inform which projects are to be included in the 2024/25 draft Budget for Council consideration. As the applications exceed the amounts allocated by Council with the exception of the Funding Assistance Program, Council may consider partially funding some projects.

#### **STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

<b>Aspiration</b>	<ul style="list-style-type: none"> <li>1. Attractions &amp; Economy - Actively Pursue Tourism and Economic Development</li> <li>2. Connections &amp; Wellbeing - Grow and Nurture Community Connectedness and Wellbeing</li> <li>3. Planning &amp; Sustainability - Plan for Future Generations</li> <li>4. Excellence &amp; Accountability - Deliver Quality Leadership and Business Expertise</li> </ul>
<b>Strategic Objective</b>	<ul style="list-style-type: none"> <li>1.1 Investment Attraction - Foster relationships with key stakeholders to attract tourism/economic development initiatives that will contribute to the Shire's economy</li> <li>1.6 Attractions &amp; Events - Host/support iconic community events and attractions that will entice residents and visitors throughout the year</li> <li>2.1 Community Safety &amp; Support - Provide support and advocacy to residents and visitors so that they feel safe and secure at home and in the environment</li> </ul>

	<p>2.4 Youth Investment - Promote and undertake activities that provide youth retention and capacity building in our communities</p> <p>2.5 Community Capacity Building - Empower all ages to be culturally aware and involved in diverse community initiatives including volunteering, culture and the arts</p> <p>2.7 Accessibility - Ensure that the Shire's infrastructure and services are accessible to seniors and community members with a disability</p> <p>2.8 Services &amp; Facilities - Provide cost effective services and facilities which meet the needs of the community</p> <p>3.1 Climate Change &amp; Adaption - Understand the impacts of climate change and identify actions to adapt and mitigate those impacts</p> <p>3.2 Preservation &amp; Management of Endangered Habitat &amp; Coastal Reserves - Sustainable policy/actions supporting preservation activities</p> <p>4.1 Management of Assets - Maintain civic buildings, sporting facilities, public places, plant and road and cycleway/pathways based on asset management plans and identified priorities</p> <p>4.5 Key Stakeholder Partnerships - Foster applicable relationships and partnerships with key stakeholders to achieve outcomes</p>
--	--

## **VOTING REQUIREMENTS - SIMPLE MAJORITY**

### **OFFICER RECOMMENDATION**

That Council agree to include the Community Funding Program amounts as recommended in the Confidential Appendices for consideration in the draft 2024/25 Budget.

### **PROCEDURAL MOTION**

**MOVED:** Councillor Peczka      **SECONDED:** Councillor Woods

That discussion of the matter be deferred for discussion during Matters for Which Meeting is to be closed to the Public.

**CARRIED UNANIMOUSLY**  
**7 / 0**

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

**AGAINST:**      *Nil*

*Note: Further discussions in relation to this matter occurred during Section 19 Matters for Which Meeting is to be closed to the Public. See page 631.*

### **13.3 DIFFERENTIAL RATING 2024/25**

*Note: A number of corrections to the officer's report and recommendation as contained in the Agenda were flagged prior to Council considering this item. The amendments are noted throughout the report for information purposes.*

File	RAV/1
Author	Les Crichton - Executive Manager Corporate & Community Services
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	1. Statement of Objects and Reasons for Differential Rates 2024-25 [13.3.1 - 5 pages]

#### **DISCLOSURES OF INTEREST**

Nil

#### **PURPOSE**

To consider and adopt the Shire of Gingin's differential rating options for the 2024/25 financial year.

#### **BACKGROUND**

Local governments are empowered to impose differential general rates subject to compliance with Section 6.33 of the *Local Government Act 1995*.

The Shire of Gingin first introduced differential rating in the 2011/12 financial year and has continued to use this method of rating in each subsequent year.

Differential rating provides Council with flexibility in the level of rates being raised from specifically identified properties or groups of properties within the community. It is common for Councils to base differential rating for properties on Local Planning Scheme zonings; however other criteria such as land use may be used. Differential rating in the Shire of Gingin has, to date, been based on land use since 2011/12.

Council is required to give local public notice prior to imposing any differential general rates, or any minimum payment applying to a differential rate category, for a minimum of 21 days. Council does, however, have the discretion to vary the rate in the dollar and minimum rate during its budget deliberations without having to re-advertise the changes.



Before local public notice is given, proposed rates should be determined by Council, along with the objects and reasons providing justification for each differential general rate or minimum payment. It is important that these provide sufficient supporting information to electors and ratepayers, otherwise the local government may be asked to readvertise by the Minister for Local Government (the Minister).

A review of the Rating Strategy was undertaken in May 2022 following removal in 2021 of the concession provided to some UV Intensive/Mining properties. The reviewed Strategy was adopted in July 2022 following a 21 day public consultation period.

The Strategy then informed Council's 2022/23 Statement of Objects and Reasons for Differential Rates outlining the intent of Council's Rating Strategy.

The following table details the differential rates set for the previous year:

Differential Rates 2023/24			
Differential Rate Category	UV Rate in \$	Minimum Rate	Income
Rural & Other – UV (including exploration and prospecting tenements)	\$0.004848	\$1,444	\$2,336,494
Rural Intensive – UV (excluding exploration and prospecting tenements)	\$0.007376	\$2,461	\$1,007,394
Differential – Total Revenue			\$3,343,888

## COMMENT

Officers have prepared the following 2024/25 differential rating model for Council's consideration.

Differential Rates 2024/25			
Differential Rate Category	UV Rate in \$	Minimum Rate	Income
Rural & Other – UV (including exploration and prospecting tenements)	\$0.004444	\$1,588	\$2,632,318
Rural Intensive – UV (excluding exploration and prospecting tenements)	\$0.006818	\$2,707	\$1,063,150
Differential – Total Revenue			\$3,695,468

While the Statement of Objects and Reasons for Differential Rates (**see Appendices**) has been updated to reflect the 2024/25 proposed rating revenue, the intent remains largely unchanged following the 2022 Rating Strategy Review.

For the purpose of Budget discussions, the 2024/25 draft Budget rates modelling has been calculated using the General Valuation 1 August 2023 for rural assessments (UV) provided by Landgate Valuation Services. The total valuation of ~~\$666,389,600~~ \$667,518,555 is effective from 30 June 2023, and represents an average overall increase of ~~16.92%~~ 17.84%.

A general valuation of all non-rural properties (GRV) is undertaken by Landgate Valuation Services every 6 years. As the most recent general valuation was completed in 2022, a general valuation was not undertaken this year, resulting in a minimal increase to the 2022 GRV figure to \$62,734,806.

In line with Council practice, the “Rate in the Dollar” for UV – Rural and Other (including exploration and prospecting tenements) and UV Rural Intensive/Mining (excluding exploration and prospecting tenements) properties has been adjusted (factored back) to negate the impact of the increase as a result of the ~~2022~~ 2023 general valuation.

The minimums for the UV Rural and UV Intensive categories have been checked to ensure the number of minimum rated properties within each rating category is maintained under 50% as required under the *Local Government Act 1995*.

In the current economic climate including a 3.4% CPI increase March 2023 to March 2024, both UV and GRV rates in the dollar have been adjusted to achieve an overall increase in rate revenue of \$1,007,704 resulting in a total rate revenue of \$10,075,892 \$11,084,742 (10%) to fund required levels of operation and asset renewal.

## **STATUTORY/LOCAL LAW IMPLICATIONS**

*Local Government Act 1995*

Part 6 – Financial management Division 6 – Rates and service charges

Section 6.33 – Differential general rates

Section 6.36 – Local government to give notice of certain rates.

## **POLICY IMPLICATIONS**

Nil

## **BUDGET IMPLICATIONS**

Local public notice of proposed differential rates is required. It is anticipated advertising costs will amount to approximately \$1,000, which will be funded from the existing advertising budget.

## **STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

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

**VOTING REQUIREMENTS - SIMPLE MAJORITY**

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION**

**MOVED:** Councillor Peczka

**SECONDED:** Councillor Balcombe

**That Council:**

1. Adopt the following Differential Rates in the Dollar and minimum payments for Unimproved Value rated properties, subject to finalisation of the 2024/25 draft Budget and the establishment of the funding shortfall required from the imposition of rates on Unimproved Value rated properties:

Differential Rates 2024/25			
Differential Rate Category	UV Rate in \$	Minimum Rate	Income
Rural & Other – UV (including exploration and prospecting tenements)	\$0.004444	<del>\$1,5884</del> <u>\$1,588</u>	\$2,632,318
Rural Intensive – UV (excluding exploration and prospecting tenements)	\$0.006818	\$2,707	\$1,063,150
Differential – Total Revenue			\$3,695,468

and

2. In accordance with Section 6.36 of the *Local Government Act 1995*, advertise its intention to levy differential rates on Unimproved Value properties for the 2024/25 Budget, and the availability of the Shire of Gingin's 2024/25 Differential Rating Objects and Reasons.

**CARRIED  
6 / 1**

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

**AGAINST:** *Councillor Kestel*



## **Statement of Objects and Reasons** **for Differential Rates 2024/25**



## Introduction

For the purpose of determining rates each year, property valuations have been the standard basis for the calculation of rates, not only in Australia, but for many overseas countries as well. However, it is recognised that valuations alone do not always produce equitable results in all communities and therefore the *Local Government Act 1995* provides several options, such as differential and specified area rates, to assist in achieving the desired rating outcome.

The purpose of levying rates is to meet the Council's budget requirements each year in a manner that is deemed to be fair and equitable to the ratepayers of the community.

## Methods of Rating - Gross Rental Valuations and Unimproved Valuations

The *Local Government Act 1995* specifies that where land is used predominantly for rural purposes, the rate levied shall be based upon its unimproved value (UV); and where land is used predominantly for non-rural purposes, the rate levied shall be on its gross rental value (GRV). A change in valuation methodology for a property must be made by the Council to the Department of Local Government, Sports, and Cultural Industries. The Minister for Local Government must then approve a change of valuation methodology for a property, based on the recommendation by the Department.

In accordance with the *Local Government Act 1995* the Shire of Gingin uses a combination of Gross Rental Valuations (GRV) and Unimproved Valuations (UV) in the calculation of annual rates. Properties assigned a UV are revalued every year with properties assigned a GRV being revalued every six years by the Valuer General (Landgate).

Interim valuations are issued to Council by Landgate for properties where changes have occurred as a result of subdivisions, building construction/demolition, additions and/or property rezoning. In such instances Council must amend the rates for the properties concerned and issue an amended rate notice to the property owner.

## Applicable Valuations

The valuations to be applied this coming year for UV properties, by comparison to last year, are shown below:

Category	Valuation Type	Current	Future	Count	Variance	% Change
Rural and Other - UV	UV	445,923,934	531,379,129	876	85,455,195	19.16%
Rural Intensive/ Mining - UV	UV	120,510,885	136,139,426	249	15,628,541	12.97%
Total UV		566,434,819	667,518,555	1,125	101,083,736	17.84%

## Differential Rating

Differential rating allows Council flexibility in the level of rates being raised from specifically identified properties or groups of properties within the community. It is common for Councils to base differential rating for properties on Town Planning Scheme zonings however other criteria such as land use may be used.

The aim of the Shire of Gingin is to ensure that rate revenue is collected on an equitable basis from all properties. For this reason the Council has proposed to adopt differential rates for the 2024/25 financial year.

Section 6.33 of the *Local Government Act 1995* makes provision for the Shire to be able to levy differentials based on a number of criteria:

- (1) *A local government may impose differential general rates according to any, or a combination, of the following characteristics –*
- (a) *the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the Planning and Development Act 2005; or*
  - (b) *a purpose for which the land is held or used as determined by the local government; or*
  - (c) *whether or not the land is vacant land; or*
  - (d) *any other characteristic or combination of characteristics prescribed.*

Section 6.33 of the *Local Government Act 1995* also permits Council to levy differentials such that the highest is not more than twice the lowest differential. A greater difference in differentials may be used, which requires Ministerial approval.

The Shire intends to establish the following differential rate categories for the 2024/25 financial year:

- UV - Rural and Other (including exploration and prospecting tenements)
- Minimum payment in respect to UV - Rural and Other
- UV - Rural Intensive/Mining
- Minimum payment in respect to UV - Rural Intensive/Mining

A uniform rate in the dollar will be applied to GRV rated land.

### Minimum Payments

Section 6.35 of the *Local Government Act 1995* makes provision for the Shire to be able to set a minimum payment in relation to rateable land. This is set out below:

#### 6.35 Minimum payment

- (1) *Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.*
- (2) *A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.*
- (3) *In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than –*
- (a) *50% of the total number of separately rated properties in the district; or*
  - (b) *50% of the number of properties in each category referred to in subsection (6),*
- on which a minimum payment is imposed.*
- (4) *A minimum payment is not to be imposed on more than the prescribed percentage (50%) of –*
- (a) *the number of separately rated properties in the district; or*
  - (b) *the number of properties in each category referred to in subsection (6),*
- unless the general minimum does not exceed the prescribed amount (\$200).*

- (5) *If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.*
- (6) *For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories –*
- (a) *to land rated on gross rental value; and*
  - (b) *to land rated on unimproved value; and*
  - (c) *to each differential rating category where a differential general rate is imposed.*

### Overall Objective

The rates in the dollar (\$) for the various differential rates are calculated to provide the shortfall in revenue required to make up the budget deficiency to enable the Shire to provide the level and range of works and services required in the 2024/25 financial year after taking into account all non-rate sources of revenue.

### Purpose: UV - Rural and Rural Other (including exploration and prospecting tenements)

The objective of this differential rate category is to impose a differential general rate on land held or used for the purposes of rural broad acre farming, rural residential, rural industry, and other non-intensive uses.

### Purpose: UV - Rural Intensive/Mining

The objective of this differential rate category is to impose a differential general rate on land held or used for the purposes of the following land uses defined within the Shire of Gingin local Planning Scheme –

- Agriculture Intensive
- Animal Husbandry – Intensive
- Aquaculture
- Industry – extractive
- Industry – mining

### Objects and Reasons

- **UV - Rural and Rural Other**

The reason for this rate is to reflect the lower impact on transport infrastructure and monitoring of land use/environmental impacts compared to the Rural Intensive/Mining – UV category. It also ensures that all ratepayers make a reasonable contribution towards the ongoing maintenance and service provision of works, services, and facilities throughout the Shire.

**Proposed Rate in \$: 0.005333**

- **Minimum payment in respect to UV - Rural and Other**

The object of the proposed minimum payment of **\$1,588** is to ensure that the proportion of total rate revenue derived from Rural and Rural Other UV properties is consistent with the overall rate increase for this category. This rate is considered to be the base minimum rate by which all other UV rated properties are assessed.

It also recognises that every property receives some minimum level of benefit of works and services provided.

- **Rural Intensive/Mining – UV**

The reason for this differential rate is to reflect the higher impact on transport infrastructure and monitoring of land use/environmental impacts compared to Rural and Other – UV properties, and the capacity to pass on the rates charge as a business cost. It also ensures that all ratepayers make a reasonable contribution towards the ongoing maintenance and service provision of works, services, and facilities throughout the Shire.

**Proposed Rate in \$: 0.006818**

- **Minimum payment in respect to Rural Intensive/Mining – UV**

The object of this minimum payment is to reflect the additional costs from this sector associated with the higher impact on transport infrastructure and environmental monitoring. The minimum rate of **\$2,707** also ensures that the proportion of total rate revenue derived from Rural Intensive/Mining UV properties is essentially consistent with the overall rate increase for this category and recognises that every property receives some minimum level of benefit of works and services provided.

A summary of the differential rates to be used for the **2024/25 rating period** are as follows:

Differential Rating Category	UV Rate in \$	Minimum Rate	Income
<b>Rural &amp; Other - UV</b>	\$0.004444	\$1,588	\$2,632,318
<b>Rural Intensive/Mining - UV</b>	\$0.006818	\$2,707	\$1,063,150

## **In Summary**

In arriving at the proposed differential rates in the dollar the Council has attempted to balance the need for revenue to fund essential services and facilities with the desire to limit any increase on the ratepayer to affordable levels.

Submissions addressed to the Chief Executive Officer, Shire of Gingin by electors or ratepayers in respect of the Intention to Levy Differential Rates may be made to Council within twenty-one (21) days of this notice and close **4pm on Tuesday, 18 June 2024**.



### 13.4 FEES AND CHARGES 2024-2025

File	FIN/18
Author	Jeanna Tsilicochryssos - Senior Finance Officer
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	1. Fees Charges 2024-2025 [13.4.1 - 38 pages]

#### DISCLOSURES OF INTEREST

Nil

#### PURPOSE

For Council to consider 2024/25 Shire of Gingin Fees and Charges Schedule.

#### BACKGROUND

A local government may impose and recover a fee or charge for any goods or service it provides or proposed to provide, other than a service for which a prescribed service charge is imposed.

Currently those charges deemed a prescribed service charge under the *Local Government Act 1995* (Act) are -

- a) Property surveillance and security
- b) Television and radio rebroadcasting
- c) Underground electricity
- d) water

A fee or charge may be imposed for:

- Providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed, or maintained by the local government.
- Supply a service or carrying out work at the request of a person.
- Subject to section 5.94, providing information from local government records.
- Receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation, or certificate.
- Supplying goods.
- Such other service as may be prescribed (as above).

Fees and charges are to be imposed when adopting the annual budget but may be:

- Imposed during a financial year, and
- Amended from time to time during a financial year.

When determining the amount of a fee or charge for a service or for goods, a local government is required to take into consideration the following factors:

- The cost to the local government of providing the service or goods,
- The importance of the service or goods to the community, and
- The price at which the service or goods could be provided by an alternative provider.

A higher fee or charge or additional fee or charge may be imposed for an expediated service or supply of goods if it is requested that the service or goods be provided urgently.

The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service:

- provision of information (s.5.96)
- receiving applications for approval etc. (s.16[2][d]) or
- prescribed services (s.6.16[2][f])

## **COMMENT**

In previous years, Council has imposed its fees and charges as part of the annual budget process which occurs in July/August of each year. As these fees or charges are not effective until adopted, it is proposed they be reviewed and adopted prior to the budget adoption to enable them to apply from the start of the new financial year being 1 July.

A review of the fees and charges was undertaken by Administration during the Budget Review process with a draft 2024/25 Fees and Charges Schedule presented to Council's Briefing Session held 16 April 2024 for Councillor feedback.

As detailed within the Briefing Paper, generally an increase of 4% was applied across the schedule in recognition of CPI growth with the exceptions being those fees set by an Act or regulation.

Following feedback provided and following the Briefing Session, the proposed 2024/25 Fees and Charges Schedule is provided (**Appendices**) for Council consideration and approval.

Should Council adopt the schedule, public notice of its intention to impose the 2024/25 Fees and Charges from 1 July 2024 will be given.

## **STATUTORY/LOCAL LAW IMPLICATIONS**

*Local Government Act 1995*

Part 6 – Financial management  
Division 5 – Financing local government activities  
Subdivision 2 – Fees and charges

## **POLICY IMPLICATIONS**

Nil

## BUDGET IMPLICATIONS

Fees and Charges revenue will be included in the draft 2024/25 Budget.

## STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

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

## VOTING REQUIREMENTS – ABSOLUTE MAJORITY

### OFFICER RECOMMENDATION

MOVED: Councillor Kestel

SECONDED: Councillor Weeks

That Council:

1. Pursuant to Section 6.16 of the *Local Government Act 1995*, impose its 2024/25 fees and charges as set out in the appended Schedule of Fees and Charges Schedule, and
2. Give public notice of its intention to impose the 2024/25 fees and charges as set out in the 2024/25 Fees and Charges Schedule effective from 1 July 2024.

### PROCEDURAL MOTION

MOVED: Councillor Fewster

SECONDED: Councillor Peczka

That the matter be deferred until the Ordinary Council Meeting of 18 June 2024 to allow for administration to review provisions for Trading in Public Places licences.

**CARRIED UNANIMOUSLY**  
**7 / 0**

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

**AGAINST:** *Nil*





# FEES & CHARGES

2024/25



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25	Comments	Inc. GST
<b>Administration</b>				
<b>Account Enquiries</b>	Change of Ownership Rates Only (per single enquiry)	\$62.50		<input type="checkbox"/>
	Rates with Orders & Requisitions (per single enquiry)	\$125.00		<input type="checkbox"/>
<b>Instalment Charges</b>	Adhoc Rates payment arrangements Administration Charge	\$16.50		<input type="checkbox"/>
	Two Rate Instalments Administration Charge	\$6.50		<input type="checkbox"/>
	Four Rate Instalments Administration Charge	\$16.50		<input type="checkbox"/>
	Payment in lieu of Rates	As per Lease Agreement		<input type="checkbox"/>
	At Counter - per copy of rate assessment (when ordering more than one)	\$16.50		<input checked="" type="checkbox"/>
<b>Notice of Discontinuance</b>	Notice of Discontinuance (Application to have Court Case discontinued) if eligible	Recovery of Court Costs		<input type="checkbox"/>
<b>Freedom of Information</b>	Application for access to non-personal information	\$30.00	FOI Act	<input type="checkbox"/>
<b>Council Minutes</b>	At Counter - per copy	\$12.10		<input checked="" type="checkbox"/>
	Posted - per copy	\$27.80		<input checked="" type="checkbox"/>
<b>Administration Support</b>	Document search fee - per hour	\$65.00		<input type="checkbox"/>
	Shire staff administration support - per hour	\$55.00		<input type="checkbox"/>
<b>Cemetery Charges</b>	Interment, exhumation, reinterment after exhumation	\$1,500.00		<input checked="" type="checkbox"/>
	Interment of oversize casket/coffin (additional charge)	\$400.00		<input type="checkbox"/>
	Issue of a grant of Exclusive Right of Burial – 25 yrs.	\$150.00		<input checked="" type="checkbox"/>
	Renewal of a grant of Exclusive Right of Burial – 25 yrs.	\$150.00		<input checked="" type="checkbox"/>



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25	Comments	Inc. GST
<b>Administration (continued)</b>				
<b>Cemetery Charges (continued)</b>	Transfer of a grant of Exclusive Right of Burial – 25 yrs.	\$50.00		<input checked="" type="checkbox"/>
	Permission to erect or alter headstone or monument	\$150.00	Now includes permission to alter (see below)	<input checked="" type="checkbox"/>
	Interment on weekend or public holiday, or outside normal working hours (additional charge)	\$300.00		<input checked="" type="checkbox"/>
	For removal of headstone/concrete works	\$150.00		<input checked="" type="checkbox"/>
	For interment of ashes (in ground or niche wall)	\$100.00		<input checked="" type="checkbox"/>
	Issue of a grant of Exclusive Right of Interment – Ashes - Niche Wall 25 yrs.	\$150.00		<input checked="" type="checkbox"/>
	Renewal of a grant of Exclusive Right of Interment – Ashes - Niche Wall 25 yrs.	\$150.00		<input checked="" type="checkbox"/>
	Transfer of a grant of Exclusive Right of Interment – Ashes - Niche Wall 25 yrs.	\$50.00		<input checked="" type="checkbox"/>
	Purchase of Niche Wall Plaque engraved	Cost plus \$100 (installation and administration costs)		<input type="checkbox"/>
	Funeral Directors' Single Permit	\$150.00		<input type="checkbox"/>
	Funeral Directors' Annual Licence	\$300.00		<input type="checkbox"/>
	Monumental Masons' Single Licence	\$120.00		<input type="checkbox"/>
	Monumental Masons' Annual Licence	\$250.00		<input type="checkbox"/>
<b>Memorials</b>	Purchase of Plaque (engraved) or other Memorial and installation costs	Cost plus \$100 (installation and administration costs)		<input checked="" type="checkbox"/>
<b>History Books</b>	Gingin History	\$12.50		<input checked="" type="checkbox"/>
	Brush with Nature (soft)	\$12.50		<input checked="" type="checkbox"/>
	Brush with Nature (hard)	\$18.50		<input checked="" type="checkbox"/>
	The Old North Road	\$22.50		<input checked="" type="checkbox"/>
	Neergabby	\$18.50		<input checked="" type="checkbox"/>
	Secret No Longer	\$20.00		<input checked="" type="checkbox"/>
	Cowalla and its Buildings	\$15.50		<input checked="" type="checkbox"/>



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25	Comments	Inc. GST
<b>Administration (continued)</b>				
<b>Restricted Access Vehicle Permit</b>	Permit for Restricted Access Vehicles to travel on Shire roads not within the Agricultural Lime Route (per vehicle)	\$200.00		<input type="checkbox"/>
<b>Exploration Drilling on Shire Roads and Reserves</b>	License fee for 1 to 5 holes	\$200.00		<input type="checkbox"/>
	License fee for 6 to 10 holes	\$300.00		<input type="checkbox"/>
	License fee for 11 to 30 holes	\$600.00		<input type="checkbox"/>
	License fee for 31 to 100 holes	\$1,100.00		<input type="checkbox"/>
	License fee for 101 holes and over	\$1,500.00		<input type="checkbox"/>
	Bond for 1 to 5 holes	\$200.00		<input type="checkbox"/>
	Bond for 6 to 10 holes	\$300.00		<input type="checkbox"/>
	Bond for 11 to 30 holes	\$600.00		<input type="checkbox"/>
	Bond for 31 to 100 holes	\$1,100.00		<input type="checkbox"/>
	Bond for 101 holes and over	\$1,500.00		<input type="checkbox"/>
<b>Standpipe Bore Water</b>	Per 1,000 litre or part thereof (Refer Exec. Manager Operations for approval)	\$12.50		<input type="checkbox"/>
<b>Community Bus Hire</b>	Per kilometre charge - Residents/Ratepayers (mileage only charged from the townsite/rural residential subdivision closest to point of origin and return)	\$2.00		<input checked="" type="checkbox"/>
	Discounts - Aged Pensioner Groups and Lancelin RSL 50% (Per kilometre charge - mileage only charged from the townsite/rural residential subdivision closest to point of origin and return)	\$1.00		<input checked="" type="checkbox"/>
	Bond (Refundable)	\$500.00		<input type="checkbox"/>
	Cleaning Surcharge	\$50 per hour		<input type="checkbox"/>
<b>Events Trailer</b>	Bond	\$200.00		<input type="checkbox"/>
<b>Trading in Public Places Stallholders Events Only</b>	Uninsured Stallholders Insurance	\$12 a day		<input type="checkbox"/>
<b>Guilderton Holiday Park</b>	High Season Site Fees (Powered) Per Day – Two Persons	\$57.00		<input checked="" type="checkbox"/>



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25	Comments	Inc. GST
<b>Administration (continued)</b>				
<b>Guilderton Holiday Park (continued)</b>	High Season Site Fees Late Sep to Early May (Powered) Per Day – Extra Person	\$12.00		<input checked="" type="checkbox"/>
	High Season Site Fees Late Sep to Early May (Unpowered) Per Day – Two Persons	\$35.00		<input checked="" type="checkbox"/>
	High Season Site Fees Late Sep to Early May (Unpowered) Per Day – Extra Person	\$12.00		<input checked="" type="checkbox"/>
	Low Season Site Fees Early May to Late Sep - Except June long weekend (Powered) Per Day – Two Persons	\$42.00		<input checked="" type="checkbox"/>
	Low Season Site Fees Early May to Late Sep - Except June long weekend (Powered) Per Day – Extra Person	\$12.00		<input checked="" type="checkbox"/>
	Low Season Site Fees Early May to Late Sep - Except June long weekend (Unpowered) Per Day – Two Persons	\$33.00		<input checked="" type="checkbox"/>
	Low Season Site Fees Early May to Late Sep - Except June long weekend (Unpowered) Per Day – Extra Person	\$12.00		<input checked="" type="checkbox"/>
	Chalets Daily – Up to Two Persons - High Season Late Sep to Early May	\$203.00		<input checked="" type="checkbox"/>
	Chalets Daily – Up to Two Persons - Low Season Early May to Late Sep - Except June long weekend	\$168.00		<input checked="" type="checkbox"/>
	Chalets Daily - Extra Person	\$23.00		<input checked="" type="checkbox"/>
	Glamping Tent (minimum two nights) - High Season Late Sep to Early May	\$218.00		<input checked="" type="checkbox"/>
	Glamping Tent (minimum two nights) - Low Season Early May to Late Sep - Except June long weekend	\$161.00		<input checked="" type="checkbox"/>
	<b>Additional Low Season Discounts</b>			
	Stay for 2 nights and get the 3rd night free (Powered Sites) - 3 Nights Two People	\$83.00		<input checked="" type="checkbox"/>
	Stay for 2 nights and get the 3rd night free (Unpowered Sites) - 3 Nights Two People	\$67.00		<input checked="" type="checkbox"/>
	Stay for 2 nights and get the 3rd night free (Chalets) - 3 Nights Two People	\$333.00		<input checked="" type="checkbox"/>
	Children under 3 free	\$0.00		<input type="checkbox"/>
	Late Check Out - Chalets	\$23.00		<input checked="" type="checkbox"/>
	Late Check Out - Campsites	\$10.00		<input checked="" type="checkbox"/>
	<b>Cancellation Fees</b>			
	7 to 30 days' notice	One night charged partial refund		<input type="checkbox"/>
	Less than 7 days' notice	Full booking charged no refund		<input type="checkbox"/>
	Online Booking Fee	\$2.50		<input type="checkbox"/>





Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25			Inc. GST	
Administration (continued)						
		Local Community Other 2023/24 (75%)	Local Community Groups & Not for Profit 2023/24	Commercial / Non- Ratepayer / Non- Resident 2023/24	Comments	
Granville Civic Centre	Weekday Hire					
	Main Hall including stage - per hour	\$26.00	\$0.00	\$34.50		☒
	Main Hall including stage - maximum charge (6 hours or more use)	\$129.00	\$0.00	\$171.50		☒
	Meeting Room - per hour (includes basic kitchen use, e.g. urn/fridge)	\$13.50	\$0.00	\$17.50		☒
	Meeting Room - maximum charge (6 hours or more use) (includes basic kitchen use, e.g. urn/fridge)	\$67.50	\$0.00	\$90.00		☒
	Kitchen full use - per hour (commercial/catering use includes oven/cool room etc.)	\$16.50	\$0.00	\$22.00		☒
	Kitchen full use - full day (commercial/catering use includes oven/cool room etc.)	\$82.00	\$0.00	\$109.50		☒
	Whole Area - per hour	\$48.00	\$0.00	\$63.50		☒
	Whole Area - maximum charge (6 hours or more use)	\$237.00	\$0.00	\$317.00		☒
	Weekend Hire					
	Main Hall including stage - per hour	\$31.00	\$0.00	\$41.50		☒
	Main Hall including stage - maximum charge (6 hours or more use)	\$155.00	\$0.00	\$207.00		☒
	Meeting Room - per hour [includes basic kitchen use, e.g. urn/fridge]	\$16.50	\$0.00	\$22.00		☒
	Meeting Room - maximum charge (6 hours or more use) [includes basic kitchen use, e.g. urn/fridge]	\$81.00	\$0.00	\$108.00		☒



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25			Inc. GST	
Administration (continued)						
		Local Community Other 2023/24 (75%)	Local Community Groups & Not for Profit 2023/24	Commercial / Non- Ratepayer / Non- Resident 2023/24	Comments	
Granville Civic Centre (continued)	Kitchen full use - per hour (commercial/catering use includes oven/cool room etc.)	\$13.50	\$0.00	\$17.50		<input checked="" type="checkbox"/>
	Kitchen full use - full day (commercial/catering use includes oven/cool room etc.)	\$67.50	\$0.00	\$90.50		<input checked="" type="checkbox"/>
	Whole Area - per hour	\$57.00	\$0.00	\$76.00		<input checked="" type="checkbox"/>
	Whole Area - maximum charge (6 hours or more use)	\$285.00	\$0.00	\$380.00		<input checked="" type="checkbox"/>
Community Centre Facilities	Hire Fees					
	Hall Only - per hour	\$19.00	\$18.00	\$25.00		<input checked="" type="checkbox"/>
	Hall Only - maximum charge (6 hours or more use)	\$88.50	\$85.00	\$117.50		<input checked="" type="checkbox"/>
	Meeting Room - per hour [includes basic kitchen use, e.g. urn/fridge]	\$13.50	\$13.00	\$17.50		<input checked="" type="checkbox"/>
	Meeting Room - maximum charge (6 hours or more use) [includes basic kitchen use, e.g. urn/fridge]	\$49.00	\$47.00	\$65.50		<input checked="" type="checkbox"/>
	Kitchen Full Use - per hour [commercial/catering use includes oven/cool room etc.	\$45.50	\$44.00	\$60.00		<input checked="" type="checkbox"/>
	Kitchen Full Use - full day [commercial/catering use includes oven/cool room etc.	\$83.00	\$80.00	\$111.00		<input checked="" type="checkbox"/>
	Whole Area - per hour	\$34.50	\$33.00	\$45.50		<input checked="" type="checkbox"/>
	Whole Area - maximum charge (6 hours or more use)	\$178.00	\$171.00	\$237.00		<input checked="" type="checkbox"/>
Lancelin Hall (excluding playgroup area)	Weekday Hire					
	Main Hall - including stage - per hour	\$26.00	\$0.00	\$34.50		<input checked="" type="checkbox"/>



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25			Inc. GST	
Administration (continued)						
Lancelin Hall (excluding playgroup area) (continued)		Local Community Other 2023/24 (75%)	Local Community Groups & Not for Profit 2023/24	Commercial / Non-Ratepayer / Non-Resident 2023/24	Comments	
	Main Hall including stage - maximum charge (6 hours or more use)	\$98.00	\$0.00	\$130.00		<input checked="" type="checkbox"/>
	Hall Only - per hour (includes basic kitchen use e.g. urn/fridge)	\$18.50	\$0.00	\$25.00		<input checked="" type="checkbox"/>
	Hall Only - maximum charge (6 hours or more use) [includes basic kitchen use e.g. urn/fridge]	\$90.50	\$0.00	\$120.50		<input checked="" type="checkbox"/>
	Weekend Hire					
	Main Hall - including stage - per hour	\$31.00	\$0.00	\$40.50		<input checked="" type="checkbox"/>
	Main Hall including stage - maximum charge (6 hours or more use)	\$122.00	\$0.00	\$161.50		<input checked="" type="checkbox"/>
	Hall Only - per hour (includes basic kitchen use e.g. urn/fridge)	\$20.00	\$0.00	\$26.00		<input checked="" type="checkbox"/>
	Hall Only - maximum charge (6 hours or more use) [includes basic kitchen use e.g. urn/fridge]	\$89.50	\$0.00	\$120.50		<input checked="" type="checkbox"/>
	Recreation Public Open Space & Beach Reserves	Minor Event / Filming Permit - with up to 100 Attendees (fee charged per day)	\$93.50	\$0.00	\$125.00	
Medium Event / Filming Permit - with 100 to 249 Attendees (fee charged per day or less)		\$187.00	\$0.00	\$249.50		<input checked="" type="checkbox"/>
Major Event / Filming Permit - with over 250 Attendees (fee charged per day or less)		\$281.00	\$0.00	\$374.50		<input checked="" type="checkbox"/>
Gingin Sound Shell	Music/Stage Events					
	Minor Event - up to 250 Attendees (including power) per hour	\$23.00	\$0.00	\$31.00		<input checked="" type="checkbox"/>
	Major Event - over 250 Attendees (including power) per hour	\$45.50	\$0.00	\$61.50		<input checked="" type="checkbox"/>



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25			Inc. GST
Administration (continued)					
Administration		Local Community Other 2023/24 (75%)	Local Community Groups & Not for Profit 2023/24	Commercial / Non-Ratepayer / Non-Resident 2023/24	Comments
	Event Cancellation Fee - bookings cancelled less than five business days prior to event commencement will incur a 50% of booking fee cancellation charge, bookings cancelled 48 hours or less prior to commencement of booking will incur a 100% cancellation charge				☒
	Late Booking Fee - booking requests received less than 10 business days prior to event commencement	\$82.00	\$0.00	\$164.50	New, funerals excluded ☒
Flavours of Gingin	Flavours of Gingin Long Table Dinner Tickets	\$145.50	\$140.50	\$145.50	New - Long Table Dinner Ticket ☐
*Note:	Community and Charitable Organisations may be exempt from payment of the Event Coordination/Administration/Hire Fees				
		Community Rate 2023/24 (75%)	Commercial / Non-Ratepayer / Non-Resident 2023/24	Comments	
Key Bond	Per key	\$50.00	\$50.00	High risk events only	☐
Additional / Replacement Keys	Per key	\$47.50	\$50.00		☐
Bonds – Facilities and Open Space Events	Bond (Refundable) – Medium Damage Risk	\$0.00	\$0.00		☐
	Bond (Refundable) - Medium Damage Risk	\$0.00	\$0.00		☐
	Bond (Refundable) - High Damage Risk	\$395.00	\$500.00		☐
	Bond (Refundable) - Long Term	\$0.00	\$0.00		☐
Commercial Activities – Reserves / Other	Commercial use of Reserves where fee is charged by Instructor (requires copy of Public Liability Certificate of Insurance)/Other Uses PER DAY	\$0.00	\$13.50	New	☒
	Commercial use of Reserves where fee is charged by Instructor (requires copy of Public Liability Certificate of Insurance)/Other Uses PER MONTH	\$0.00	\$70.50	New	☒



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25	Comments	Inc. GST
<b>Plant Hire / Private Works (wet hire only)</b>				
<b>Grader</b>	Grader per hour	\$325.00	Wages based on Final Trim Operator	<input checked="" type="checkbox"/>
<b>Loader</b>	Front End Loader per hour GG016, GG026 & GG006	\$300.00	Wages based on average of road construction and road maintenance staff	<input checked="" type="checkbox"/>
<b>Truck</b>	Semi Side Tipper per hour GG028, GG045, GG089 & Trailer - (23 Tonne)	\$280.00	Wages based on average of road construction and road maintenance staff	<input checked="" type="checkbox"/>
	8-wheeler Truck/Trailer per hour GG088 (24 Tonne)	\$260.00	Wages based on average of road construction and road maintenance staff	<input checked="" type="checkbox"/>
	Prime Mover & Low Loader per hour	\$280.00	Wages based on average of road construction and road maintenance staff	<input checked="" type="checkbox"/>
	Water Truck GG033 (plus cost of water) per hour	\$280.00	Wages based on average of road construction and road maintenance staff	<input checked="" type="checkbox"/>
	Truck per hour GG048, GG060 (4 Tonne)	\$290.00	Wages based on average of road construction and road maintenance staff	<input checked="" type="checkbox"/>
<b>Backhoe / Loader</b>	(Bucket – 0.5m <sup>3</sup> ) per hour GG011	\$280.00	Wages based on average of road construction and road maintenance staff	<input checked="" type="checkbox"/>
<b>Tractor &amp; Implement</b>	Per hour GG012, GG019	\$280.00	Wages based on average of road construction and road maintenance staff	<input checked="" type="checkbox"/>
<b>Roller</b>	Vibrating Drum Roller per hour GG079 & Multi Tyred Roller GG029	\$260.00	Wages based on average of road construction and road maintenance staff	<input checked="" type="checkbox"/>



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25	Comments	Inc. GST
<b>Plant Hire / Private Works (wet hire only) (Continued)</b>				
<b>Utility</b>	Utility 4 x 4 per hour	\$165.00	Wages based on average of road construction and road maintenance staff	☒
<b>Overtime</b>	Add per hour for time and half	\$45.50	Wages based on average of road construction and road maintenance staff	☒
	Add per hour for double time	\$91.00	Wages based on average of road construction and road maintenance staff	☒
<b>Wages Only</b>	Ordinary Hours - per hour	\$91.00	Wages based on average of road construction and road maintenance staff	☒
	Overtime - time and half per hour	\$136.50	Wages based on average of road construction and road maintenance staff	☒
	Overtime - double time per hour	\$182.00	Wages based on average of road construction and road maintenance staff	☒
<b>Other</b>	All other Private Works	Cost + 20%	Wages based on average of road construction and road maintenance staff	☒
	Installation of 150mm Finger Board Signs (excluding sign)	\$210.00	Wages based on average of road construction and road maintenance staff	☒
	Directional Signs Labour - Installation/Travel	Calculated	Act / Reg	☒
	No Spray Signs - Supply and Installation	\$65.00		☒



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Health</b>					
<b>Offensive Trades</b> <b>** Note:</b> Currently not operating in the Shire of Gingin			<b>Determined by Act / reg</b>	<b>Annual registration of scheduled Offensive Trades. Fees prescribed in the health (Offensive Trades Fees) Regulations 1976</b>	
	Offensive Trades Application & Assessment Fee	Act/Reg	\$364.00		
	Slaughterhouses	Act/Reg	\$310.00	Statutory Fee	Exempt
	Piggeries	Act/Reg	\$310.00	Statutory Fee	Exempt
	Artificial manure depots **	Act/Reg	\$219.50	Statutory Fee	Exempt
	Bone mills **	Act/Reg	\$178.00	Statutory Fee	Exempt
	Places for storing, drying or preserving bones **	Act/Reg	\$178.00	Statutory Fee	Exempt
	Fat melting, fat extracting or tallow melting establishments				
	(a) Butcher shops and similar	Act/Reg	\$178.00	Statutory Fee	Exempt
	(b) Larger establishments	Act/Reg	\$310.00	Statutory Fee	Exempt
	Blood drying	Act/Reg	\$178.00	Statutory Fee	Exempt
	Gut scraping, preparation of sausage skins	Act/Reg	\$178.00	Statutory Fee	Exempt
	Fellmongeries **	Act/Reg	\$178.00	Statutory Fee	Exempt
	Manure works	Act/Reg	\$219.50	Statutory Fee	Exempt
	Fish curing establishments	Act/Reg	\$219.50	Statutory Fee	Exempt
	Laundries, dry-cleaning establishments	Act/Reg	\$153.00	Statutory Fee	Exempt
	Bone merchant premises **	Act/Reg	\$178.00	Statutory Fee	Exempt
	Flock factories **	Act/Reg	\$178.00	Statutory Fee	Exempt
	Knackeries **	Act/Reg	\$310.00	Statutory Fee	Exempt
	Poultry processing establishments	Act/Reg	\$310.00	Statutory Fee	Exempt
	Poultry farming	Act/Reg	\$310.00	Statutory Fee	Exempt



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Robo Training	Act/Reg	\$210.00	Statutory Fee	Exempt
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Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Health (continued)</b>					
<b>Offensive Trades (continued)</b>			<b>Determined by Act / reg</b>	<b>Annual registration of scheduled Offensive Trades. Fees prescribed in the Health (Offensive Trades Fees) Regulations 1976</b>	
	Fish processing establishments in which whole fish are cleaned and prepared	Act/Reg	\$298.00	Statutory Fee	Exempt
	Shellfish and crustacean processing establishments	Act/Reg	\$310.00	Statutory Fee	Exempt
	Any other offensive trade not specified	Act/Reg	\$310.00	Statutory Fee	Exempt
<b>Wastewater Systems (Onsite Disposal Systems)</b>			<b>Determined by Act/Reg</b>	<b>Applications and permits for wastewater systems. Fees prescribed in the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</b>	
	Administration Fee	Act/Reg	\$123.00	Statutory Fee	Exempt
	Issuing of a permit to use an apparatus (i.e. inspection fee)	Act/Reg	\$123.00	Statutory Fee	Exempt
	Onsite Effluent Disposal Report to Dept of Health fee - per hour or part thereof	Act/Reg	\$208.00	Statutory Fee	Exempt
	Reinspection of non-complying installation - per hour	Act/Reg	\$123.00	Statutory Fee	Exempt
	Reinspection fees - Non-compliance with health notice works orders - per hour	Act/Reg	\$123.00	Statutory Fee	Exempt
<b>Liquor Control and Gaming</b>			<b>Determined by Act/Reg</b>	<b>Liquor Control Act 1988 &amp; Local Government Act 1995</b>	
	Issuing of Section 39 Certificate for a Liquor Licence - <b>Non-Profit Organisation</b>	Act/Reg	\$0.00	Statutory Fee	Exempt
	Issuing of Section 39 Certificate for a Liquor Licence - <b>Commercial</b> premises desk top health risk assessment	Act/Reg	\$187.50	Statutory Fee	Exempt
	Issuing of Section 39 Certificate for a Liquor Licence - <b>Commercial</b> premises desk top health risk assessment	Act/Reg	\$187.50	Statutory Fee	Exempt



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Shire of Gingin

**Schedule of Fees & Charges 2024 - 2025**

Issuing of Section 330 Certificate for a liquor licence	Act/Reg	\$260.00	Statutory Fee	Exempt
Commercial premises on site health risk assessment				

Item	Description		Rates 2024/25	Comments	Inc. GST
<b>Health (continued)</b>					
<b>Temporary Accommodation</b>				<b>Caravan Parks and Camping Grounds Regulations 1997, Regulation 11 (2) (a), (b) and (c) &amp; Shire of Gingin 8.8 Temporary Accommodation Policy</b>	
	Assessment of initial application	Act/Reg	\$156.00	No	Exempt
	Temporary Accommodation where a person or persons residing in a Caravan, with approved basic health facilities included in or adjacent to the caravan, with a current issued Building Licence for a proposed permanent dwelling on the property. <b>12-month initial period</b>	Act/Reg	\$177.00	No	Exempt
	Extension to an approved Temporary Accommodation where a person or persons residing in a Caravan, with approved basic health facilities included in or adjacent to the caravan, with a current issued Building Licence for a proposed permanent dwelling on the property. <b>Additional 6-month period</b> , [Please note the extension shall not extend beyond a total of 18 months, which includes the additional 12-month approval. No further extensions, once this additional 6-month extension period expires]	Act/Reg	\$156.00	No	Exempt
	Plus, inspection fee for the 6-month extension	Act/Reg	\$177.00	No	Exempt
<b>Caravan Parks</b>			<b>Determined by Act/Reg</b>	<b>Fees as prescribed in the Caravan Parks and Camping Grounds Regulations 1997</b>	
	Application for temporary caravan and camping accommodation at approved events, other than private property and licensed caravan parks and designated camping sites.	Act/Reg	\$260.00	Statutory Fee. [Please Note: Application fee for one month or any period less than one month and includes one off or annual events approved by the Environmental Health Services, (per event)]	Exempt



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25		Inc. GST
<b>Health (continued)</b>					
<b>Caravan Parks (continued)</b>			<b>Determined by Act/Reg</b>	<b>Fees as prescribed in the Caravan Parks and Camping Grounds Regulations 1997</b>	
	Application for Grant or Renewal of Licence	Act/Reg	Regulation 45 - Fee for an application for the grant or renewal of a licence is:	Statutory Fee	Exempt
			a. <b>\$200.00 OR</b>	Statutory Fee	Exempt
			b. The amount calculated by multiplying the relevant amount set out below, by the maximum number of sites (including any sites that may be used in an overflow area) of the particular type specified in the applications, whichever is the greater:	Statutory Fee	Exempt
			Long Stay Sites <b>\$6.00 per site</b>	Statutory Fee	Exempt
			Short Stay Sites and Sites in Transit Parks <b>\$6.00 per site</b>	Statutory Fee	Exempt
			Campsite <b>\$3.00 per site</b>	Statutory Fee	Exempt
			Overflow Site <b>\$1.50 per site</b>	Statutory Fee	Exempt
		Act/Reg	Regulation 53, Additional fee for renewal after expiry penalty <b>\$20.00</b>		
		Act/Reg	Regulation 54, Temporary license prorated amount of the fee payable under item 1 for the period of time for which the licence is to be in force with a minimum of <b>\$101.00</b>	Statutory Fee	Exempt
<b>Food Premises</b>			<b>Determined by Act/Reg</b>	<b>Fees as prescribed under the Food Act 2008 &amp; Food Regulations 2009</b>	
	Food Act <b>Application Fee</b>	Act/Reg	\$177.00	Statutory Fee	Exempt
	Food Act Notification Fee for <b>Food Premises Modifications</b>	Act/Reg	\$177.00	Statutory Fee	Exempt



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Health (continued)</b>					
<b>Food Premises (continued)</b>			<b>Determined by Act/Reg</b>	<b>Fees as prescribed under the Food Act 2008 &amp; Food Regulations 2009</b>	
	Food Act <b>Inspection Upon Request</b>	Act/Reg	\$177.00	Statutory Fee	Exempt
	Annual (or part thereof) Surveillance Fee - <b>Low Risk (Exempt)</b> Classification	Act/Reg	\$52.00	Statutory Fee	Exempt
	Annual (or part thereof) Surveillance Fee - <b>Low Risk</b> Classification	Act/Reg	\$208.00	Statutory Fee	Exempt
	Annual (or part thereof) Surveillance Fee - <b>Medium Risk</b> Classification	Act/Reg	\$603.50	Statutory Fee	Exempt
	Annual (or part thereof) Surveillance Fee - <b>High Risk</b> Classification	Act/Reg	\$624.00	Statutory Fee	Exempt
	Annual (or part thereof) Surveillance Fee - <b>High Risk</b> Classification with a verified Food Safety Program and Regulatory Food Safety Audits by a Department of Health approved Auditor	Act/Reg	\$884.00	Statutory Fee	Exempt
	Annual (or part thereof) Surveillance Fee - <b>High Risk</b> with a verified Food Safety Program and Regulatory Food Safety Audits by the Department of Health approved Auditor, plus additional classifications	Act/Reg	\$884.00	Statutory Fee	Exempt
	<i>In some circumstances Not for Profit or Charitable Organisations can apply to the Shire CEO for exemption from payment of food premises fees but are still required to be registered and inspected.</i>				
	<b>Improvement Order</b> - per additional inspection to monitor compliance	Act/Reg	\$156.00	Statutory Fee	Exempt
	<b>Prohibition Order</b> - per additional inspection to monitor compliance	Act/Reg	\$260.00	Statutory Fee	Exempt
	<b>Administration Processing Fee</b> - overdue certifications	Act/Reg	\$83.50	Statutory Fee	Exempt



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Health (continued)</b>					
<b>Skin Penetration Premises</b>			<b>Determined by Act / reg</b>	<b>Health (Miscellaneous Provisions) Act 1911</b>	
	Notification of new establishment & Initial Approvals	Act/Reg	\$187.50	Statutory Fee	Exempt
	Annual Surveillance Fee	Act/Reg	\$187.50	Statutory Fee	Exempt
<b>Hairdressing Premises (including mobile hairdressing)</b>			<b>Determined by Act / reg</b>	<b>Health (Miscellaneous Provisions) Act 1911</b>	
	Notification of new establishment & Initial Approvals	Act/Reg	\$187.50	Statutory Fee	Exempt
	Annual surveillance	Act/Reg	\$187.50	Statutory Fee	Exempt
<b>Public Buildings</b>			<b>Determined by Act / reg</b>	<b>Health (Miscellaneous Provisions) Act 1911 &amp; Public Buildings Regulations 1992</b>	
	Application and assessment of new premises	Act/Reg	\$541.00	Statutory Fee	Exempt
	Public Building Inspection for approval certification, transfer & variation of use of the Public Building	Act/Reg	\$166.50	Statutory Fee	Exempt
	Public Building <b>Low Risk</b> classification Annual Fee	Act/Reg	\$260.00	Statutory Fee	Exempt
	Public Building <b>Medium Risk</b> classification Annual Fee	Act/Reg	\$520.00	Statutory Fee	Exempt
	Public Building <b>High Risk</b> classification Annual Fee	Act/Reg	\$832.00	Statutory Fee	Exempt
<b>Events</b>			<b>Determined by Act / reg</b>	<b>Public Health Act 2016 &amp; Health (Miscellaneous Provisions) Act 1911</b>	
	Application and assessment for an event <b>Low Risk</b> classification	Act/Reg	\$260.00	Statutory Fee	Exempt
	Application and assessment for an event <b>Medium Risk</b> classification	Act/Reg	\$832.00	Statutory Fee	Exempt
	Application and assessment for an event <b>High Risk</b> classification	Act/Reg	\$3,120.00	Statutory Fee	Exempt
	Pyrotechnics and Firework Permits	Act/Reg	\$520.00	Statutory Fee	Exempt



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Health (continued)</b>					
<b>Events (continued)</b>	Public Building <b>Low Risk</b> classification Annual Fee	Act/Reg	\$260.00	Statutory Fee	Exempt
	Public Building <b>Medium Risk</b> classification Annual Fee	Act/Reg	\$520.00	Statutory Fee	Exempt
	Public Building <b>High Risk</b> classification Annual Fee	Act/Reg	\$832.00	Statutory Fee	Exempt
			<b>Determined by Act / reg</b>	<b>Public Health Act 2016 &amp; Health (Miscellaneous Provisions) Act 1911</b>	
	Application and assessment for an event <b>Low Risk</b> classification	Act/Reg	\$260.00	Statutory Fee	Exempt
	Application and assessment for an event <b>Medium Risk</b> classification	Act/Reg	\$832.00	Statutory Fee	Exempt
	Application and assessment for an event <b>High Risk</b> classification	Act/Reg	\$3,120.00	Statutory Fee	Exempt
	Pyrotechnics and Firework Permits	Act/Reg	\$520.00	Statutory Fee	Exempt
<b>Lodging Houses</b>			<b>Determined by Act / reg</b>	<b>Health (Miscellaneous Provisions) Act 1911</b>	
	Registration Fee	Act/Reg	\$198.00	Statutory Fee	Exempt
<b>Morgue</b>			<b>Determined by Act / reg</b>	<b>Health (Miscellaneous Provisions) Act 1911</b>	
	Application Fee	Act/Reg	\$166.50	Statutory Fee	Exempt
	Annual inspection fee	Act/Reg	\$166.50	Statutory Fee	Exempt
<b>Environmental Health Service Provision</b>				<b>Public Health Act 2016 &amp; Health (Miscellaneous Provisions) Act 1911</b>	
	Inspection / Consultation / Monitoring Upon Request (per hour)	Act/Reg	\$156.00	Statutory Fee	Exempt



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Health (continued)</b>					
<b>Bee Keeping</b>			<b>Determined by Act / reg</b>		
	Application to Keep Bees - Townsites and Rural Living Areas only	Act/Reg	\$177.00	Statutory Fee	Exempt
	Commercial Apiarists - Annual license to access land managed by Local Government Authority per site	Act/Reg	\$125.00	Statutory Fee	Exempt
<b>Aquatic Facilities</b>			<b>Determined by Act / reg</b>	<b>Public Health Act 2016 &amp; Health (Miscellaneous Provisions) Act 1911</b>	
	Water sampling and testing 12 months of samples annual fee	Act/Reg	\$728.00	Statutory Fee	Exempt
	Water sampling and testing 6 months of samples seasonal fee	Act/Reg	\$364.00	Statutory Fee	Exempt
<b>Environmental Protection - Noise</b>			<b>Determined by Act / reg</b>	<b>Environmental Protection Act 1986</b>	
	Fees as prescribed in the Environmental Protection (Noise) Regulations 1997	Act/Reg	Determined by Act/Reg	Statutory Fee	Exempt
<b>*Note:</b>	The above fees may be subject to amendments from time to time as approved by legislation. If amended, the new gazetted fees will apply.				



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## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25		Comments	Inc. GST
Building					
Building Permit	Class 1 & 10 - Uncertified Application - Fee is 0.32% of the estimated value of the building work Inc. GST, but not less than \$110.00 (s.16(1))	Act/Reg	0.32% of the estimated value, but not less than \$110.00		Exempt
	Class 1 and 10 - Certified Application - Fee is 0.19% of the estimated value of the building work Inc. GST, but not less than \$110.00 (s.16(1))	Act/Reg	0.19% of the estimated value, but not less than \$110.00		Exempt
	Class 2-9 - Certified Application Fee is 0.09% of the estimated value of the building work Inc. GST, but not less than \$110.00 (s.16(1))	Act/Reg	0.09% of the estimated value, but not less than \$110.00		Exempt
Demolition Permit	Class 1 and 10 (s.16(1))	Act/Reg	\$110.00		Exempt
	Class 2-9 Per Storey (s.16(1))	Act/Reg	\$110.00 per storey		Exempt
Occupancy Permit	Application for a completed building (s.46) - per application	Act/Reg	\$110.00		Exempt
	Application for temporary occupancy permit for an incomplete building (s.47) - per application	Act/Reg	\$110.00		Exempt
	Application for modification of an occupancy permit for additional use of building on a temporary basis (s.48) - per application	Act/Reg	\$110.00		Exempt
	Application for a replacement occupancy permit for a permanent change of building's use, classification (s.49) - per application	Act/Reg	\$110.00		Exempt
	Application for an occupancy permit for a building in respect of which unauthorised work has been done (s.51(2)) - per application	Act/Reg	0.18% of estimated value, but not less than \$110.00		Exempt
	Application to replace an occupancy permit for an existing building (s.52(1)) - per application	Act/Reg	\$110.00		Exempt
	Application to extend the time during which an occupancy permit has effect (s.65(3)(a)) - per application	Act/Reg	\$110.00		Exempt
Retrospective Building Approval Certificates	Application Fee - per structure - application for a building approval certificate for a building in respect of which unauthorised work has been done (s.51(3)) 0.38% of the estimated value of unauthorised work, but not less than \$110.00.	Act/Reg	0.38% of the estimated current value of the unauthorised work, but not less than \$110.00		Exempt
	Application for a building approval certificate for an existing building where unauthorised work has not been done (s.52(2))	Act/Reg	\$110.00		Exempt

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**Schedule of Fees & Charges 2024 - 2025**

Application to extend the time during which a building approval certificate has effect (s.65(3)(a))	Act/Reg	\$110.00		Exempt
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Item	Description	Rate 2024/25		Comments	Inc. GST
Building (continued)					
Park Homes & Rigid Annexes	Approval Fee is 0.32% of the estimated value of the building work Inc. GST, but not less than \$110.00		0.32% of construction value, but not less than \$110.00		<input checked="" type="checkbox"/>
Construction Training Fund Levy	Construction Training Fund Levy - 0.2% Value of works greater than \$20,000 including GST	Act/Reg	Determined by Act/Reg		Exempt
Building Services Levy	Building Permit - 0.137% of the value of the building work, but not less than \$61.65	Act/Reg	0.137% of the estimated value of building work, but not less than \$61.65		Exempt
	Demolition Permit - 0.137% of the value of the demolition work, but not less than \$61.65	Act/Reg	0.137% of the estimated value of demolition work, but not less than \$61.65		Exempt
	Building Approval Certificate for Unauthorised Building Work under Section 51 - 0.274% but not less than \$123.30	Act/Reg	0.274% of the estimated current value of building work, but not less than \$123.30		Exempt
	Occupancy Permit for Unauthorised Building Work under Section 51 - 0.274% but not less than \$123.30	Act/Reg	0.274% of the estimated current value of building work, but not less than \$123.30		Exempt
	Occupancy Permit for approved work under Section 47, 49, 50 and 52	Act/Reg	\$61.65		Exempt
	Occupancy Permit for approved work under Section 48	Act/Reg	No levy is payable		Exempt
	Occupancy Permit for approved work under Section 46	Act/Reg	No levy is payable		Exempt
	Building Approval Certificate for approved work under Section 47, 49, 50 and 52	Act/Reg	\$61.65		Exempt
Application as defined in Reg 31 – for each Building Standard in respect of which a declaration is sought	Per application	Act/Reg	\$2,160.15		Exempt
Local Government approval of battery powered smoke alarms (Regulation 61)		Act/Reg	\$179.40		Exempt
*Note:	The above fees may be subject to amendments from time to time as approved by legislation. If amended, the new gazetted fees will apply.				





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## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Building (continued)</b>					
<b>Copying of Plans</b>	Site Plan, Floor Plan or Elevations - A4 or A3 only		\$25.00		<input checked="" type="checkbox"/>
<b>Copy of All Plans on Building File</b>	Copies of all plans on Building File - per file if property has multiple volumes		\$87.00		<input checked="" type="checkbox"/>
<b>Photocopying / Printing Charge for Building Applications</b>	Printing/Photocopying of Plans - per sheet - A4 and A3 (If application submitted electronically or not enough submitted in hard copy)		\$1.00		<input type="checkbox"/>
	Extra charge for A0, A1 & A2 per Sheet		\$8.00		<input type="checkbox"/>
<b>Standard Building Specifications</b>	Per Copy		\$30.00		<input checked="" type="checkbox"/>
<b>Consulting Charge for Building Surveyor</b>	Hourly rate		\$135.00		<input type="checkbox"/>
<b>Footpath Bond</b>	Bond		\$520.00		<input type="checkbox"/>
<b>Swimming Pool Inspection (Reg 53)</b>	Inspection Fee	Act/Reg	\$78.00		<input checked="" type="checkbox"/>
<b>Initial Inspection on new Swimming Pool Safety Barrier 53A(2)</b>	Inspection Fee	Act/Reg	\$312.00		
<b>*Note:</b>	The above fees may be subject to amendments from time to time as approved by legislation. If amended, the new gazetted fees will apply.				



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25	Comments	Inc. GST
<b>Waste Management Facilities / Charges</b>				
<b>Waste Management Fee (UV Property Owners)</b>	Per Assessment - Includes Annual Tip Pass	\$150.00	Domestic	<input type="checkbox"/>
<b>Waste Management Fee (GRV Property Owners)</b>	Per Assessment - Includes Annual Tip Pass	\$150.00	Domestic	<input type="checkbox"/>
<b>Waste Management Fee (GRV Property Owners)</b>	Per Assessment - Includes Annual Tip Pass	\$213.50	Commercial	<input type="checkbox"/>
<b>Rubbish Collection / Sanitary Disposal</b>	Residential or Rural/Residential and Rural (Rural upon application for collection on route of contractor)	\$256.00		<input type="checkbox"/>
	Additional rubbish collection service	\$256.00		<input type="checkbox"/>
	Commercial Premises	\$300.00	Additional service Friday	<input type="checkbox"/>
	Hire of 240 litre bin (per bin) for events only	\$24.00		<input checked="" type="checkbox"/>
	Hire of 1500 litre bin (per bin) for events only	\$188.50		<input checked="" type="checkbox"/>
	Bond per event (refundable should no damage/theft occur)	\$236.50		<input type="checkbox"/>
	Opening of tip outside normal operating hours (per hour)	\$212.50		<input checked="" type="checkbox"/>
<b>Special Disposals (Supervised)</b>	Motor bodies and old machinery - each item	\$100.00		<input type="checkbox"/>
	Handling fee (applicable to any handling/burial of materials at landfill)	\$200.00		<input type="checkbox"/>
	At the discretion of the Site Attendant - special burial per cubic metre	\$271.50		<input type="checkbox"/>
<b>Controlled Waste</b>	Animal carcasses - small domestic animals	\$24.00		<input type="checkbox"/>
	Animal carcasses - large animals (sheep and cattle, etc.)	\$35.50		<input type="checkbox"/>
<b>Special Commercial Items</b>	Car tyre per item - no rims (clean)	\$12.00		<input type="checkbox"/>
	Car Tyre per item - contaminated	\$22.50		<input type="checkbox"/>
	Truck/Small Tractor tyre per item - No rims (clean)	\$34.00		<input type="checkbox"/>



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25	Comments	Inc. GST
<b>Waste Management Facilities / Charges (continued)</b>				
<b>Special Commercial Items (continued)</b>	Truck/Small Tractor tyre per item - contaminated	\$42.00		<input type="checkbox"/>
	Caravan Parks - per licensed Caravan/Camping Site plus Chalets	\$3,891.00		<input type="checkbox"/>
	Caravan Parks with 50-100 bays per annum - per licensed Caravan/Camping Site plus Chalets	\$2,594.00		<input type="checkbox"/>
	Caravan Parks less than 50 bays per annum - per licensed Caravan/Camping Site plus Chalets	\$1,297.00		<input type="checkbox"/>
<b>Card Holders</b>				
<b>General Waste</b>	Trailer (up to 8 x 6 - sedan/ute, float or equivalent) - Private Assessments with kerbside service	\$0.00	6 Free Visits on Tip Pass per yea	<input type="checkbox"/>
	Trailer (up to 8 x 6 - sedan/ute, float or equivalent) - Private Assessments without kerbside service	\$0.00	26 Free Visits on tip pass per year	<input type="checkbox"/>
	Trailer (larger than 8 x 6 - truck or equivalent per Cubic Metre [min \$30.00])	\$35.50		<input type="checkbox"/>
	Asbestos per cubic metre plus handling fee	\$148.00		<input type="checkbox"/>
<b>Non-Card Holders</b>				
<b>General Waste</b>	Minimum charge for entry to site (passenger vehicle - sedan/station wagon)	\$48.00		<input type="checkbox"/>
	Trailer (up to 8 x 6 - sedan/ute, float or equivalent)	\$83.50		<input type="checkbox"/>
	Trailer (larger than 8 x 6 - truck or equivalent per cubic metre or part thereof	\$64.50		<input type="checkbox"/>
	Asbestos per cubic metre (min \$40.00) or part thereof	\$206.00		<input type="checkbox"/>
<b>Commercial Skip Disposals</b>	Skip Bins per cubic metre or part thereof	\$64.50		<input type="checkbox"/>
<b>Shire Contractor Skip Disposals</b>	Skip Bins per cubic metre or part thereof	\$55.00		<input type="checkbox"/>
<b>Replacement Tip Pass</b>	Per Tip Pass	\$34.00		<input type="checkbox"/>
<b>Replacement New Rubbish Bin</b>	Per replacement rubbish bin	\$110.00		<input type="checkbox"/>
<b>Replacement Second Hand Rubbish Bin</b>	Per replacement rubbish bin	\$60.00		<input type="checkbox"/>
<b>Shire Contractor Disposal Rate</b>	Commercial Waste Tipping Fee per cubic meter	\$62.00		<input type="checkbox"/>



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Law &amp; Order and Public Safety</b>					
<b>Rural Road Numbers</b>	Measuring, Purchase, and Instalment of Rural Road Number		\$88.00		<input checked="" type="checkbox"/>
<b>Replacement Dog Tag</b>	Free of charge	Act/Reg	\$0.00		<input type="checkbox"/>
<b>Dog Registration</b>	Unsterilised 1 year	Dog Act 1976	Determined by Act/Reg		Exempt
	Unsterilised 3 year	Dog Act 1976	Determined by Act/Reg		Exempt
	Sterilised 1 year	Dog Act 1976	Determined by Act/Reg		Exempt
	Sterilised 3 Year Lifetime Dog Registration	Dog Act 1976	Determined by Act/Reg		Exempt
	Working Dog: 25% of above fees (must be a breed recognised as a working dog and must be bona fide used for tending stock)	Dog Act 1976	Determined by Act/Reg		Exempt
	Additional Dog Application fee	Dogs Local Law 2004	\$158.00		Exempt
	<b>Pensioners 50% of above fees</b>	Dog Act 1976	Determined by Act/Reg		Exempt
<b>Replacement Tag</b>	Free of charge		\$0.00		<input type="checkbox"/>
<b>Cat Registration</b>	Sterilised 1 year	Cat Act 2011	Determined by Act/Reg		Exempt
	Sterilised 3 year	Cat Act 2011	Determined by Act/Reg		Exempt
	Lifetime Cat Registration	Cat Act 2011	Determined by Act/Reg		Exempt
	Additional Cat Application fee - Standard	Cats Local Law 2016	\$158.00		Exempt
	<b>Pensioners 50% of above fees</b>	Cat Act 2011	Determined by Act/Reg		Exempt
<b>Boarding/Breeding Kennel/Cattery Establishment</b>	Licence/Permit Application Fee	Local Law	\$178.00		Exempt
	Licence/Permit Issue/Renewal Fee	Local Law	\$178.00		Exempt
	Licence/Permit Transfer Fee	Local Law	\$89.00		Exempt
<b>Ranger Fees – Impounding of Signs</b>	Administration Fee	LGA	\$33.00		Exempt

**MINUTES  
ORDINARY COUNCIL MEETING  
21 MAY 2024**

**APPENDIX 13.4.1**



Shire of Gingin

**Fees & Charges 2024 - 2025**

Transporting dogs back to owners	\$33.00	Exempt
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Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Law &amp; Order and Public Safety (continued)</b>					
<b>Ranger Fees – Impounding of Dogs and Cats</b>	Dog and other domesticated animals impounded (per dog)	Dog Act 1976 Cat Act 2011	\$87.00		Exempt
	Dog and other domesticated animals impounded on Sundays and Public Holidays (per dog)	Dog Act 1976 Cat Act 2011	\$131.00		Exempt
	Surrender dog to ranger fee (per dog)		\$137.00		<input type="checkbox"/>
	Transporting dog back to owners (per dog)		\$35.00		<input type="checkbox"/>
<b>Daily Substance Fees for Impounded</b>	Dog and other domesticated animals per animal (per day or part thereof) (per dog)	Local Govt (Miscellaneous Provisions) Act 1960	\$22.00		Exempt
<b>Rangers Fees – Impounding of Stock</b>	Entire horses, mules, asses, camels, bulls, or boars per head if impounded after 6am & before 6pm	Local Govt (Miscellaneous Provisions) Act 1960	\$87.00		Exempt
	Entire horses, mules, asses, camels, bulls, or boars per head if impounded after 6pm & before 6am	Local Govt (Miscellaneous Provisions) Act 1960	\$131.00		Exempt
	Mares, geldings, colts, fillies, foals, oxen, cows, steers, heifers, calves, rams, or pigs per head if impounded after 6am & before 6pm	Local Govt (Miscellaneous Provisions) Act 1960	\$88.00		Exempt
	Mares, geldings, colts, fillies, foals, oxen, cows, steers, heifers, calves, rams, or pigs per head if impounded after 6pm & before 6pm	Local Govt (Miscellaneous Provisions) Act 1960	\$132.00		Exempt
	Wethers, ewes, lambs, goats, per head if impounded after 6am & before 6pm	Local Govt (Miscellaneous Provisions) Act 1960	\$22.00		Exempt
	Wethers, ewes, lambs, goats, per head if impounded after 6pm & before 6am	Local Govt (Miscellaneous Provisions) Act 1960	\$44.00		Exempt



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Law &amp; Order and Public Safety</b> <i>(continued)</i>					
<b>Poundage Fees for Stock Impounded</b>	Entire horses, mules, asses, camels, bulls, or boars above or apparently above the age of two years, per head (First 24 hours or part)	Local Govt (Miscellaneous Provisions) Act 1960	\$28.00		Exempt
	Entire horses, mules, asses, camels, bulls, or boars above or apparently above the age of two years, per head (Subsequent 24 hours or part)	Local Govt (Miscellaneous Provisions) Act 1960	\$17.00		Exempt
	Mares, geldings, colts, fillies, foals, oxen, cows, steers, heifers, calves, rams, or pigs, per head (First 24 hours or part)	Local Govt (Miscellaneous Provisions) Act 1960	\$27.00		Exempt
	Mares, geldings, colts, fillies, foals, oxen, cows, steers, heifers, calves, rams, or pigs, per head (Subsequent 24 hours or part)	Local Govt (Miscellaneous Provisions) Act 1960	\$11.00		Exempt
	Wethers, ewes, lambs, goats, per head (first 24 hours or part)	Local Govt (Miscellaneous Provisions) Act 1982	\$10.50		Exempt
	Wethers, ewes, lambs, goats, per head (Subsequent 24 hours or part)	Local Govt (Miscellaneous Provisions) Act 1982	\$5.50		Exempt
<b>Sustenance Charges for Stock Impounded</b>	Entire horses, mules, asses, camels, bulls, mares, geldings, colts, fillies, foals, oxen, cows, steers, heifers, or calves, per head (For each 24 hours or part)	Local Govt (Miscellaneous Provisions) Act 1982	\$17.00		Exempt
	Pigs of any description, per head (For each 24 hours or part)	Local Govt (Miscellaneous Provisions) Act 1982	\$10.50		Exempt
	Rams, wethers, ewes, lambs or goats, per head (For each 24 hours or part) Act/Reg	Local Govt (Miscellaneous Provisions) Act 1982	\$8.50		Exempt
<b>Ranger Fees - Out of Hours Attendance</b>	Monday to Friday	Local Government Industry Award	Determined by Award		<input type="checkbox"/>
	Saturday	Local Government Industry Award	Determined by Award		<input type="checkbox"/>
	Sunday	Local Government Industry Award	Determined by Award		<input type="checkbox"/>



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Law &amp; Order and Public Safety (continued)</b>					
<b>Fox/Dog/Cat Traps</b>	Refundable Bond – Hire of Fox/Dog/Cat Traps		\$55.00		<input type="checkbox"/>
	Hire Fee - Fox/Dog/Cat Traps for a period		\$33.00		<input type="checkbox"/>
<b>Fencing (Local Govt (Uniform Local Provisions) Regs 1996)</b>	Contravention of Local Law upon conviction	Act/Reg	\$218.00		<input type="checkbox"/>
<b>Noxious Weeds</b>	First offence for non-compliance	Act/Reg	\$22.00		<input type="checkbox"/>
	Subsequent offence/s	Act/Reg	\$55.00		<input checked="" type="checkbox"/>
<b>Abandoned Vehicles</b>	Towing by Shire of Gingin		\$250.00		<input checked="" type="checkbox"/>
	Towing by Private Contractor		Cost + 15%		<input type="checkbox"/>
	Impound of abandoned vehicle		\$88.00		<input checked="" type="checkbox"/>
	Storage fee (per 24 hours or part thereof)		\$22.00		<input type="checkbox"/>
	Administration Fee		\$33.00		<input type="checkbox"/>
<b>Parking Fees</b>	Parking Stations		\$2.00 per hour / Maximum \$10.00 per day		<input type="checkbox"/>
<b>Replacement Parking Permits</b>	Replacement Parking Permits (Rate payers only)		\$33.00		<input type="checkbox"/>
<b>Fines Enforcement Fees</b>	Issuing Final Demand	Act/Reg	Determined by Act/Reg		Exempt
	Preparing Enforcement Certificate	Act/Reg	Determined by Act/Reg		Exempt
	Registration of Infringement Notice	Act/Reg	Determined by Act/Reg		Exempt
	Firebreak Administration Fee - engagement of private firebreak contractors		\$33.00		Exempt



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Law &amp; Order and Public Safety</b> <i>(continued)</i>					
<b>Lancelin Off-road Vehicle Area</b>	Admission Fee - Non-commercial	Control of Vehicles (Off-road Areas) Act Local Law 2020	Determined by Act/Reg		Exempt
	Admission Fee - Commercial	Control of Vehicles (Off-road Areas) Act Local Law 2020	Determined by Act/Reg		Exempt
	Trading Permits (refer to Health - Trading in Public Places Permits [inc. stallholders])	Control of Vehicles (Off-road Areas) Act Local Law 2021	Determined by Act/Reg		Exempt
<b>Itinerant Food Vendor</b>	Application Fee	Activities in Thoroughfares and Public Places and Trading Local Law (2004)	\$174.00		Exempt
	Annual permit	Activities in Thoroughfares and Public Places and Trading Local Law (2004)	\$546.00		Exempt
	6 Month Permit	Activities in Thoroughfares and Public Places and Trading Local Law (2004)	\$347.00		Exempt
	3 Month Permit	Activities in Thoroughfares and Public Places and Trading Local Law (2004)	\$220.00		Exempt
	1 Month Permit	Activities in Thoroughfares and Public Places and Trading Local Law (2004)	\$168.00		Exempt
<b>Trading in Public Places Permits</b>	Application Fee (not required for 1-day permits)	Activities in Thoroughfares and Public Places and Trading Local Law (2004)	\$174.00		Exempt
	Annual permit	Activities in Thoroughfares and Public Places and Trading Local Law (2004)	\$1,092.00		Exempt
	License Fee -Area adjoining applicant's business premises (annually)	Activities in Thoroughfares and Public Places and Trading Local Law (2004)	\$328.00		Exempt
	6 Month Permit	Activities in Thoroughfares and Public Places and Trading Local Law (2004)	\$546.00		Exempt
	3 Month Permit	Activities in Thoroughfares and Public Places and Trading Local Law (2004)	\$360.00		Exempt





Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Law &amp; Order and Public Safety</b> <i>(continued)</i>					
<b>Trading in Public Places Permits</b> <b>(continued)</b>	1 Month Permit	Activities in Thoroughfares and Public Places and Trading Local Law (2004)	\$208.00		Exempt
	1 Week Permit	Activities in Thoroughfares and Public Places and Trading Local Law (2004)	\$87.20		Exempt
	1 Day Permit	Activities in Thoroughfares and Public Places and Trading Local Law (2004)	\$33.00		Exempt
<b>*Note:</b>	Community and Charitable Organisations are exempt from payment of the fees for Trading in Public Places				
<b>*Note:</b>	The above fees may be subject to amendments from time to time as approved by legislation. If amended, the new gazetted fees will apply				



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25	Comments	Inc. GST
<b>Gingin Aquatic Centre</b>				
<b>Admission Fees</b>	Adult Swimmers - ages 16 and over	\$5.00		<input checked="" type="checkbox"/>
	Child - 5 to 15 years of age	\$3.00		<input checked="" type="checkbox"/>
	Child Under 5 years of age	\$2.00		<input checked="" type="checkbox"/>
	Concession	\$3.50		<input checked="" type="checkbox"/>
	Family Pass - 2 adults and 3 children	\$15.00		<input checked="" type="checkbox"/>
<b>Annual Membership Fees</b>	Adult Swimmers - ages 16 and over	\$145.00		<input checked="" type="checkbox"/>
	Council Employee Annual Membership	\$73.00		<input checked="" type="checkbox"/>
	Child - 5 to 15 years of age	\$79.00		<input checked="" type="checkbox"/>
	Child Under 5 years of age	\$40.00		<input checked="" type="checkbox"/>
	Concession	\$75.00		<input checked="" type="checkbox"/>
	Family Pass - 2 adults and 3 children	\$370.00		<input checked="" type="checkbox"/>
	Purchase 10 Day Passes, get one Free	\$0.00		<input type="checkbox"/>
<b>Swimming Lessons</b>	Admission all ages	\$2.50		<input checked="" type="checkbox"/>
	Members of the Swimming Pool	\$0.00		<input type="checkbox"/>
	1:1 Private Swim Lesson 30 mins \$45/session	\$45.00		<input checked="" type="checkbox"/>
	1:1 Private Swim Lesson 45 mins \$56/session	\$56.00		<input checked="" type="checkbox"/>
	Swimming Lessons (10 Lessons)	\$170.00		<input checked="" type="checkbox"/>



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25	Comments	Inc. GST
<b>Gingin Aquatic Centre (continued)</b>				
<b>Swimming Lessons (continued)</b>	Swimming Lessons (5 Lessons)	\$90.00		<input checked="" type="checkbox"/>
	Bronze Medallion full (minimum 6 participants)	\$76.50		<input type="checkbox"/>
	Bronze Medallion - requalification (minimum 6 participants)	\$55.00		<input type="checkbox"/>
	Resuscitation Training	\$55.00		<input type="checkbox"/>
<b>*Note:</b>	These rates only apply where swimming lessons are supervised by qualified persons - School Term & VacSwim			
<b>Functions etc.</b>	Hire of the Swimming Pool for functions, swimming carnivals, and other similar special events outside of opening hours can be arranged at a cost per hour + penalties	POA		<input checked="" type="checkbox"/>
<b>Lane Hire (Hourly Rate)</b>	Commercial use of Pool where fee is charged (requires copy of Public Liability Certificate of Insurance)	\$13.70		<input checked="" type="checkbox"/>
	Community Group - Not for Profit	\$7.00		<input checked="" type="checkbox"/>



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description	Rate 2024/25	Comments	Inc. GST
<b>Gingin Sale Yards</b> <i>(continued)</i>				
<b>Non-Stud / Registered Stock</b>	Per head (Increase to cover power/water use) (including Cattle, Horses, Goats and other hoofed stock)	\$8.10		<input checked="" type="checkbox"/>
<b>Stud / Registered Stock (excluding Bulls)</b>	Per head	\$51.00		<input checked="" type="checkbox"/>
<b>Stud Bulls</b>	Per head	\$75.00		<input checked="" type="checkbox"/>
<b>Removal of Dead Stock</b>	Per head	Cost plus 25%		<input checked="" type="checkbox"/>
<b>Charity Days / Community Use</b>	In accordance with Council Delegation 1.2 (Donations)			<input type="checkbox"/>
<b>Bond</b>	For use of sale yards	\$500.00		<input type="checkbox"/>



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Planning Development Applications</b>					
<b>General</b>	Determination of a Development Application (other than for an Extractive Industry) where the estimated cost of the development is:				
	a) Not more than \$50,000	Act/Reg	\$147.00		<input type="checkbox"/>
	b) More than \$50,000 but not more than \$500,000	Act/Reg	0.32% of the estimated cost of development	Determined by Act/Reg	Exempt
	c) More than \$500,000 but not more than \$2.5 million	Act/Reg	\$1,700 + 0.257% for every \$1.00 in excess of \$500,000	Determined by Act/Reg	Exempt
	d) More than \$2.5 million but not more than \$5 million	Act/Reg	\$7,161 + 0.206% for every \$1.00 in excess of \$2.5 million	Determined by Act/Reg	Exempt
	e) More than \$5 million but not more than \$21.5 million	Act/Reg	\$12,633 + 0.123% for every \$1.00 in excess of \$5.0 million	Determined by Act/Reg	Exempt
	f) More than \$21.5 million	Act/Reg	\$34,196.00	Determined by Act/Reg	Exempt
	Determining a development application (other than for an extractive industry) where the development has commenced or been carried out	Act/Reg	The Development Application fee plus, by way of penalty, twice that fee	Determined by Act/Reg	Exempt
<b>Development Assessment Panel (DAP) Fee</b>	The DAP fee is in addition to any local government development application fee payable under the <i>Planning and Development Regulations 2009</i> (R.(103))				
	Estimated cost of the development:			Determined by Act/Reg	Exempt
	a) Not less than \$2 million and less than \$7 million	Act/Reg	\$5,603.00	Determined by Act/Reg	Exempt
	b) Not less than \$7 million and less than \$10 million	Act/Reg	\$8,650.00	Determined by Act/Reg	Exempt
	c) Not less than \$10 million and less than \$12.5 million	Act/Reg	\$9,411.00	Determined by Act/Reg	Exempt



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Planning Development Applications (continued)</b>					
<b>Development Assessment Panel (DAP) Fee (continued)</b>	d) Not less than \$12.5 million and less than \$15 million	Act/Reg	\$9,680.00	Determined by Act/Reg	Exempt
	e) Not less than \$15 million and less than \$17.5 million	Act/Reg	\$9,948.00	Determined by Act/Reg	Exempt
	f) Not less than \$17.5 million and less than \$20 million	Act/Reg	\$10,218.00	Determined by Act/Reg	Exempt
	g) \$20 million or more	Act/Reg	\$10,486.00	Determined by Act/Reg	Exempt
	An application under r.17	Act/Reg	\$241.00	Determined by Act/Reg	Exempt
	Home occupation	Act/Reg	\$222.00	Determined by Act/Reg	Exempt
	Determination of an initial application for approval of a Home Occupation where the Home Occupation has commenced	Act/Reg	The Home Occupation fee plus, by way of penalty, twice that fee	Determined by Act/Reg	Exempt
<b>Heritage Listed</b>	State or Local Heritage listed buildings or places that would not normally require Planning Consent if not listed	Act/Reg	\$0.00		<input type="checkbox"/>
<b>Change of Use</b>	Determining a change of use or for an alteration or extension or change of a non-conforming use, where the change or the alteration, extension or change has not commenced or been carried out	Act/Reg	\$295.00		<input type="checkbox"/>
<b>*Note:</b>	The above fees may be subject to amendments from time to time as approved by legislation. If amended, the new gazetted fees will apply.				



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Planning</b>					
<b>Change of Use (Retrospective)</b>	Determining a change of use or for an alteration or extension or change of a non-conforming use, where the change or the alteration, extension or change has commenced or been carried out.	Act/Reg	The Change of Use fee, by way of penalty, twice that fee		Exempt
<b>Amending a Development Application</b>	A fee of \$295.00 will be charged for amendments (except where the initial fee was less than \$295.00, in which case the original fee amount will be charged again.) If the development has commenced or been carried out, the fee, plus, by way of penalty, twice that fee.	Act/Reg	\$295.00		Exempt
<b>Strata Applications</b>	Built Strata Form 24 Fee (1-5 allotments)	Act/Reg	\$656.00 plus \$65 per lot		Exempt
	Built Strata Form 24 Fee (6-100 allotments)	Act/Reg	\$981.00 plus \$43.50 per lot		Exempt
	Built Strata Form 24 Fee (in excess of 100 allotments)	Act/Reg	\$5,113.50		Exempt
<b>Subdivision Clearances</b>	a) Not more than 5 lots	Act/Reg	\$73.00 per lot		Exempt
	b) More than five (5) but not more than one hundred and ninety-five (195) lots	Act/Reg	\$73.00 for first 5 lots then \$35.00 per lot		Exempt
	More than one hundred and ninety-five (195) lots	Act/Reg	\$7,519.00		Exempt
<b>Extractive Industry Development Approval</b>	Planning Application Fee	Act/Reg	\$752.00		Exempt
<b>Extractive Industry Licence Initial Application Fee</b>	Initial Application Fee		\$535.00		<input type="checkbox"/>
<b>Extractive Industry Local Laws Licence Renewal/ Transfer</b>	Where overall area of excavation is less than 5ha		\$420.00		<input type="checkbox"/>
	Where overall area of excavation is greater than 5ha		\$840.00		<input type="checkbox"/>
<b>Extractive Industry - Retrospective</b>	Determining a development application for an extractive industry where the development has commenced or been carried out	Act/Reg	The above application fee plus, by way of penalty, twice that fee		Exempt
<b>Extractive Industry Rehabilitation Bond</b>	To be applied per ha as a condition of development approval		\$1,948.00		<input type="checkbox"/>



Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Planning (continued)</b>					
<b>Second Hand Transportable Dwellings Bond</b>	In accordance with the Local Planning Policy 1.5 Transportable Dwellings		\$5,000.00		<input type="checkbox"/>
<b>Structure Plans/Outlined Development Plans</b>	Structure Plans/Outlined Development Plans		\$4,871.00		<input checked="" type="checkbox"/>
	Modifications to Outline Development Plans/Subdivision Guide Plans		\$2,435.00		<input type="checkbox"/>
	For advertising all Applications (if required) PLUS cost of newspaper advertising				
	If applicable, fees are calculated on the estimated total cost to the Shire, in terms of Officer time spent on each request, in accordance with Regulation 48 of the Planning and Development Regulations 2009.				
	The cost of specialist services or reports required by the local government to adequately assess a scheme proposal is payable by the applicant, and the local government may permit this work (or part thereof) to be undertaken directly by the applicant.				
<b>Scheme Amendments</b>	If applicable, fees are calculated on the estimated total cost to the Shire, in terms of officer time spent on each request, in accordance with the Planning Regulations 2009. The cost of specialist services or reports required by the local government to adequately assess a scheme proposal is payable by the applicant, and the local government may permit this work (or part thereof) to be undertaken directly by the applicant.	Act/Reg	\$4,684.00		Exempt
	Basic - at discretion of the Shire	Act/Reg	\$4,684.00		Exempt
	Standard - at discretion of the Shire	Act/Reg	\$6,265.00		Exempt
	Complex - at discretion of the Shire	Act/Reg	\$8,950.00		Exempt
	For advertising all Applications (if required) PLUS cost of newspaper advertising	Act/Reg	\$168.00		Exempt
<b>Detailed Area Plan</b>	Application fee		\$484.00		<input type="checkbox"/>
<b>Detailed Area Plan Amendments</b>	Application fee		\$333.00		<input type="checkbox"/>
<b>Road Closure</b>	Application fee to close public road		\$390.00		<input type="checkbox"/>
<b>Administration Fee</b>	Issue of a zoning certificate	Act/Reg	\$74.00		<input checked="" type="checkbox"/>
	Sector 40 (Liquor Licensing) Requests		\$147.00		<input type="checkbox"/>





Shire of Gingin

## Schedule of Fees & Charges 2024 - 2025

Item	Description		Rate 2024/25	Comments	Inc. GST
<b>Planning (continued)</b>					
<b>Miscellaneous</b>	Reply to a property settlement questionnaire	Act/Reg	\$74.00		<input checked="" type="checkbox"/>
	Issue of a written Planning Advice	Act/Reg	\$74.00		<input checked="" type="checkbox"/>
	Town Planning Scheme Text/Policies		\$30.00		<input checked="" type="checkbox"/>
	Copies Local Planning Strategy		\$30.00		<input checked="" type="checkbox"/>
	Townsite Expansion Plan		\$30.00		<input checked="" type="checkbox"/>
	Heritage Booklet		\$72.00		<input checked="" type="checkbox"/>
	Administration charges for photocopying plans - if not enough sets submitted with application - A3 and A4 size plans only		\$18.00		<input type="checkbox"/>
<b>Advertising</b>	Advertising/signage	Act/Reg	At cost		<input checked="" type="checkbox"/>

### 13.5 LIST OF PAID ACCOUNTS APRIL 2024

File	FIN/25
Author	Alarna Richards- Coordinator Financial Planning and Reporting
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	1. Voucher List 2023-2024 - April 2024 [13.5.1 - 11 pages]

### DISCLOSURES OF INTEREST

Nil

### PURPOSE

For Council to note the payments made in April 2024.

### BACKGROUND

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

### COMMENT

Accounts totalling \$2,200,815.55 were paid during the month of April 2024.

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

- |   |                |
|---|----------------|
| • Municipal Fund electronic funds transfers (EFT)       | \$1,615,383.50 |
| • Municipal Fund cheques                                | \$0.00         |
| • Municipal Fund direct debits                          | \$585,432.05   |
| • Municipal Fund - Transfer to Term Deposit Investments | \$0.00         |

<b>TOTAL MUNICIPAL EXPENDITURE</b>	<b>\$2,200,815.55</b>
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- |   |        |
|---|--------|
| • Reserve Fund – Transfer to Term Deposit Investments | \$0.00 |
|---|--------|

<b>TOTAL RESERVE FUND EXPENDITURE</b>	<b>\$0.00</b>
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<b>TOTAL EXPENDITURE</b>	<b>\$2,200,815.55</b>
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All invoices have been verified, and all payments have been duly authorised in accordance with Council's procedures.

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

#### **STATUTORY/LOCAL LAW IMPLICATIONS**

*Local Government Act 1995*  
s.6.4 – Financial Report

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

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

#### **POLICY IMPLICATIONS**

Nil

#### **BUDGET IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocations.

#### **STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

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

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe

SECONDED: Councillor Woods

That Council note all payments made by the Chief Executive Officer under Delegation 1.1.13 for April 2024 totaling \$2,200,815.55 as detailed in the appendices to this report, comprising:

• Municipal Fund electronic funds transfers (EFT)	\$1,615,383.50
• Municipal Fund cheques	\$0.00
• Municipal Fund direct debits	\$585,432.05
• Municipal Fund term deposit investment	\$0.00
• Reserve Fund term deposit investment	\$0.00

CARRIED UNANIMOUSLY  
7 / 0

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

AGAINST: *Nil*

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.5.1

Payments made under Delegated Authority  
Creditors for the period 01/04/2024 - 30/04/2024

### Payment Category

L - Local, R - Reimbursement, F - Funded, S - Staff, PF -

TYPE	DATE PAID	NAME	DETAILS	AMOUNT	
EFT-41386	2/04/2024	Australian Taxation Office (P	Payroll deduction for PE: 28/03/2024	47,608.00	
EFT-41387	2/04/2024	CFMEU	Payroll deduction for PE: 28/03/2024	60.00	
EFT-41388	2/04/2024	LGRCEU (WA Division)	Payroll deduction for PE: 28/03/2024	44.00	
EFT-41389	3/04/2024	ACS Swan Express Print	Printing C4 & C3 Plain Envelopes from ACS Swan Express Print	1,012.00	
EFT-41390	3/04/2024	Alarm Assets Group & Austech Surveillance	Alarm reboot, reconfiguration and test	240.00	
EFT-41391	3/04/2024	AMPAC Debt Recovery WA F	A4640 A2621 BC Poundage	718.60	
EFT-41392	3/04/2024	Brown Automotive Gingin	Service required for Ranger Vehicle GG074	655.00	L
EFT-41393	3/04/2024	Colas Western Australia PL	Hot Bitumen Seal Single coat Final Seal Mooliabeenee Road	346,972.33	
EFT-41394	3/04/2024	Complete Office Supplies Pty	Stationery Order, Coffee, Electrical equipment for Depot	818.98	
EFT-41395	3/04/2024	Country Values Real Estate	Rental Appraisal for four properties in Gingin	220.00	L
EFT-41396	3/04/2024	Eagleeye Technical Services	Electricity Disconnection & Replacement Lighting Cover	181.50	L
EFT-41397	3/04/2024	Full Flow Plumbing and Gas	Unblock septic tanks at Woodridge Fire Station	825.00	L
EFT-41398	3/04/2024	Gingin Fuel & Tyres	GG01 Diesel 159.07 L @ 1.989/L	316.39	L
EFT-41399	3/04/2024	IRIS Consulting Group	Training DIGI	638.00	
EFT-41400	3/04/2024	John Lamb	Niche S4 - Ashes Interment - Duplicate Fee Refund	100.00	
EFT-41401	3/04/2024	Lancelin Community & Sport	Quarterly contribution to Lancelin Community Bus - 23/24 Fin	500.00	L
EFT-41402	3/04/2024	Lancelin Outdoors	Repair and service to Wodridge fire station roller doors.	960.00	L
EFT-41403	3/04/2024	LGISWA	Membership details for the period 30/06/2022 to 30/06/2023	9,822.40	
EFT-41404	3/04/2024	Lo-Go Appointments	Temp Contract - Community Development Officer	552.11	
EFT-41405	3/04/2024	McLeods Barristers and Solic	Preparation of Assignment of Lease - portion of Lot 301 King	642.17	
EFT-41406	3/04/2024	Perth Reptile Company	Youth Fun Day - Woodridge 2024	1,210.00	
EFT-41407	3/04/2024	Strettle Pty Ltd	Preparation of New/Amendment/Repeal Local Laws as resolved by Council 20/12/2022.	1,210.00	
EFT-41408	3/04/2024	Team Global Express Pty Ltd	Various Freight Charges 15th of February to 21st of March	466.36	
EFT-41409	3/04/2024	Western Australia Police For	National Police Check for Volunteers	102.00	
EFT-41410	3/04/2024	Wolfcom Australia Pty Ltd	Ranger 1 Body worn Camera Battery	72.60	
EFT-41411	3/04/2024	Zalha Winter	Registration Sterilisation Refund	30.00	
EFT-41412	3/04/2024	Colin Fewster	Shire President Quarterly Payment 01/01/2024 - 31/03/2024	8,525.00	L
EFT-41413	3/04/2024	Erik Sorensen	Shire Councillor Quarterly Payment 01/01/2024 - 31/03/2024	2,705.00	L
EFT-41414	3/04/2024	Frank Johnson	Shire Councillor Quarterly Payment 01/01/2024 - 31/03/2024	2,705.00	L
EFT-41415	3/04/2024	Frank Peczka	Shire Councillor Quarterly Payment 01/01/2024 - 31/03/2024	2,705.00	L
EFT-41416	3/04/2024	Jason Weeks	Shire Councillor Quarterly Payment 01/01/2024 - 31/03/2024	2,705.00	L
EFT-41417	3/04/2024	Lincoln Stewart	Shire Councillor Quarterly Payment 01/01/2024 - 31/03/2024	2,705.00	L
EFT-41418	3/04/2024	Linda Balcombe	Deputy Shire President Quarterly Payment 01/01/2024 -	3,705.00	L
EFT-41419	3/04/2024	Nicole Woods	Shire Councillor Quarterly Payment 01/01/2024 - 31/03/2024	2,705.00	L
EFT-41420	4/04/2024	ASK Waste Management Pty Ltd	Stage Four - Community Consultation Waste Reform	11,275.00	
EFT-41421	4/04/2024	Avon Waste	Waste Collection Services	20,106.18	L
EFT-41422	4/04/2024	Central Regional Tafe	Regional Tafe Course: Rangers	437.18	
EFT-41423	4/04/2024	Colas Western Australia PL	Aggregate change out to Winchesters vs Hanson supply	49,002.80	
EFT-41424	4/04/2024	Cooee Couriers & Transport	Freight Charges for the period 13/3/2024 - 21/3/2024	594.00	L
EFT-41425	4/04/2024	Thompson Surveying Consultants	Site Survey - Lancelin Waste Facility DWER licence requirement Landfill Closure Management Plan	10,450.00	
EFT-41426	4/04/2024	Gingin Fuel & Tyres	Bulk Fuel Diesel 333.33L @ 1.98/L	659.63	L
EFT-41427	4/04/2024	Inline Farm Fencing	Wet Hire of Machine for firefighting operations	1,980.00	L
EFT-41428	4/04/2024	Iron Mountain Australia	Storage Business Cartons 2023 / 2024	345.96	
EFT-41429	4/04/2024	Jack Miller	Lancelin Arts Festival - musician	500.00	PF
EFT-41430	4/04/2024	Limestone Park Earthmoving	Wet Hire of Earthmoving equipment Nabaroo Fire Inc No 655953	5,318.50	L
EFT-41431	4/04/2024	M.R. Mulching	Firebreak Contracting	2,310.00	L

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.5.1

**Payments made under Delegated Authority  
Creditors for the period 01/04/2024 - 30/04/2024**

### Payment Category

**L - Local, R - Reimbursement, F - Funded, S - Staff, PF -**

TYPE	DATE PAID	NAME	DETAILS	AMOUNT	
EFT-41432	4/04/2024	Mcintosh and Son	GG016 - turbo replacement and Ram repairs	15,735.49	
EFT-41433	4/04/2024	McLeods Barristers and Solicitors	Wilkie vs Shire of Gingin	2,610.30	
EFT-41434	4/04/2024	Netstar Australia	4G upgrade to AVL Systems on BFB appliances	264.00	
EFT-41435	4/04/2024	Plumb It Right Pty Ltd	Clearing the blockage effecting sites 1-9	1,589.50	L
EFT-41436	4/04/2024	Presidential Building Service	Lancelin Aged Units Capital project	62,700.00	
EFT-41437	4/04/2024	Tony Pisoneri	Seabird & Lanceling Waste Facility Management	17,374.00	L
EFT-41438	4/04/2024	Total Green Recycling	E-waste Recycling Gingin Waste Facility	761.46	
EFT-41439	8/04/2024	Arcus Refrigeration Service	Carried out work as per service report 41158	363.00	
EFT-41440	8/04/2024	Monsterball Amusements & Youth Event	Inflatable Obstacle Course and Basketball Game	740.00	
EFT-41441	8/04/2024	Coastal Courier	Advertising - Country & Coast newsletter (2 x A4 pages) in Coastal Courier x 11 months - June 2024 to May 2025	990.40	L
EFT-41442	8/04/2024	Gingin CRC	4x A4 Event Advertisements in the Gingin Buzz April Edition	440.00	L
EFT-41443	8/04/2024	Gingin Fuel & Tyres	GG083 Diesel 49.935L @ 1.989/L	99.32	L
EFT-41444	8/04/2024	Landgate	MINING TENEMENTS CHARGABLE	983.26	
EFT-41445	8/04/2024	Local Government Professionals WA	Employment advertisement - Environmental Health Officer on LG Pro website	165.00	
EFT-41446	8/04/2024	Lo-Go Appointments	Temporary Staffing Rates Department 16 hours a week for 7 weeks - 7th March 2024 - 19th April 2024	590.66	
EFT-41447	8/04/2024	McLeods Barristers and Solicitors	Request for Legal Advice - Drafting of Generic Response to Sovereign Citizen Communications	713.90	
EFT-41448	8/04/2024	Omnicom Media Group Aust	Tender advertisement - RFT02/2024 Sale of Property	1,765.66	
EFT-41449	8/04/2024	Ronald Moller	A233 Rate Refund Assessment in Credit - Paid twice	7,892.14	R
EFT-41450	8/04/2024	Seek Limited	Employment advertisement - Environmental Health Officer (readvertised) on seek.com website	440.00	
EFT-41451	8/04/2024	Tanya Hemi	Lancelin Arts Festival Live entertainment - Tanya Hemi	500.00	PF
EFT-41452	11/04/2024	Advance Office Solutions	Franking Machine - Quarterly rental 2023 - 24 - February	643.50	
EFT-41453	11/04/2024	Anthony Hambleton	Refund Lifetime Unsterilised prorata Fee - Pensioner \$75.00	75.00	R
EFT-41454	11/04/2024	Australian Taxation Office	Payroll deduction for PE: 04/04/2024	1,292.00	
EFT-41455	11/04/2024	Sigma Chemicals	Chemicals for the Aquatic Centre	872.52	
EFT-41456	11/04/2024	CSSTech	Agreement for CSSTech to manage our mobile phones for telstra, office phones for ringcentral	165.00	
EFT-41457	11/04/2024	Duncan Solutions	Guilderton Parking Meters -Credit Card Transactions and Monthly support fee for July 2023 - June 2024	336.40	
EFT-41458	11/04/2024	Paper Deli Designs	Paper collage workshops 10 am to 3 pm	1,350.00	
EFT-41459	11/04/2024	Game Vault Perth	Youth Event 10/04/2024 - Game Vault trailer	885.00	PF
EFT-41460	11/04/2024	Gingin IGA Express	March 2024 - Purchases	873.43	L
EFT-41461	11/04/2024	Holly McBride	Holly McBride - Reservations: Group 365297, 365296, 365295 - \$230 per chalet, EFT - due to stolen credit card.	460.00	R
EFT-41462	11/04/2024	Joondalup Marquees	Lancelin Arts Festival - Marquess hire, table and chairs	2,671.05	PF
EFT-41463	11/04/2024	Lancelin Sands	Guilderton Caravan Park	2,000.00	L
EFT-41464	11/04/2024	Kleenheat Gas Pty Ltd	Guilderton Caravan Park	1,871.40	
EFT-41465	11/04/2024	Lancelin IGA	Lancelin IGA March 2024 Statement	62.60	L
EFT-41466	11/04/2024	Landgate	1 x SLIP Subscription Services - Small - 18th March 2024 - 17 March 2025 Online Shop Fee	2,563.50	
EFT-41467	11/04/2024	Moore River Electrical Services	Lancelin Arts Festival - 6/03/2024 - Electrical sign off	275.00	L
EFT-41468	11/04/2024	Northern Valley News	Advertising - C2C in Northern Valley News f04 2023/24 - 11 editions x \$800 per issue	800.00	L
EFT-41469	11/04/2024	Officeworks	Council Meeting Refreshments and IT Dept - Electrical	735.17	
EFT-41470	11/04/2024	Her Creative Inspiration	Dot mandala workshops 10 am to 3 pm Lancelin Arts Festival	875.00	
EFT-41471	11/04/2024	Phil Doncon's Paint Storm	2 x 40 minute Paint Storm Shows at Lancelin Arts Festival	2,365.00	PF
EFT-41472	11/04/2024	Plumb It Right Pty Ltd	Guilderton Caravan Park	1,325.50	L
EFT-41473	11/04/2024	Robyn McWilliams	Reservations: 419409 - Within cancellation policy. Card	52.00	
EFT-41474	11/04/2024	Shenton Enterprises (Pumps)	Replacement of Backwash Valves x 2	1,941.50	



# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.5.1

**Payments made under Delegated Authority  
Creditors for the period 01/04/2024 - 30/04/2024**

### Payment Category

**L - Local, R - Reimbursement, F - Funded, S - Staff, PF -**

DATE PAID	NAME	DETAILS	AMOUNT	
TYPE				
EFT-41475	11/04/2024	The Freo Hire Company PL Inflatable movie screen & popcorn machine hire for 25th May 2024 Volunteer Week movie.	211.20	
EFT-41476	11/04/2024	Waterlogic Australia PL Gingen Administration Office and Council Chambers Kitchens - rental and service of SD5 Cool & Cold Countertop and Clean Stream for the period 01/04/2024 - 30/04/2024.	161.38	
EFT-41477	11/04/2024	Lancelin Mechanical Auto electrical work GG 13277 Service and tyre repair to GG020 Supply new battery Kanga mini digger.	1,401.55	L
EFT-41478	15/04/2024	Alarm Assets Group & Austech Surveillance GESC Monitored security 01/04/2024-30/06/2024	146.00	
EFT-41479	15/04/2024	Australian Taxation Office Payroll deduction for PE: 11/04/2024	61,182.00	
EFT-41480	15/04/2024	Avon Waste Supply Red Lid Heavy Base Bins (2 x Ledge Point Off Road Vehicle 2 x Seabird Lookout	1,980.00	L
EFT-41481	15/04/2024	BOC Pty Ltd Gas & Oxygen Supplies for the Workshop & Gingen Medical Centre for the period 27.02.2024 - 28.03.2024	107.40	
EFT-41482	15/04/2024	Brown Automotive Gingen GG061 - service	800.00	L
EFT-41483	15/04/2024	Bullsbrook Water Carriers Supply 27kl potable water to Lancelin Sport Complex. text quote \$1100.00	1,100.00	L
EFT-41484	15/04/2024	CFMEU Payroll deduction for PE: 11/04/2024	60.00	
EFT-41485	15/04/2024	Country Copiers colour copier fees - Meter readings for 05/03/2024 -	1,524.20	
EFT-41486	15/04/2024	CU@Park Granville Park Ablutions	1,354.90	L
EFT-41487	15/04/2024	Department of Transport Disclosure of Information fees for applications during July 2023 - June 2024	145.20	
EFT-41488	15/04/2024	Dielectric Security Systems Alarm Monitoring Fees	619.96	
EFT-41489	15/04/2024	Durty Filthy Garden Supplies Top dress for Lancelin footy oval.	230.00	L
EFT-41490	15/04/2024	Eagleeye Technical Services Urgent electrical test and tagging at the depot Disconnect and reconnect electrical fixtures at CU@Park Cafe Repairs to electrical fault in treatment room at medical centre	5,893.80	L
EFT-41491	15/04/2024	Eastern Hills Chainsaws & Mowers Pty Ltd Purchase walk-behind mower with spare catcher Frame Comp Bag	1,821.42	
EFT-41492	15/04/2024	Ecowater Services Guilderton Caravan Park - Quarterly service March 2024	816.50	
EFT-41493	15/04/2024	Element Advisory Pty Ltd Processing of Scheme Amendment No. 23 - Section 26 Order	3,080.00	
EFT-41494	15/04/2024	Gingen Trading Gingen Trading Purchases March 2024	3,705.45	L
EFT-41495	15/04/2024	Gingen Tree Services Tree Pruning -Beermullah (emergency works) Mooliabeenee	50,985.00	L
EFT-41496	15/04/2024	Greenacres Nursery Purchase 25 Cu/M of topsoil for use at various Parks and	1,238.00	L
EFT-41497	15/04/2024	Gull Gingen Pty Ltd Fuel Sales Vehicles/Small Parts - March 2024	167.43	L
EFT-41498	15/04/2024	Harbour Software 2024/25 Subscription Renewal - Doc Assembler 01/03/2024 - 28/02/2025	11,249.70	
EFT-41499	15/04/2024	Hersey's Safety Pty Ltd gloves, brushes, gloves. rags, t6ie downs	1,214.43	
EFT-41500	15/04/2024	Julie Polette Hangable mosaics workshops Lancelin Arts Festival	600.00	L
EFT-41501	15/04/2024	Karen Grant Cleaning Shire facilities	2,301.75	L
EFT-41502	15/04/2024	Kevrek (Australia) Pty Ltd GG060 - kevrek crane S/ 9253 service	2,840.48	
EFT-41503	15/04/2024	Kleen West Distributors Supply Sanitary Bins	1,436.82	
EFT-41504	15/04/2024	Lancelin Gull Roadhouse Lancelin Gull Roadhouse Fuel Purchases	1,166.86	L
EFT-41505	15/04/2024	Lancelin Outdoors Carry out repairs and servicing to roller doors Fire stations	3,080.00	L
EFT-41506	15/04/2024	Lancelin Trade and Rural Sup Lancelin Trade and Rural Supplies Purchases for March 2024	480.95	L
EFT-41507	15/04/2024	Ledge Point Reticulation & Refrigeration Locating solenoid valves in Granville Park / GOAS, Pioneer Park and Gingen administration	1,584.00	L
EFT-41508	15/04/2024	LGRCEU (WA Division) Payroll deduction for PE: 11/04/2024	44.00	
EFT-41509	15/04/2024	M & J Essential Solutions Pty Professional Coaching CEO	150.00	
EFT-41510	15/04/2024	Moore River Electrical Servic Repair broken conduit and repair lighting at Seabird park	825.00	L
EFT-41511	15/04/2024	Moore River Roadhouse Moore River Road House	1,984.02	L
EFT-41512	15/04/2024	Nicole Woods Flavours of Gingen event - photography services	500.00	L
EFT-41513	15/04/2024	Northern Valley News 4x Event Advertisements in the Northern Valley News April	900.00	L
EFT-41514	15/04/2024	Novatec Energy Solutions Pt Aircon repairs Guilderton store	748.00	

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

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Creditors for the period 01/04/2024 - 30/04/2024

### Payment Category

L - Local, R - Reimbursement, F - Funded, S - Staff, PF -

DATE PAID	NAME	DETAILS	AMOUNT	
TYPE				
EFT-41515	15/04/2024	Presidential Building Services Pty Ltd	Remove asbestos, replace timber battens & roof sheets, painting	13,282.50
EFT-41516	15/04/2024	Presidential Facility Services Pty Ltd	Cleaning ablutions, BBQs, Gazebos for Lancelin and Ledge 18/03/2024 - 24/03/2024.	7,161.00
EFT-41517	15/04/2024	RiteCert Pty Ltd	Cleaning Gingin Depot 19/03/2024 - 19/03/2024	2,850.00
EFT-41518	15/04/2024	Sealing Technology Australia	Site inspection and supply all approvals for transportable Sandblast. Rust treat, prime and paint Gingin Shire Administration generator	2,200.00
EFT-41519	15/04/2024	Sherrin Rentals Pty Ltd	Plant Hire: Multi roller & water truck	16,103.45
EFT-41520	15/04/2024	Stewart & Heaton Clothing C	Firefighter PPE/PPC	1,120.41
EFT-41521	15/04/2024	Sunny Signs Company Pty Ltd	Park signs	386.38
EFT-41522	15/04/2024	Thomas Kusters	Repair Leak & Sweage Blocaing Wangaree & Pioneer Park	320.00 L
EFT-41523	15/04/2024	WANT Plumbing Services Pty	Supply 2000L Water tanks SOGG depots. Replace pressure tank on bore system at Equestrian Grounds. Backlow testing.	15,026.00 L
EFT-41524	15/04/2024	WEX Australia Pty Ltd	Caltex Fuel Card Purchases March 2024	2,696.94
EFT-41525	15/04/2024	Zone 50 Engineering Surveys	Seal marking Mooliabeene	9,352.16
EFT-41526	17/04/2024	Apex Refrigeration WA	Emergency after hours Coolroom repairs at Guilderton store 15/03/2024	9,913.15
EFT-41527	17/04/2024	Boya Equipment	Purchase one (1) new Kubota Compact Loader SVL75-2FCW High Flow Cab W/Track as per Quote No. 11781.	150,150.00
EFT-41529	17/04/2024	Plain Grazing Co	Wet hire machinert for Fire Fighting operations.	1,375.00 L
EFT-41530	17/04/2024	Presidential Facility Services	Cleaning ablutions, BBQs, Gazebos for Lancelin and Ledge 24/03/2024 - 01/04/202	11,682.00
EFT-41531	17/04/2024	Rebecca Foulkes-Taylor	Reimbursement cleaing supplies aquatice centre	34.78 R
EFT-41532	18/04/2024	ACS Swan Express Print	5 x A1 Posters for A Frame Signs at entry points to Lancelin	330.00
EFT-41533	18/04/2024	Belgravia PRO Pty Ltd	Guilderton Caravan Park - RMS License Fees 2023/24	39,653.16
EFT-41534	18/04/2024	Bunnings Buildings Supplies	Supply flick mixer tap Ocean Farm Hall	52.88
EFT-41535	18/04/2024	Challenge Batteries WA	Fire appliance battery Chargers + freight	1,326.00
EFT-41536	18/04/2024	City Electric Supply	Gingin Depot Solar LED Sensor Flood Light	293.07
EFT-41537	18/04/2024	Corsign	Replacement of Fire Danger Rating signs including traffic	5,665.00
EFT-41538	18/04/2024	Data#3	veeam renewal	4,126.85
EFT-41539	18/04/2024	Department of Water and Er	Lancelin Waste Facility - 2024 Annual Licence	1,042.80
EFT-41540	18/04/2024	Ecowater Services	Guilderton General store - Quarterly service March	275.00
EFT-41541	18/04/2024	Frontline Fire and Rescue Eq	Assorted firefighter PPE/PPC	390.31
EFT-41542	18/04/2024	Gingin District Community R	23/24 Funding Assistance Scheme Grants - GINGIN VISITORS CENTRE 2023-2026 Gingin Jam Citizenship Ceremony Gift 23/24 Community Grants 2024Rock n Arts in the Park Final Grant Outcome Provision of Library Services - Jan - March 2024 Apr - June 2024	19,594.11 L
EFT-41543	18/04/2024	GR Thomson Truck Hire	Water Cartage for Mooliabeenee Road Project 30/01/2024 - 21/02/2024	59,950.00 L
EFT-41544	18/04/2024	Guilderton & Districts Volun	Guilderton & Districts VBFB	485.00 L
EFT-41545	18/04/2024	Helen Sampson	Collection of DrumMuster Recycling 27/03/2024 2,184 drums @ 0.20 cents +GST	480.48 L
EFT-41546	18/04/2024	ID RENT PTY LTD	Bonnet repairs to hired roller	549.74
EFT-41547	18/04/2024	Jessica Batten	Face painting services Lancelin Arts Festival	500.00 L
EFT-41548	18/04/2024	Lancelin Sands	Sand & Water refill firefighting tanks	11,897.33 L
EFT-41549	18/04/2024	LD Total	March 2024 Mowing	30,244.67
EFT-41550	18/04/2024	Ledge's Kanga Service and Skip Bin Hire	Annual Jetty Bin Collection, DoT/Fuel Distributor Bin Emptying, Ledge Point Cleanup	2,475.00 L
EFT-41551	18/04/2024	Lo-Go Appointments	Temp Contract - Community Development Officer	2,570.78
EFT-41552	18/04/2024	Moore Clothes Inc	Moore Clothes Inc PLI Grant Contribution 50% Public Liability Insurance 2023/2024 Fin Year	408.14 L



# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.5.1

Payments made under Delegated Authority  
Creditors for the period 01/04/2024 - 30/04/2024

### Payment Category

L - Local, R - Reimbursement, F - Funded, S - Staff, PF -

DATE PAID	NAME	DETAILS	AMOUNT	
TYPE				
EFT-41553	18/04/2024	Moore River Electrical Servic	Emergency Call Out Replacement Power Point Chalet 2	165.00 L
			Guilderton Caravan Park	
EFT-41554	18/04/2024	Moore Septics	Septic Pump Out Guilderton Foreshore & Silver Creek	2,825.00 L
EFT-41555	18/04/2024	Robert Kelly	50% Reimbursement of Mobile Phone Plan	50.00 S
EFT-41556	18/04/2024	Royal Life Saving Western A	Bronze Requal Certification GGDHS Staff & IHC Staff	85.80
EFT-41557	18/04/2024	Shana-Kura Derench	Graphic Design - Maps - Lancelin Arts Festival	360.00 L
EFT-41558	18/04/2024	Shenton Enterprises (Pumps	Repair Backwash Filter sight glass Filter 3	4,994.00
EFT-41559	18/04/2024	Team Global Express Pty Ltd	Courier Charges	67.09
EFT-41560	18/04/2024	West Coast Turf	Gingin Admin - Purchase 92 sq/m of Soft Leaf Buffalo lawn, includes delivery.	1,132.00 L
EFT-41561	18/04/2024	West Coast Vehicle Hoist	1 x Hoist Inspection & Service	429.00
		Repairs		
EFT-41562	23/04/2024	ACS Swan Express Print	Printing DL & DLX Window Faced Envelopes from ACS Swan Express Print.	504.90
EFT-41563	23/04/2024	Australian Taxation Office (P	Payroll deduction for PE: 12/12/2023	82.00
EFT-41564	23/04/2024	Avon Waste	Kerbside Waste Collection Services 25/03/2024 - 05/04/2024	20,463.72
EFT-41565	23/04/2024	Belgravia PRO Pty Ltd	Guilderton Caravan Park 85% Pure Glamping & Hire	9,621.70
EFT-41566	23/04/2024	Branches Holiday Homes	Police housing accommodation 28/03/2024 - 02/04/2024 (6 nights)	2,800.00 L
EFT-41567	23/04/2024	Brown Automotive Gingin	Repair of Side cage door on Ranger vehicle GG070	305.00 L
EFT-41568	23/04/2024	Coastal Courier	1x Event Advertisement in the Coastal Courier May Edition	40.00 L
EFT-41569	23/04/2024	Data#3	Upgrade F3 Microsoft Remote	350.24
EFT-41570	23/04/2024	Eagleeye Technical Services	repairs to broken electrical conduit at Granville ablution	286.00 L
EFT-41571	23/04/2024	Experience Lancelin Holiday	Lancelin Family Concert - 2023/24 sponsorship funding	2,500.00 L
EFT-41572	23/04/2024	Gingin District Community R	Gingin CRC Synergy Account -Reimbursement - 50% Medical Centre usage 11 Jan 2024 - 28 March 2024.	1,147.45 L
EFT-41573	23/04/2024	Gingin Fuel & Tyres	Towing Service of Abandoned vehicle on Military Road	319.00 L
EFT-41574	23/04/2024	Haulmore Trailer Rentals PL	Rental - Side Tipper Trailer - December 2023	5,621.00
EFT-41575	23/04/2024	Indian Ocean Pest Control	Castor Oil plant spraying and removal	770.00 L
EFT-41576	23/04/2024	Lancelin Sands	Guilderton Caravan Park	2,000.00 L
EFT-41577	23/04/2024	Kleen West Distributors	Supply toilet tissue Lancelin/Ledge. April 2024	1,999.80
EFT-41578	23/04/2024	Kylie Sutton	Reservations: 281358 -Card Expired	126.00
EFT-41579	23/04/2024	Local Government	Employment advertisements x 2Employment advertisement - /	660.00
		Professionals WA-		
EFT-41580	23/04/2024	Lo-Go Appointments	Temporary Staffing Rates Department	1,181.31
EFT-41581	23/04/2024	McLeods Barristers and	Road Acquisition Agreement: Lot 6 (No.7) Ioppolo Road,	1,379.75
		Solicitors	Breera	
EFT-41582	23/04/2024	Mills Corporation Pty Ltd	CEO Recruitment	4,730.00
EFT-41583	23/04/2024	Moore Demo & Civil	Guilderton Caravan Park - install new leach drain	4,290.00 L
EFT-41584	23/04/2024	Moore River Electrical	Install new power meter box including western power	1,347.50 L
		Services	reconnect.	
EFT-41585	23/04/2024	Presidential Facility	Cleaning ablutions, BBQs, Gazebos for Lancelin and Ledge	5,841.00
		Services Pty Ltd		
EFT-41586	23/04/2024	Seek Limited	Employment advertisement - Accounts Payable Officer	462.00
EFT-41587	23/04/2024	Sovereign Hill Community As	Mowing Jan, Feb and March	720.00 L
EFT-41588	23/04/2024	Team Global Express PL	Courier Charges	77.86
EFT-41589	23/04/2024	Thomas Kusters	Supply and install vandalized hand basin Ledge Pt. ablution.	397.00 L
EFT-41590	26/04/2024	Construction Training Fund	Construction Training Fund (CTF) with refund request REF-219	34,339.36
EFT-41591	26/04/2024	DMIRS - Bond	Building Services Levy (BSL) with refund request REF-227	44,241.95
		Administrator	Building Services Levy (BSL) with refund request REF-228	
EFT-41592	26/04/2024	Shire of Gingin	Construction Training Fund (CTF) with refund request REF-222	283.75
EFT-41593	26/04/2024	AMPAC Debt Recovery WA F	AMPAC Debt Recovery Fees 01/03/2024 - 31/03/2024	1,780.00
EFT-41594	26/04/2024	Australian Taxation Office	Payroll deduction for PE: 24/04/2024	47,226.00
EFT-41595	26/04/2024	CFMEU	Payroll deduction for PE: 24/04/2024	60.00

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.5.1

Payments made under Delegated Authority  
Creditors for the period 01/04/2024 - 30/04/2024

### Payment Category

L - Local, R - Reimbursement, F - Funded, S - Staff, PF -

DATE PAID	NAME	DETAILS	AMOUNT	
TYPE				
EFT-41596	26/04/2024	Cooee Couriers & Transport	Pick up and Delivery from Gingin to Dept of Transport	178.20 L
EFT-41597	26/04/2024	Department of Finance	OSR Refund - A17 Pensioner Rebate via EFT deposit.	674.97 R
EFT-41598	26/04/2024	Ergolink	Ergonomic Requirements - Community Services office	1,161.60
EFT-41599	26/04/2024	Evergreen Synthetic Grass	Supply and installation of Gold 10 synthetic to replace grass at Lancelin Bowling Club 5% Deposit	13,646.85
EFT-41600	26/04/2024	Focus Music Pty Ltd	Learn to be a DJ Workshops 10 am to 3 pm Lancelin Arts	2,000.00 PF
EFT-41601	26/04/2024	Gingin District Community R	Gingin CRC Synergy Account -Reimbursement - 50% Medical Centre usage03 November 2023 - 10 Jan 2024	562.56
EFT-41602	26/04/2024	Gingin Florist	ANZAC Day Service - 4 X Wreaths (Guilderton Service, Seabird Service, Gingin District High School and Gingin Service)	240.00 L
EFT-41603	26/04/2024	Gingin Fuel & Tyres	Emergency smash hammers/ scout hall generator air filter	1,474.80 L
EFT-41604	26/04/2024	Jupiter Health and Medical S	Invoice 22 - Reimbursement of Accommodation Costs for Dr at Lancelin Medical Centre	3,200.00
EFT-41605	26/04/2024	Kevin Vine	Assorted Cleaning Lower Coastal - February	18,787.18
EFT-41606	26/04/2024	Lancelin Beach Breaks	Accommodation for Aged Well units in Lancelin	2,360.00 L
EFT-41607	26/04/2024	Lancelin Carpentry	Supply & Install Core Door Lanceling Sports Complex	1,190.00 L
EFT-41608	26/04/2024	Ledge Point Reticulation & R	Replace air con units at Lancelin Sport Complex	25,950.00 L
EFT-41609	26/04/2024	LGRCEU (WA Division)	Payroll deduction for PE: 24/04/2024	44.00
EFT-41610	26/04/2024	Netstar Australia	4G upgrade to AVL Systems on BFB appliances	3,960.00
EFT-41611	26/04/2024	Nicole Williams t/as Everythi	Face Painter - Youth Fun Day 2024 - 10 April - Woodridge	560.00
EFT-41612	26/04/2024	Pedders Suspension - Joond:	Wheel alignment GG 020	105.00
EFT-41614	26/04/2024	PFD Food Services Pty Ltd	Pool Kiosk Items	248.95
EFT-41615	26/04/2024	Plumb It Right Pty Ltd	Guilderton Caravan Par - replace leaking wall mounted tap in laundry of chalet 1	176.00 L
EFT-41616	26/04/2024	St John Ambulance Western	Replacement stock for Ranger vehicles first aid kits for	121.78
EFT-41617	26/04/2024	The National Trust of Weste	Gingin Railway Stn - Rent 27 April 2024 - 26 May 2024	255.37
EFT-41618	26/04/2024	The Wyatt Trust T/A Jaxart	Calligraphy workshops 10 am - 3 pm Lancelin Arts Festival	870.00 PF
EFT-41619	26/04/2024	Tiffany's Catering	Catering - Council Meeting 16 April 2024 to be delivered at	180.00 L
EFT-41620	26/04/2024	Timber Insight Pty Ltd	Cowalla Bridge Critical repairs Bridge 4806 - CTI370	13,256.93
EFT-41621	26/04/2024	Woodridge Community Asso	Woodridge Community Association PLI Contribution 23/24	500.00 L
EFT-41622	30/04/2024	Civic Legal	Draft lease Shire of Gingin to Optus - Site P8391 Lot 232 Wedge St, Gingin	10,816.50 PF
EFT-41623	30/04/2024	D.A. Christie Pty Ltd (All Park	Control board for BBQ Key Biscayne	700.70
EFT-41624	30/04/2024	David Wilson	Community Resilience Coordinator - Casual Contract 16 hrs	3,200.00
EFT-41625	30/04/2024	Lancelin Community & Sporting Club Inc.	Quarterly contribution to Lancelin Community Bus - 23/24 Fin Yr	500.00 L
EFT-41626	30/04/2024	Lo-Go Appointments	Temporary Staffing Rates Department	1,181.31
EFT-41627	30/04/2024	Moore River Electrical Servic	Replace floodlight Wangaree Park. Lights & Batons	880.00 L
EFT-41628	30/04/2024	Ohura Consulting	ER/IR Consultancy - Inv 0500 March 2024	3,905.00
EFT-41629	30/04/2024	Presidential Facility Services	Gingin Depot 2 week clean	1,320.00
EFT-41630	30/04/2024	Seaview Park Community As	Seaview Park Community Association Inc PLI Grant	306.07 L
EFT-41631	30/04/2024	Stephen Nolan	Reimbursement for Staff Voucher	49.15 S
EFT-41632	30/04/2024	Stewart & Heaton Clothing C	Fire fighter PPE/PPC	2,315.60
EFT-41633	30/04/2024	Weeks Services Pty Ltd t/as Lancelin Mechanical	Service to GG 020	400.00 L

EFT TOTAL

1,615,383.50

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# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.5.1

Payments made under Delegated Authority  
Creditors for the period 01/04/2024 - 30/04/2024

### Payment Category

L - Local, R - Reimbursement, F - Funded, S - Staff, PF -

TYPE	DATE PAID	NAME	DETAILS	AMOUNT	
<b>CHEQUES TOTAL</b>				<b>0.00</b>	
<b>DIRECT DEBIT</b>					
DE-4810	1/04/2024	Bendigo Bank	Bendigo Bank: BPay Monthly Fee	462.88	L
DE-4811	1/04/2024	Bendigo Bank	Bendigo Bank: Transfer Fees	62.50	L
DE-4812	1/04/2024	Bendigo Bank	Bendigo Bank: Tyro Fees	99.00	L
DE-4813	1/04/2024	Bendigo Bank	Bendigo Bank: Tyro Fees	1,022.79	L
DE-4814	1/04/2024	Bendigo Bank	Bendigo Bank: Tyro Fees	58.93	L
DE-4788	1/04/2024	Go Go Media	Monthly On-Hold Messages April 2024	75.90	
DE-4815	1/04/2024	Bendigo Bank	Bendigo Bank: Fts De Process Gst	6.98	L
DE-4816	2/04/2024	Bendigo Bank	Bendigo Bank: De Fees	0.45	L
DE-4817	2/04/2024	Department of Transport	Department of Transport - Police Licensing DOT - 27.03.2024	957.80	
DE-4818	3/04/2024	Bendigo Bank	Bendigo Bank: CBA Merchant Fees	64.00	L
DE-4819	3/04/2024	Bendigo Bank	Bendigo Bank: CBA Merchant Fees	219.09	L
DE-4820	3/04/2024	Bendigo Bank	Bendigo Bank: CBA Merchant Fees	721.02	L
DE-4821	3/04/2024	Bendigo Bank	Bendigo Bank: De Fees	3.45	L
DE-4822	3/04/2024	Bendigo Bank	Bendigo Bank: De Fees	1.20	L
DE-4824	3/04/2024	Department of Transport	Department of Transport - Police Licensing DOT - 28.03.2024	5,176.25	
DE-4796	4/04/2024	Precision Administration Services Pty Ltd	Payroll deduction for PE: 04/04/2024	91.48	
PAY-109	4/04/2024	Shire of Gingin	Net Pays for PE: 09/04/2024	2,904.33	
DE-4690	4/04/2024	Synergy	749 590 200 Gingin Constable St Park 11 Jan 2024 - 12 Mar 2024	129.67	
DE-4708	4/04/2024	Synergy	803180850 15th of February to 12th of March 2024 Synergy	1,911.66	
DE-4688	4/04/2024	Synergy	613 883 230 Woodridge Hall 08 Feb 2024 - 07 Mar 2024	2,228.57	
DE-4689	4/04/2024	Synergy	285 816 690 Gingin Aquatic Centre 15 Feb 2024 - 12 Mar 2024	2,907.06	
DE-4825	4/04/2024	Synergy	376 853 180 Invoice 3000216108- Electricity - 15 Feb 2024 - 12 Mar 2024 - Guilderton Holiday Park	2,555.50	
DE-4793	4/04/2024	QPC Group	1x Develop Ineo 958 Printer S/N: A796141000030 Black Click Charges 19,013x	198.68	
DE-4826	4/04/2024	Department of Transport	Department of Transport - Police Licensing DOT - 02.04.2024	2,409.65	
DE-4827	4/04/2024	Bendigo Bank	Bendigo Bank: De Fees	3.45	L
DE-4805	4/04/2024	Helen Sampson	Management of the Gingin Waste Facility 23/03/2024 -	2,538.46	
DE-4693	5/04/2024	Synergy	Electricity Charges 11/01/2024 - 11/03/2024 Treasure Trove	544.20	
DE-4712	5/04/2024	Water Corporation	Water Corporation 90 07260 03 3 Water use charges18 Jan 20	5,002.17	
DE-4760	5/04/2024	Water Corporation	Water Corp 90 07259 58 5 18 Jan 2024 - 19 Mar 2024 3	261.15	
DE-4761	5/04/2024	Water Corporation	Water Corp 90 07259 90 518 Jan 2024 - 19 Mar 2024 CEO	107.64	
DE-4762	5/04/2024	Water Corporation	Water Corp 90 07260 28 7 18 Jan 2024 - 19 Mar 2024 4	186.35	
DE-4828	5/04/2024	Department of Transport	Department of Transport - Police Licensing DOT - 03.04.2024	1,427.60	
DE-4829	5/04/2024	HP Financial Services (Australia) Pty Ltd	Printer Develop Ineo 958 Monthly payment	705.40	
DE-4694	8/04/2024	Synergy	Electricity Charges: 11/01/2024 - 12/03/2024 Gingin Playgroup	28.48	
DE-4701	8/04/2024	Synergy	Electricity Charges: 11/01/2024 - 12/03/20245 weld Street Gin	73.72	
DE-4696	8/04/2024	Synergy	Electricity Charges: 11/01/2024 - 12/03/2024U A 37 Lefroy Str	104.84	
DE-4698	8/04/2024	Synergy	Electricity charges: 11/01/2024 - 12/03*202457 Lefroy Street C	202.83	
DE-4702	8/04/2024	Synergy	Electricity Charges: 13/01/2024 - 14/03/2024Lot 580 U A Jone	244.32	
DE-4697	8/04/2024	Synergy	Electricity charges: 11/01/2024 - 12/03/2024Lot 32 Church Str	291.36	
DE-4695	8/04/2024	Synergy	Electricity Charges: 11/01/2024 - 12/03/2024Shire Operations	1,379.53	

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

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Payments made under Delegated Authority  
Creditors for the period 01/04/2024 - 30/04/2024

### Payment Category

L - Local, R - Reimbursement, F - Funded, S - Staff, PF -

TYPE	DATE PAID NAME	DETAILS	AMOUNT
DE-4700	8/04/2024 Synergy	Electricity Charges: 13/01/2024 - 14/03/2024 Lot 326 Roe Street	1,768.35
DE-4773	8/04/2024 Telstra	332 1096 000 - Telstra - to 13.03.2024 - Group Plan	451.16
DE-4746	8/04/2024 Telstra	486 9948 600 - Telstra to 13.03.2024 - Guilderton Caravan Park	240.90
DE-4830	8/04/2024 Department of Transport	Department of Transport - Police Licensing DOT - 04.04.2024	1,755.85
DE-4831	8/04/2024 Bendigo Bank	Bendigo Bank: Bank Fee	1.95
DE-4892	8/04/2024 Synergy	Account 338 814 320 - Electricity Charges: 11/01/2024 - 12/01/2024	100.22
DE-4706	9/04/2024 Synergy	285 816 500 Synergy 15 Feb 2024 - 12 Mar 2024 Granville Civic	2,355.45
DE-4832	9/04/2024 Department of Transport	Department of Transport - Police Licensing DOT - 05.04.2024	5,062.50
DE-4705	9/04/2024 Synergy	107 291 460 Synergy 12 Jan 2024 - 13 Mar 2024 Gingin Tip	309.46
DE-4704	9/04/2024 Synergy	123 649 900 12 Jan 2024 - 13 Mar 2024 LOT 501 HONEYCOMB	1,941.42
DE-4797	9/04/2024 Vocus Communications	Vocus Communications P1137977 - Internet Services - 01/04/2024	1,769.90
DE-4745	10/04/2024 Telstra	161 4466 975 - Telstra - TIM Messaging to 21 March 2024	1,032.19
DE-4768	10/04/2024 Water Corporation	Water Corp 90 07263 31 418 Jan 2024 - 19 Mar 2024 Gingin Cc	677.92
DE-4767	10/04/2024 Water Corporation	Water Corp 90 07262 28 218 Jan 2024 - 19 Mar 2024 Gingin Ac	748.29
DE-4766	10/04/2024 Water Corporation	Water Corp 90 07262 25 818 Jan 2024 - 19 Mar 2024 MUSEUM	5.73
DE-4765	10/04/2024 Water Corporation	Water Corp 90 07262 23 118 Jan 2024 - 19 Mar 2024 RAILWAY	86.01
DE-4764	10/04/2024 Water Corporation	Water Corp 90 07261 73 018 Jan 2024 - 19 Mar 2024 Horan Str	20.07
DE-4763	10/04/2024 Water Corporation	Water Corp 90 07261 46 618 Jan 2024 - 19 Mar 2024 1 WELD S	3,233.98
DE-4833	10/04/2024 Department of Transport	Department of Transport - Police Licensing DOT - 08.04.2024	7,062.80
DE-4774	10/04/2024 Telstra	334 8777 339 - Telstra - To 21st March 2024	974.95
DE-4715	11/04/2024 Synergy	Synergy 211 396 890 18 Jan 2024 - 19 Mar 2024 Wangaree Con	626.64
DE-4714	11/04/2024 Synergy	Synergy 788 472 510 18 Jan 2024 - 19 Mar 2024 Harold Park La	434.45
DE-4751	11/04/2024 Synergy	Synergy 182037150 18 Jan 2024 - 19 Mar 2024 Lancelin Shire	930.87
DE-4713	11/04/2024 Synergy	Synergy 120 900 800 18 Jan 2024 - 19 Mar 2024 Wangaree Par	420.55
DE-4759	11/04/2024 Water Corporation	Water Corp 90 13060 50 519 Jan 2024 - 20 Mar 2024 Gingin M	900.64
DE-4758	11/04/2024 Water Corporation	Water Corp 90 07261 38 619 Jan 2024 - 20 Mar 2024 Gingin Ac	292.43
DE-4757	11/04/2024 Water Corporation	Water Corp 90 07261 17 519 Jan 2024 - 20 Mar 2024 Gingin C	31.54
DE-4756	11/04/2024 Water Corporation	Water Corporation 90 07261 13 219 Jan 2024 - 20 Mar 2024 LI	174.89
DE-4755	11/04/2024 Water Corporation	Water Corporation 90 07261 08 719 Jan 2024 - 20 Mar 2024 O	275.23
DE-4754	11/04/2024 Water Corporation	Water Corporation - 90 07260 71 11 Mar 2024 - 30 Apr 2024 Ag	865.83
DE-4834	11/04/2024 Department of Transport	Department of Transport - Police Licensing DOT - 09.04.2024	2,491.80
DE-4835	11/04/2024 Bendigo Bank	Bendigo Bank: De Fees	17.10
DE-4806	11/04/2024 Precision Administration Services Pty Ltd	Payroll deduction for PE: 11/04/2024	32,067.88
PAY-110	11/04/2024 Shire of Gingin	Net Pays for PE: 11/04/2024	181,065.73
DE-4742	12/04/2024 Synergy	Synergy 226 673 150 18 Jan 2024 - 19 Mar 2024 Lancelin South	374.17
DE-4744	12/04/2024 Synergy	Synergy 376 853 180 16 Feb 2024 - 20 Mar 2024 Gingin Coloca	1,146.02
DE-4840	12/04/2024 Department of Transport	Department of Transport - Police Licensing DOT - 10.04.2024	720.10
DE-4891	12/04/2024 Synergy	135 163 910 - Electricity - 19 Jan 2024 - 20 Mar 2024 - Lancelin	258.65
DE-4836	14/04/2024 Credit Card - EMO	EMO Credit Card Purchases March 2024	1,374.28
DE-4837	14/04/2024 Credit Card - EMCCS	EMCCS - Credit Card Purchases - March 2024	1,113.52
DE-4838	14/04/2024 Credit Card - CESM	CESM/CBFCO Credit Card Purchases - March 2024	1,089.00
DE-4839	14/04/2024 Credit Card - CEO	CEO - Credit Card Purchases - March 2024	773.78
DE-4873	14/04/2024 Credit Card - EMRDS	Credit Card Purchases March 2024	2,180.85
DE-4790	15/04/2024 Water Corporation	Water Service & Usage Charges - Meter Read 27//03/2024 11 E	1,107.37
DE-4739	15/04/2024 Synergy	Synergy 322 473 230 20 Jan 2024 - 21 Mar 2024 Ledge Point R	674.52
DE-4740	15/04/2024 Synergy	Synergy 937 316 820 20 Jan 2024 - 21 Mar 2024 Key Biscayne I	792.39
DE-4738	15/04/2024 Synergy	Synergy 235 925 790 19 Jan 2024 - 19 Mar 2024 Grace Darling	314.55
DE-4876	15/04/2024 Department of Transport	Department of Transport - Police Licensing DOT - 11.04.2024	3,455.35
DE-4877	15/04/2024 Bendigo Bank	Bendigo Bank: De Fees	7.20
DE-4775	16/04/2024 Western Australian Treasury Corporation	LN-123-Lot 44 Weld St, Gingin Repayment: 32	14,004.63
DE-4749	16/04/2024 Synergy	Synergy 285 816 500 15 Feb 2024 - 12 Mar 2024 Granville Civic	1,419.25
DE-4750	16/04/2024 Synergy	Synergy 801 430 010 20 Jan 2024 - 21 Mar 2024 Aged Units - L	159.07

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

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Payments made under Delegated Authority  
Creditors for the period 01/04/2024 - 30/04/2024

### Payment Category

L - Local, R - Reimbursement, F - Funded, S - Staff, PF -

TYPE	DATE PAID	NAME	DETAILS	AMOUNT	
DE-4878	16/04/2024	Bendigo Bank	Bendigo Bank: Trans Fees	57.83	L
DE-4879	16/04/2024	Department of Transport	Department of Transport - Police Licensing DOT - 12.04.2024	4,741.25	
DE-4772	17/04/2024	Synergy	Synergy 285 816 88016 Feb 2024 - 20 Mar 2024 Ledge Point G	2,177.22	
DE-4893	17/04/2024	Water Corporation	90 21402 73 9 - Water Corp - 22 Jan 2024 - 26 Mar 2024 13 kL	37.27	
DE-4894	17/04/2024	Water Corporation	90 07314 19 3 - Water Corp - 22 Jan 2024 - 26 Mar 2024 529 kL	1,516.64	
DE-4895	17/04/2024	Water Corporation	90 07317 09 5 - Water Corp - 22 Jan 2024 - 26 Mar 2024 22 kL	63.07	
DE-4771	17/04/2024	Synergy	Synergy 319 788 270 23 Jan 2024 - 22 Mar 2024 Ledge Point Al	178.46	
DE-4880	17/04/2024	Department of Transport	Department of Transport - Police Licensing DOT - 15.04.2024	1,711.85	
DE-4881	17/04/2024	Bendigo Bank	Bendigo Bank: De Fees	1.05	L
DE-4786	18/04/2024	Water Corporation	Water Services & Usage Charges - Meter Read 27/03/2024Dew	15,771.37	
DE-4785	18/04/2024	Water Corporation	Water Service & Usages Charges - Meter Read 27/03/2024961	395.65	
DE-4889	18/04/2024	Helen Sampson	Management of the Gingin Waste FacilityOngoing Contract202	2,538.46	
DE-4783	18/04/2024	Water Corporation	Water Service & Usage Charges - Meter Read 27/03/2024Edwa	608.02	
DE-4882	18/04/2024	Department of Transport	Department of Transport - Police Licensing DOT - 16.04.2024	1,760.85	
DE-4883	18/04/2024	Bendigo Bank	Bendigo Bank: De Fees	4.50	L
DE-4896	19/04/2024	Shire of Gingin	Bendigo Bank (investment) Term Deposit transaction Ref Q4736054 19.04.2024 - Interest Earned	6,539.53	
DE-4792	19/04/2024	TeleChoice	Mobile Charges for the period - 01/03/2024 - 31/03/2024	195.00	
DE-4884	19/04/2024	Department of Transport	Department of Transport - Police Licensing DOT - 17.04.2024	746.80	
DE-4885	22/04/2024	Department of Transport	Department of Transport - Police Licensing DOT - 18.04.2024	2,015.90	
DE-4886	22/04/2024	Bendigo Bank	Bendigo Bank: Windcave	1,669.39	L
DE-4787	23/04/2024	Water Corporation	Water Service & Usage Charges - Meter Read 28/03/2024Heffr	237.96	
DE-4887	23/04/2024	Department of Transport	Department of Transport - Police Licensing DOT - 19.04.2024	9,650.65	
DE-4888	23/04/2024	Bendigo Bank	Bendigo Bank: De Fees	4.20	L
DE-4890	24/04/2024	Precision Administration Services Pty Ltd	Payroll deduction for PE: 25/04/2024	29,330.81	
PAY-111	24/04/2024	Shire of Gingin	Net Pays for PE: 25/04/2024	154,650.23	
DE-4864	24/04/2024	Australia Post	INV 1013152765Postage Charges Up to 31/03/2024	2,101.50	
DE-4897	24/04/2024	Department of Transport	Department of Transport - Police Licensing DOT - 22.04.2024	765.65	
DE-4898	24/04/2024	Bendigo Bank	Bendigo Bank: De Fees	12.90	L
DE-4794	24/04/2024	Water Corporation	Water Service & Usage Charges - Meter read 27/03/20242321	104.52	
DE-4789	24/04/2024	Westnet Internet Services	Internet Services - CEO Residence - 27/02/2024 - 26/03/2024	74.99	
DE-4899	26/04/2024	Department of Transport	Department of Transport - Police Licensing DOT - 23.04.2024	4,763.25	
DE-4900	26/04/2024	Bendigo Bank	Bendigo Bank: De Fees	4.80	L
DE-4799	26/04/2024	Synergy	Synergy - Electricity Charges 25/02/2024 - 24/03/2024Street Li	10,870.29	
DE-4804	26/04/2024	Water Corporation	Water Service & Usages Charges - meter read 03/04/20249018	48.74	
DE-4803	26/04/2024	Water Corporation	Water Service & Usages Charges - meter read 03/04/20249010	100.35	
DE-4802	26/04/2024	Water Corporation	Water Service & Usage Charges - Meter Read 03/04/20249007	22.94	
DE-4801	26/04/2024	Water Corporation	Water Service & Usage Charges - Meter Read 03/04/20249007	576.27	
DE-4800	26/04/2024	Water Corporation	Water Service & Usage Charges - Meter read 03/04/20249007	74.54	
DE-4807	26/04/2024	Water Corporation	Bill ID 0129Water Services & Usages Charges - Meter Read 04/0	510.33	
DE-4906	29/04/2024	Department of Transport	Department of Transport - Police Licensing DOT - 24.04.2024	4,000.65	
DE-4909	29/04/2024	Water Corporation	90 10678 68 4 - 5 Feb 2024 - 10 Apr 2024 29 kL at \$1.9530 Lan	317.33	
DE-4910	29/04/2024	Water Corporation	90 10678 69 2 - Water Corp - 5 Feb 2024 - 10 Apr 2024 18 kL at	278.27	
DE-4911	29/04/2024	Water Corporation	90 10678 70 5 - Water Corp - 5 Feb 2024 - 10 Apr 2024 5 kL at	270.46	
DE-4912	29/04/2024	Water Corporation	90 10678 71 3 - 5 Feb 2024 - 10 Apr 2024 25 kL at \$1.9530 21 k	312.43	
DE-4913	29/04/2024	Water Corporation	90 10678 72 1 - Water Corp - 5 Feb 2024 - 10 Apr 2024 27 kL at	287.06	
DE-4915	29/04/2024	Water Corporation	90 10957 08 5 - Water Corp - 5 Feb 2024 - 10 Apr 2024 0 kL at	47.10	
DE-4917	29/04/2024	Water Corporation	90 17169 27 6 - 5 Feb 2024 - 10 Apr 2024 7 kL at \$1.9530 - Age	267.53	
DE-4918	29/04/2024	Water Corporation	90 17169 28 4 - Water Corp - 5 Feb 2024 - 10 Apr 2024 15 kL at	289.99	
DE-4919	29/04/2024	Water Corporation	90 17169 29 2 - Water Corp - 5 Feb 2024 - 10 Apr 2024 15 kL at	275.34	
DE-4920	29/04/2024	Water Corporation	90 17169 30 5 - Water Corp - 5 Feb 2024 - 10 Apr 2024 4 kL at	268.50	
DE-4921	29/04/2024	Water Corporation	90 17169 31 3 - Water Corp - 5 Feb 2024 - 10 Apr 2024 18 kL at	295.84	
DE-4922	29/04/2024	Water Corporation	90 17169 32 1 - 5 Feb 2024 - 10 Apr 2024 8 kL at \$1.9530 - Age	276.31	

**MINUTES  
ORDINARY COUNCIL MEETING  
21 MAY 2024**

**APPENDIX 13.5.1**

Payments made under Delegated Authority  
Creditors for the period 01/04/2024 - 30/04/2024

**Payment Category**

L - Local, R - Reimbursement, F - Funded, S - Staff, PF -

	DATE PAID	NAME	DETAILS	AMOUNT
TYPE				
DE-4923	29/04/2024	Water Corporation	90 17163 58 7 - Water Corp - 5 Feb 2024 - 10 Apr 2024 138 kL	269.51
DE-4924	29/04/2024	Water Corporation	90 14617 78 2 - Water Corp - 2 Feb 2024 - 5 Apr 2024 18 kL at	51.61
DE-4925	29/04/2024	Credit Card - EMO	Diesel - Coles Express - 5GG	125.03
DE-4809	29/04/2024	Synergy	Invoice #2010105064Electricity Charges - 02/03/2024 - 04/04/	154.74
DE-4808	29/04/2024	Water Corporation	BILL ID 00979014617782Water Services & Usage Charges - Me	56.61
DE-4843	29/04/2024	Telstra	Bill # 189 0992 412Seabird Fire Brigade Internet Charges (05/C	102.20
DE-4841	30/04/2024	LJ Hughes	Allocation of lease payment for April 2024 - Lancelin Office	669.50
DE-4842	30/04/2024	Dell Financial Services Pty	Allocation of lease payment for April 2024 - IT Server Refresh	1,651.29
DIRECT DEBIT TOTAL				585,432.05
TERM DEPOSIT INVESTMENTS				0.00
TERM DEPOSIT INVESTMENTS TOTAL				0.00
TOTAL MUNICIPAL				2,200,815.55
RESERVE - TERM DEPOSIT INVESTMENT				0.00
RESERVE - TERM DEPOSIT INVESTMENT				0.00
TOTAL EXPENDITURE				2,200,815.55

**CREDIT CARD BREAK-UP**

April	CEO	Mailchimp	Monthly subscription - January	119.03
		Gingin Trading	CEO Residence Sprinkler Maintenance	35.75
		Tiffany's Catering	Staff meeting	300.00
		Endeavor Tavern	WA Premier Visit - Refreshments	48.00
		Lancelin Offshore Café	WA Premier Visit - Refreshments	217.00
		Shire of Gingin - DoT	GG079 Retained Plate	31.10
		Shire of Gingin - DoT	GG079 New Roller	18.90
		Bendigo	Bank fee	4.00
				<b>773.78</b>
	EMCCS	Experience Lancelin	Accommodation - Lancelin Arts Festival	275.00
		Holiday Park		
		Promoting Literacy	Decodable Books - Lancelin Library	476.53
		Development		
		WAPOL	Ranger Services Firearms Licence	166.00
		Tiffany Polette Catering	Staff Farwell Meeting 29/03/2024	150.00



**MINUTES  
ORDINARY COUNCIL MEETING  
21 MAY 2024**

**APPENDIX 13.5.1**

Payments made under Delegated Authority Creditors for the period 01/04/2024 - 30/04/2024		Payment Category L - Local, R - Reimbursement, F - Funded, S - Staff, PF -	
DATE PAID	NAME	DETAILS	AMOUNT
	Godfreys	Vacuum Bags for Granville Civic Centre "Henry"	41.99
	Bendigo	Bank fee	4.00
			<b>1,113.52</b>
EMRDS	Kingsley Smash Repairs	Excess Payment 4GG	500.00
	Caltex	Fuel for 4GG	134.89
	Humanitix	AWT (Septic System Course) - Health Training	1,528.46
	Officeworks	Printing	13.50
	Bendigo	Bank fee	4.00
			<b>2,180.85</b>
EMO	Dunnings	Fuel for 5GG	88.47
	The Riggins Shed	Concrete Panel Lift Clutch - GG048	979.00
	Officeworks	Permit Folders	172.43
	Coles	USB's	28.00
	Beyond Power	Fuel for 5GG	102.38
	Coles Express	Fuel for 5GG	125.03
	Bendigo	Bank fee	4.00
			<b>1,410.84</b>
CESM	Gull Gingin	Firefighter Welfare Refreshments	892.00
	Cellarbrations Gingin	BFAC Meeting Refreshments	193.00
	Bedigo	Bank Fee	4.00
			<b>1,089.00</b>
<b>Total</b>			<b>6,567.99</b>
<b>PUMA CARD BREAKUP</b>			
April	WEX Australia	2GG - 60L	121.14
		4GG - 50.43L	100.80
		GG033 - 55.07L	117.02
		GG034 - 35L	74.38
		GG05 - 116.61L	225.16
		GG051 - 40L	85.00
		GG069 - 70.50L	133.88
		GG070 - 93.43L	195.27
		GG071 - 52.81L	105.57
		GG08 - 104.91L	199.22
		GG084 - 374L	746.79
		GG09 - 181.61L	368.41
		Small Plant - 58.53L	127.01
		GG090 - 45.67L	91.29
		Transaction Fees	6.00
<b>Total</b>			<b>2,696.94</b>

### 13.6 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 APRIL 2024

File	FIN/25
Author	Alarna Richards - Coordinator Financial Planning & Reporting
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	1. Monthly Financial Report April 2024 v 2 [13.6.1 - 24 pages]

#### DISCLOSURES OF INTEREST

Nil

#### PURPOSE

To present for Council endorsement the Monthly Financial Report for the period ending 30 April 2024.

#### BACKGROUND

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

#### COMMENT

The Monthly Financial Report for the period ending 30 April 2024 presents the financial performance of the Shire for the 2023/24 financial year and compares year-to-date expenditure and revenue against the corresponding year-to-date budget.

A break-up of the **\$1,446,706** variance in the Monthly Financial Report for the period ending 30 April 2024 is summarized across operations, investing and financing below, with a detailed explanation of variations within each area contained within the **Appendix**.

##### Under Budget

Operating Expenditure	\$889,584
Investing Activities – Expenditure	\$273,240

##### Over Budget

Operating Revenue	\$14,212
Investing Activities -Revenue	\$453,721
Financing Activities – Expenditure	\$(164,052)



An explanation outlining a summary of the variances across each of the above areas is provided in Note 3, and those specific to capital works are provided within the supplementary information on page 13.

#### Investments

As required by Council Policy 3.2 Investments, details of Council's investments are provided within the supplementary information on page 10.

#### **STATUTORY/LOCAL LAW IMPLICATIONS**

##### *Local Government Act 1995*

Part 6 – Financial Management

Division 3 – Reporting on activities and finance

Section 6.4 – Financial Report

##### *Local Government (Financial Management) Regulations 1996*

Part 4 – Financial Reports

Reg 34 – Financial activity statement required each month.

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

#### **POLICY IMPLICATIONS**

Policy 3.2 – Investments

#### **BUDGET IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

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

**VOTING REQUIREMENTS – SIMPLE MAJORITY**

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION**

**MOVED:** Councillor Balcombe

**SECONDED:** Councillor Kestel

That Council endorse the Monthly Financial Report for the period ending 30 April 2024.

**CARRIED UNANIMOUSLY**

**7 / 0**

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

**AGAINST:** *Nil*

*The Acting Executive Manager Corporate and Community Services left the meeting at 4.06 pm and did not return.*

**SHIRE OF GINGIN**  
**MONTHLY FINANCIAL REPORT**  
**For the period ended 30 April 2024**

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

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# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.6.1

### SHIRE OF GINGIN STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 APRIL 2024

	Supplementary Information	Amended Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
<b>OPERATING ACTIVITIES</b>							
<b>Revenue from operating activities</b>							
General rates	10	10,106,299	10,106,299	10,116,594	10,295	0.10%	
Rates excluding general rates		6,299	0	0	0	0.00%	
Grants, subsidies and contributions	14	1,727,541	1,332,214	923,657	(408,557)	(30.67%)	▼
Fees and charges		4,274,115	3,834,075	4,041,333	207,258	5.41%	▲
Interest revenue		392,442	239,495	376,642	137,147	57.27%	▲
Other revenue		453,523	402,518	460,667	58,149	14.45%	▲
Profit on asset disposals	6	76,025	480	10,400	9,920	2066.67%	▲
		<b>17,036,244</b>	<b>15,915,081</b>	<b>15,929,293</b>	<b>14,212</b>	<b>0.09%</b>	
<b>Expenditure from operating activities</b>							
Employee costs		(6,939,559)	(5,828,579)	(5,345,757)	482,822	8.28%	▲
Materials and contracts		(8,164,061)	(6,963,900)	(6,606,541)	357,359	5.13%	▲
Utility charges		(504,515)	(419,755)	(466,279)	(46,524)	(11.08%)	▼
Depreciation		(10,156,586)	(8,353,859)	(1,459,772)	6,894,087	82.53%	▲
Finance costs		(92,173)	(65,998)	(74,800)	(8,802)	(13.34%)	▼
Insurance		(393,956)	(393,956)	(405,640)	(11,684)	(2.97%)	
Other expenditure		(717,478)	(460,487)	(334,154)	126,333	27.43%	▲
Loss on asset disposals	6	(291,099)	0	(9,578)	(9,578)	0.00%	
		<b>(27,259,427)</b>	<b>(22,486,534)</b>	<b>(14,702,521)</b>	<b>7,784,013</b>	<b>34.62%</b>	
Non-cash amounts excluded from operating activities	Note 2(b)	10,371,660	8,353,379	1,458,950	(6,894,429)	(82.53%)	▼
<b>Amount attributable to operating activities</b>		<b>148,477</b>	<b>1,781,926</b>	<b>2,685,722</b>	<b>903,796</b>	<b>50.72%</b>	
<b>INVESTING ACTIVITIES</b>							
<b>Inflows from investing activities</b>							
Proceeds from capital grants, subsidies and contributions	15	4,664,256	1,004,423	1,458,144	453,721	45.17%	▲
Proceeds from disposal of assets	6	343,264	14,400	14,400	0	0.00%	
Proceeds from financial assets at amortised cost - self supporting loans		4,291	2,135	2,135	0	0.00%	
		<b>5,011,811</b>	<b>1,020,958</b>	<b>1,474,679</b>	<b>453,721</b>	<b>44.44%</b>	
<b>Outflows from investing activities</b>							
Payments for property, plant and equipment	5	(5,293,983)	(1,999,819)	(2,185,346)	(185,527)	(9.28%)	▼
Payments for construction of infrastructure	5	(5,444,667)	(3,499,106)	(3,040,339)	458,767	13.11%	▲
		<b>(10,738,650)</b>	<b>(5,498,925)</b>	<b>(5,225,685)</b>	<b>273,240</b>	<b>4.97%</b>	
<b>Amount attributable to investing activities</b>		<b>(5,726,839)</b>	<b>(4,477,967)</b>	<b>(3,751,006)</b>	<b>726,961</b>	<b>16.23%</b>	
<b>FINANCING ACTIVITIES</b>							
<b>Inflows from financing activities</b>							
Proceeds from new debentures	11	1,047,000	0	0	0	0.00%	
Transfer from reserves	4	3,238,867	0	0	0	0.00%	
		<b>4,285,867</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>	
<b>Outflows from financing activities</b>							
Repayment of borrowings	11	(262,349)	(188,845)	(188,845)	0	0.00%	
Payments for principal portion of lease liabilities	12	(27,363)	(23,323)	(23,323)	0	0.00%	
Transfer to reserves	4	(726,552)	0	(164,052)	(164,052)	0.00%	▼
		<b>(1,016,264)</b>	<b>(212,168)</b>	<b>(376,220)</b>	<b>(164,052)</b>	<b>(77.32%)</b>	
<b>Amount attributable to financing activities</b>		<b>3,269,603</b>	<b>(212,168)</b>	<b>(376,220)</b>	<b>(164,052)</b>	<b>(77.32%)</b>	
<b>MOVEMENT IN SURPLUS OR DEFICIT</b>							
<b>Surplus or deficit at the start of the financial year</b>		2,308,759	2,308,759	2,308,759	0	0.00%	
Amount attributable to operating activities		148,477	1,781,926	2,685,722	903,796	50.72%	▲
Amount attributable to investing activities		(5,726,839)	(4,477,967)	(3,751,006)	726,961	16.23%	▲
Amount attributable to financing activities		3,269,603	(212,168)	(376,220)	(164,052)	(77.32%)	▼
<b>Surplus or deficit after imposition of general rates</b>		<b>0</b>	<b>(599,450)</b>	<b>867,255</b>	<b>1,466,706</b>	<b>244.68%</b>	▲

#### KEY INFORMATION

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

\* Refer to Note 3 for an explanation of the reasons for the variance.

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

**SHIRE OF GINGIN  
STATEMENT OF FINANCIAL POSITION  
FOR THE PERIOD ENDED 30 APRIL 2024**

	Supplementary Information	30 June 2023 \$	30 April 2024 \$
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	3	13,161,376	10,787,101
Trade and other receivables		958,703	1,770,230
Other financial assets		4,291	2,156
Inventories	8	22,913	17,892
Contract assets	8	383,908	109,801
Other assets	8	39,059	0
<b>TOTAL CURRENT ASSETS</b>		<b>14,570,250</b>	<b>12,687,180</b>
<b>NON-CURRENT ASSETS</b>			
Trade and other receivables		169,380	169,380
Other financial assets		100,015	100,015
Property, plant and equipment		51,756,372	53,346,003
Infrastructure		218,636,014	220,826,183
Right-of-use assets		44,774	36,541
<b>TOTAL NON-CURRENT ASSETS</b>		<b>270,706,555</b>	<b>274,478,122</b>
<b>TOTAL ASSETS</b>		<b>285,276,805</b>	<b>287,165,302</b>
<b>CURRENT LIABILITIES</b>			
Trade and other payables	9	1,985,146	1,115,509
Other liabilities	13	922,102	1,188,256
Lease liabilities	12	20,122	4,218
Borrowings	11	261,817	72,972
Employee related provisions	13	1,257,422	1,257,422
<b>TOTAL CURRENT LIABILITIES</b>		<b>4,446,609</b>	<b>3,638,377</b>
<b>NON-CURRENT LIABILITIES</b>			
Lease liabilities	12	25,274	33,086
Borrowings	11	1,580,847	1,580,847
Employee related provisions		5,318,798	5,318,798
<b>TOTAL NON-CURRENT LIABILITIES</b>		<b>6,924,919</b>	<b>6,932,731</b>
<b>TOTAL LIABILITIES</b>		<b>11,371,528</b>	<b>10,571,108</b>
<b>NET ASSETS</b>		<b>273,905,277</b>	<b>276,594,194</b>
<b>EQUITY</b>			
Retained surplus		49,827,476	52,352,341
Reserve accounts	4	8,092,530	8,256,582
Revaluation surplus		215,985,271	215,985,271
<b>TOTAL EQUITY</b>		<b>273,905,277</b>	<b>276,594,194</b>

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

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 30 APRIL 2024

1 BASIS OF PREPARATION AND SIGNIFICANT ACCOUNTING POLICIES

**BASIS OF PREPARATION**

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

**Local Government Act 1995 requirements**

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

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

*Local Government (Financial Management) Regulations 1996*, regulation 34 prescribes contents of the financial report. Supporting information does not form part of the financial report.

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

**THE LOCAL GOVERNMENT REPORTING ENTITY**

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

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

**Judgements and estimates**

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

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

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

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure and investment property
- estimation uncertainties made in relation to lease accounting
- estimated useful life of intangible assets

**SIGNIFICANT ACCOUNTING POLICES**

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.

**PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 30 April 2024

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.6.1

### SHIRE OF GINGIN NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 APRIL 2024

#### 2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION

		Amended Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 30 April 2024
		\$	\$	\$
<b>(a) Net current assets used in the Statement of Financial Activity</b>				
<b>Current assets</b>				
Cash and cash equivalents	3	8,580,267	13,161,376	10,787,101
Trade and other receivables		1,940,054	958,703	1,770,230
Other financial assets		0	4,291	2,156
Inventories	8	389,877	22,913	17,892
Contract assets	8	0	383,908	109,801
Other assets	8	19,325	39,059	0
		10,929,523	14,570,250	12,687,180
<b>Less: current liabilities</b>				
Trade and other payables	9	(3,392,338)	(1,985,146)	(1,115,509)
Other liabilities	13	0	(922,102)	(1,188,256)
Lease liabilities	12	0	(20,122)	(4,218)
Borrowings	11	(550,001)	(261,817)	(72,972)
Employee related provisions	13	(1,004,339)	(1,257,422)	(1,257,422)
		(4,946,678)	(4,446,609)	(3,638,377)
<b>Net current assets</b>		<b>5,982,845</b>	<b>10,123,641</b>	<b>9,048,803</b>
<b>Less: Total adjustments to net current assets</b>	Note 2(c)	(5,982,845)	(7,814,882)	(8,181,548)
<b>Closing funding surplus / (deficit)</b>		<b>0</b>	<b>2,308,759</b>	<b>867,255</b>

#### (b) Non-cash amounts excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

		Amended Budget	YTD Budget (a)	YTD Actual (b)
		\$	\$	\$
<b>Non-cash amounts excluded from operating activities</b>				
<b>Adjustments to operating activities</b>				
Less: Profit on asset disposals	6	(76,025)	(480)	(10,400)
Add: Loss on asset disposals	6	291,099	0	9,578
Add: Depreciation		10,156,586	8,353,859	1,459,772
<b>Total non-cash amounts excluded from operating activities</b>		<b>10,371,660</b>	<b>8,353,379</b>	<b>1,458,950</b>

#### (c) Current assets and liabilities excluded from budgeted deficiency

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

		Amended Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 30 April 2024
		\$	\$	\$
<b>Adjustments to net current assets</b>				
Less: Reserve accounts	4	(6,532,846)	(8,092,530)	(8,256,582)
Less: Financial assets at amortised cost - self supporting loans	8	0	(4,291)	(2,156)
Add: Current liabilities not expected to be cleared at the end of the year:				
- Current portion of borrowings	11	550,001	261,817	72,972
- Current portion of lease liabilities	12	0	20,122	4,218
<b>Total adjustments to net current assets</b>	Note 2(a)	<b>(5,982,845)</b>	<b>(7,814,882)</b>	<b>(8,181,548)</b>

#### CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.6.1

### SHIRE OF GINGIN NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 APRIL 2024

#### 3 EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materiality.  
The material variance adopted by Council for the 2023-24 year is \$20,000 or 10.00% whichever is the greater.

#### Description

##### Revenue from operating activities

##### Grants, subsidies and contributions

DFES funding for BRMO and CSM positions  
Emergency resilience grant recognition - timing of project deliverables;  
MAF Mitigation funding recognition - timing of works;

##### Fees and charges

Additional health regulatory licences, building licence fees, planning application fees and rates instalment administration fees income;  
Commercial property lease, additional income - gross revenue share; mobile telephone tower leases charged in full;

##### Interest revenue

Instalment and penalty interest on rates; timing of recognition of interest for monies held in term deposits;

##### Profit on asset disposals

Timing of assets processing.

##### Expenditure from operating activities

##### Employee costs

Timing of salary changes due to budget adoption in August 2023; vacancy of positions.

##### Materials and contracts

Information technology licenses paid in advance; emergency repairs to freezer and cool room at Guilderton Store; timing of works for sand renourishment projects; timing of maintenance for all vehicles and plant; timing of maintenance works parks, garden and recreation areas; increase in road maintenance costs.

##### Utility charges

Timing of billing cycle for utilities.

##### Depreciation

Timing on assets processing.

##### Finance costs

Timing on Loan Interest Repayments

##### Other expenditure

Timing of community grant payments.

##### Non-cash amounts excluded from operating activities

Timing on assets processing.

##### Inflows from investing activities

##### Proceeds from capital grants, subsidies and contributions

Timing of grants for DFES fire vehicle change overs;  
Roads to Recovery funding for Weld Street Bridge - project delayed;  
Timing of recognition of grant funding for road projects;

##### Outflows from investing activities

##### Payments for property, plant and equipment

Eco Lifestyle Village purchase, Change over of Prime Movers GG002 and GG045 and Fire Vehicles from DFES

##### Payments for construction of infrastructure

Guilderton Waste Water Project delayed to 2024/25 and Lancelin Bowling Green project delays in the project

##### Outflows from financing activities

##### Transfer to reserves

End of year process.

##### Surplus or deficit at the start of the financial year

Due to variances described above

Timing and Permanent	Var. \$	Var. %	
	\$	%	
Timing	(408,557)	(30.67%)	▼
Timing	207,258	5.41%	▲
Timing	137,147	57.27%	▲
Timing	9,920	2066.67%	▲
Timing	482,822	8.28%	▲
Timing	357,359	5.13%	▼
Timing	(46,524)	(11.08%)	▼
Timing	6,894,087	82.53%	▲
Timing	(8,802)	(13.34%)	▼
Timing	126,333	27.43%	▲
Timing	(6,894,429)	(82.53%)	▼
Timing	453,721	45.17%	▼
Timing	(185,527)	(9.28%)	▼
Timing	458,767	13.11%	▲
Timing	(164,052)	0.00%	▼
Permanent	0	0.00%	▼



**SHIRE OF GINGIN**  
**SUPPLEMENTARY INFORMATION**  
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# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.6.1

### SHIRE OF GINGIN SUPPLEMENTARY INFORMATION FOR THE PERIOD ENDED 30 APRIL 2024

#### 1 KEY INFORMATION

##### Funding Surplus or Deficit Components

Funding surplus / (deficit)				
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$2.31 M	\$2.31 M	\$2.31 M	\$0.00 M
Closing	\$0.00 M	(\$0.60 M)	\$0.87 M	\$1.47 M
Refer to Statement of Financial Activity				

Cash and cash equivalents		
	\$10.79 M	% of total
Unrestricted Cash	\$2.53 M	23.5%
Restricted Cash	\$8.26 M	76.5%
Refer to 3 - Cash and Financial Assets		

Payables		
	\$1.12 M	% Outstanding
Trade Payables	\$0.09 M	
0 to 30 Days		93.4%
Over 30 Days		6.6%
Over 90 Days		2.9%
Refer to 9 - Payables		

Receivables		
	\$0.51 M	% Collected
Rates Receivable	\$1.26 M	88.0%
Trade Receivable	\$0.51 M	% Outstanding
Over 30 Days		66.8%
Over 90 Days		55.0%
Refer to 7 - Receivables		

##### Key Operating Activities

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.15 M	\$1.78 M	\$2.69 M	\$0.90 M
Refer to Statement of Financial Activity			

Rates Revenue			Grants and Contributions			Fees and Charges		
YTD Actual	\$10.12 M	% Variance	YTD Actual	\$0.92 M	% Variance	YTD Actual	\$4.04 M	% Variance
YTD Budget	\$10.11 M	0.1%	YTD Budget	\$1.33 M	(30.7%)	YTD Budget	\$3.83 M	5.4%
Refer to 10 - Rate Revenue			Refer to 14 - Grants and Contributions			Refer to Statement of Financial Activity		

##### Key Investing Activities

Amount attributable to investing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$5.73 M)	(\$4.48 M)	(\$3.75 M)	\$0.73 M
Refer to Statement of Financial Activity			

Proceeds on sale			Asset Acquisition			Capital Grants		
YTD Actual	\$0.01 M	%	YTD Actual	\$5.23 M	% Spent	YTD Actual	\$1.46 M	% Received
Amended Budget	\$0.34 M	(95.8%)	Amended Budget	\$10.74 M	(51.3%)	Amended Budget	\$4.66 M	(68.7%)
Refer to 6 - Disposal of Assets			Refer to 5 - Capital Acquisitions			Refer to 5 - Capital Acquisitions		

##### Key Financing Activities

Amount attributable to financing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$3.27 M	(\$0.21 M)	(\$0.38 M)	(\$0.16 M)
Refer to Statement of Financial Activity			

Borrowings		Reserves		Lease Liability	
Principal repayments	(\$0.19 M)	Reserves balance	\$8.26 M	Principal repayments	(\$0.02 M)
Interest expense	(\$0.07 M)	Interest earned	\$0.16 M	Interest expense	(\$0.00 M)
Principal due	\$1.65 M			Principal due	\$0.04 M
Refer to 11 - Borrowings		Refer to 4 - Cash Reserves		Refer to Note 12 - Lease Liabilities	

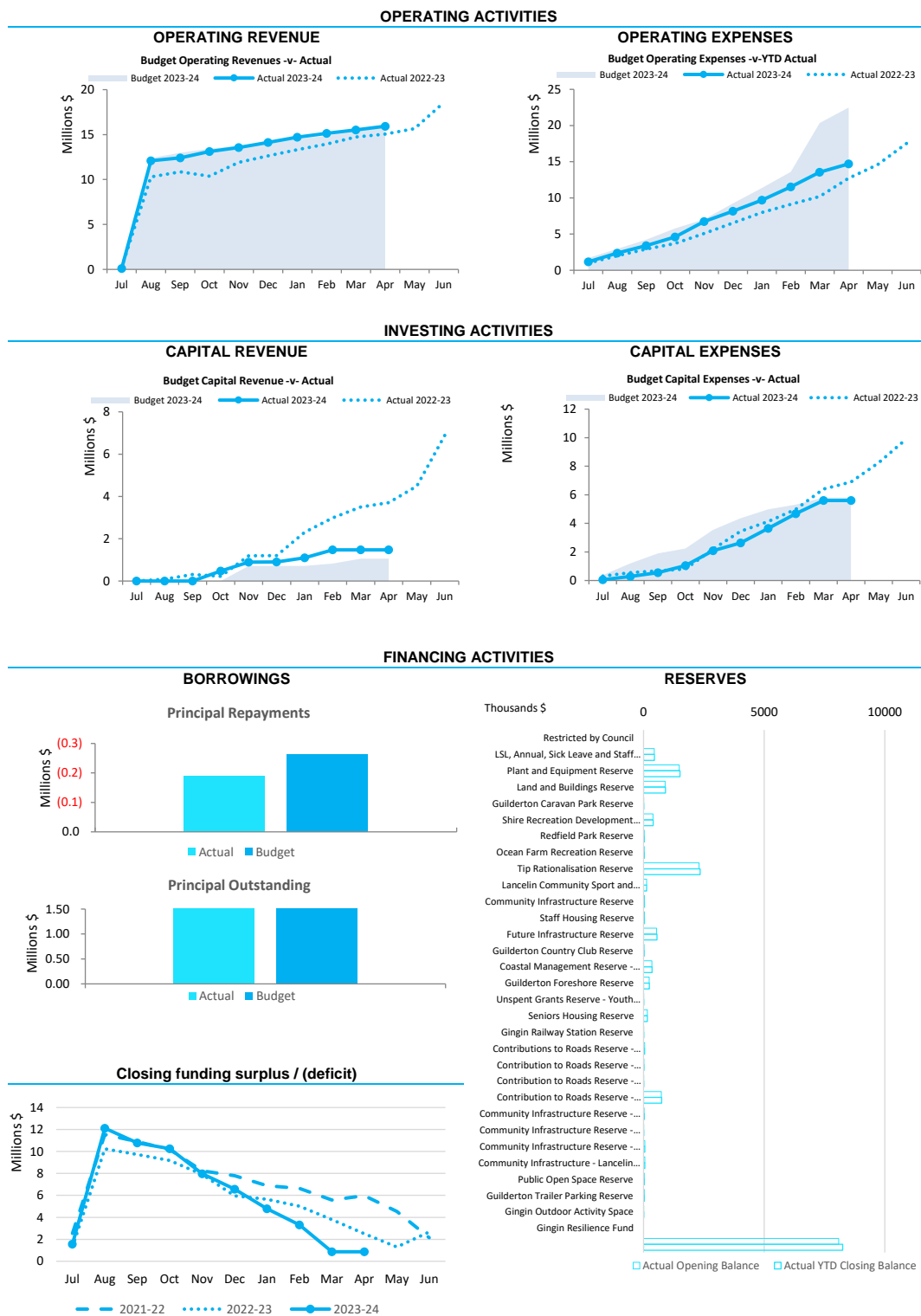
This information is to be read in conjunction with the accompanying Financial Statements and notes.

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.6.1

SHIRE OF GINGIN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

### 2 KEY INFORMATION - GRAPHICAL



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

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.6.1

### SHIRE OF GINGIN SUPPLEMENTARY INFORMATION FOR THE PERIOD ENDED 30 APRIL 2024

#### 3 CASH AND FINANCIAL ASSETS

Description	Classification	Unrestricted \$	Restricted \$	Total Cash \$	Institution	Interest Rate	Maturity Date
<b>Cash Deposits</b>							
Municipal Bank Account	Cash and cash equivalents	1,528,419	0	1,528,419	Bendigo Bank	0.00%	At Call
Reserve Bank Account	Cash and cash equivalents	0	92,530	92,530	Bendigo Bank	0.00%	At Call
Cash on hand	Cash and cash equivalents	2,100	0	2,100	Petty Cash/Till float	N/A	At Call
Municipal Investment 4736054	Cash and cash equivalents	1,000,000	0	1,000,000	Bendigo Bank	4.25%	20/05/2024
Reserve Investment 4608145	Cash and cash equivalents	0	2,020,745	2,020,745	Bendigo Bank	5.01%	19/06/2024
Reserve Investment 4707175	Cash and cash equivalents	0	6,143,306	6,143,306	Bendigo Bank	4.70%	26/06/2024
<b>Total</b>		<b>2,530,519</b>	<b>8,256,582</b>	<b>10,787,101</b>			
<b>Comprising</b>							
Cash and cash equivalents		2,530,519	8,256,582	10,787,101			
		<b>2,530,519</b>	<b>8,256,582</b>	<b>10,787,101</b>			

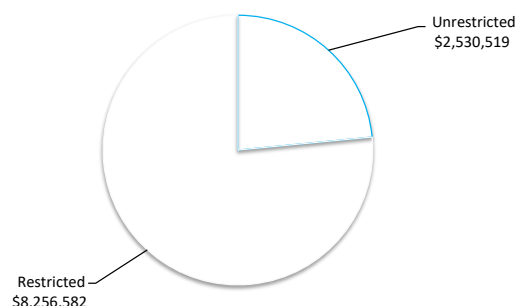
#### KEY INFORMATION

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

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

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

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



# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.6.1

SHIRE OF GINGIN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

### 4 RESERVE ACCOUNTS

Reserve name	Budget Opening Balance	Budget Interest Earned	Budget Transfer s In (+)	Budget Transfers Out (-)	Budget Closing Balance	Actual Opening Balance	Actual Interest Earned	Actual Transfer s In (+)	Actual Transfer s Out (-)	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Restricted by Council</b>										
LSL, Annual, Sick Leave and Staff Contingency	440,075	11,230	0	0	451,305	440,075	8,921	0	0	448,996
Plant and Equipment Reserve	1,479,886	37,763	0	(1,143,126)	374,523	1,479,886	30,000	0	0	1,509,886
Land and Buildings Reserve	893,170	22,791	0	(875,350)	40,611	893,170	18,106	0	0	911,276
Guilderton Caravan Park Reserve	4,842	124	100,000	0	104,966	4,842	98	0	0	4,940
Shire Recreation Development Reserve	393,010	10,029	0	(55,000)	348,039	393,010	7,967	0	0	400,977
Redfield Park Reserve	32,231	822	0	0	33,053	32,231	653	0	0	32,884
Ocean Farm Recreation Reserve	31,915	814	0	0	32,729	31,915	647	0	0	32,562
Tip Rationalisation Reserve	2,302,313	58,749	71,428	(37,500)	2,394,990	2,302,313	46,672	0	0	2,348,985
Lancelin Community Sport and Recreation Reserve	127,542	3,255	26,530	(33,220)	124,107	127,542	2,586	0	0	130,128
Community Infrastructure Reserve	35,790	913	8,000	0	44,703	35,790	726	0	0	36,516
Staff Housing Reserve	34,372	877	0	(34,372)	877	34,372	697	0	0	35,069
Future Infrastructure Reserve	542,123	13,834	0	0	555,957	542,123	10,990	0	0	553,113
Guilderton Country Club Reserve	21,219	541	8,232	0	29,992	21,219	430	0	0	21,649
Coastal Management Reserve - Coastal Inundation	344,272	8,785	100,000	(85,000)	368,057	344,272	6,979	0	0	351,251
Guilderton Foreshore Reserve	232,411	5,931	79,931	(50,000)	268,273	232,411	4,711	0	0	237,122
Unspent Grants Reserve - Youth Services Website Grant	5,136	131	0	(5,015)	252	5,136	104	0	0	5,240
Seniors Housing Reserve	157,126	4,009	25,000	(150,000)	36,135	157,126	3,185	0	0	160,311
Gingin Railway Station Reserve	5,886	150	0	0	6,036	5,886	119	0	0	6,005
Contributions to Roads Reserve - Cullalla Road Intersection	46,221	1,179	0	0	47,400	46,221	937	0	0	47,158
Contribution to Roads Reserve - Cowalla Road Intersection	16,434	419	0	(16,476)	377	16,434	333	0	0	16,767
Contribution to Roads Reserve - Chitna Road	3,081	79	0	0	3,160	3,081	62	0	0	3,143
Contribution to Roads Reserve - Balance of Muni Funds	739,584	18,872	12,500	(703,995)	66,961	739,584	14,993	0	0	754,577
Community Infrastructure Reserve - Lower Coastal Fire Control	25,878	661	0	0	26,539	25,878	532	0	0	26,410
Community Infrastructure Reserve - Gingin Logo Plates	8,497	217	300	0	9,014	8,497	165	0	0	8,662
Community Infrastructure Reserve - Gingin Ambulance	55,285	1,411	6,000	0	62,696	55,285	1,121	0	0	56,406
Community Infrastructure Reserve - Lancelin Ambulance	49,686	1,268	18,000	(49,813)	19,141	49,686	1,007	0	0	50,693
Public Open Space Reserve	26,681	681	45,700	0	73,062	26,681	541	0	0	27,222
Guilderton Trailer Parking Reserve	32,913	840	4,680	0	38,433	32,913	667	0	0	33,580
Gingin Outdoor Activity Space	4,951	126	0	0	5,077	4,951	100	0	0	5,051
Gingin Resilience Fund	0	0	13,750	0	13,750	0	0	0	0	0
	<b>8,092,530</b>	<b>206,501</b>	<b>520,051</b>	<b>(3,238,867)</b>	<b>5,580,215</b>	<b>8,092,530</b>	<b>164,052</b>	<b>0</b>	<b>0</b>	<b>8,256,582</b>

**SHIRE OF GINGIN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024**

**INVESTING ACTIVITIES**

**5 CAPITAL ACQUISITIONS**

Capital acquisitions	Amended		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Land	837,000	837,000	759,283	(77,717)
Buildings - non-specialised	629,900	152,500	137,085	(15,415)
Buildings - specialised	751,364	584,877	418,881	(165,996)
Plant and equipment	2,709,260	407,655	692,479	284,824
Vehicles	366,459	17,787	177,618	159,831
<b>Acquisition of property, plant and equipment</b>	<b>5,293,983</b>	<b>1,999,819</b>	<b>2,185,346</b>	<b>185,527</b>
Infrastructure - roads	2,874,481	2,874,481	2,899,969	25,488
Infrastructure - footpaths	0	0	1,568	1,568
Infrastructure - parks & ovals	242,500	179,000	89,673	(89,327)
Infrastructure - other	645,625	445,625	49,128	(396,497)
Infrastructure - bridges	1,682,061	0	0	0
<b>Acquisition of infrastructure</b>	<b>5,444,667</b>	<b>3,499,106</b>	<b>3,040,339</b>	<b>(87,713)</b>
<b>Total capital acquisitions</b>	<b>10,738,650</b>	<b>5,498,925</b>	<b>5,225,685</b>	<b>97,814</b>
<b>Capital Acquisitions Funded By:</b>				
Capital grants and contributions	4,664,256	1,004,423	1,458,144	453,721
Borrowings	1,047,000	0	0	0
Other (disposals & C/Fwd)	343,264	14,400	14,400	0
Reserve accounts				
Plant and Equipment Reserve	1,143,126	0	0	0
Land and Buildings Reserve	875,350	0	0	0
Lancelin Community Sport and Recreation Reserve	33,220	0	0	0
Staff Housing Reserve	34,372	0	0	0
Unspent Grants Reserve - Youth Services Website Grant	5,015	0	0	0
Seniors Housing Reserve	150,000	0	0	0
Contribution to Roads Reserve - Cowalla Road Intersection	16,476	0	0	0
Contribution to Roads Reserve - Balance of Muni Funds	703,995	0	0	0
Community Infrastructure - Lancelin Ambulance	49,813	0	0	0
Contribution - operations	1,672,763	4,480,102	3,753,141	(726,961)
<b>Capital funding total</b>	<b>10,738,650</b>	<b>5,498,925</b>	<b>5,225,685</b>	<b>(273,240)</b>

**SIGNIFICANT ACCOUNTING POLICIES**

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

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

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

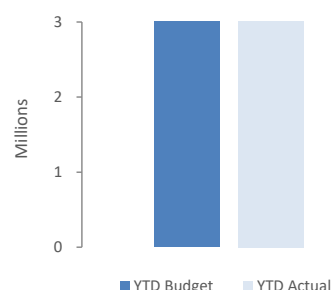
**Initial recognition and measurement for assets held at cost**

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

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

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

**Payments for Capital Acquisitions**



# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.6.1

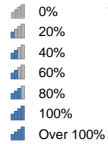
### SHIRE OF GINGIN SUPPLEMENTARY INFORMATION FOR THE PERIOD ENDED 30 APRIL 2024

### INVESTING ACTIVITIES

#### 5 CAPITAL ACQUISITIONS - DETAILED

##### Capital expenditure total

##### Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

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

		Amended		Variance
Account Description		Budget	YTD Budget	(Under)/Over
		\$	\$	\$
BC11100-141101120	Granville Civic Centre - Building (Capital)	30,810	30,810	1,370
BC11103-141101120	Gingin CWA - Building (Capital)	82,000	82,000	81,721
BC11316-141103120	Gingin Equestrian Clubs - Building (Capital)	25,000	25,000	23,850
BC11318-141103120	Lancelin Sports Complex - Building (Capital)	23,000	23,000	0
BC11361-141103120	Guilderton Country Club - Building (Capital)	30,000	30,000	28,850
BC11700-141107120	Old Granville Building - Building (Capital)	207,626	207,626	148,491
BC1182-141007120	Ablution Block - Ledge Point De Burgh St - Buildin	18,966	18,966	11,830
BC1192-141103120	Ablution Block - Lancelin Harold Park - Building (	8,475	8,475	8,475
BC12100-141201120	Guilderton Shire Depot - Building (Capital)	30,000	30,000	32,876
BC12200-141201140	Gingin Depot - Building (Capital)	75,000	75,000	72,567
BC13260-141302120	Guilderton Caravan Park - Building (Capital)	79,000	79,000	0
BC13660-141306140	Guilderton Store - Building (Capital)	0	0	32,450
BC14200-141402120	Gingin Administration Office - Building (Capital)	20,000	0	16,494
BC5100-140501120	Gingin Colocation Fire Facility - Building (Capita	40,187	0	0
BC7700-140707140	Gingin Medical Centre - Building (Capital)	15,000	15,000	11,127
BC8701-140807140	13 Robinson Street, Gingin (Treasure Trove) - Buil	5,500	5,500	0
BC9101-140901140	CEO Residence 57 Lefroy Street - Building (Capital	40,000	40,000	26,508
BC9105-140901140	4 Fewster Street - Building (Capital)	17,000	17,000	0
BC9490-140904120	Seniors Units - Lancelin - Building (Capital)	150,000	50,000	59,360
CH90201-140902140	Gingin - Eco Lifestyle Purchase of Property	477,400	0	0
LC11300-141103080	Purchase of Recreational Sporting Land - Dewar Rd	747,000	747,000	746,293
LC13200-141302080	Guilderton Foreshore Road Reserve Land (Capital)	90,000	90,000	12,990
P002-141203300	Replacement of Prime Mover GG002	350,000	0	0
P005-140501310	4WD Utility Dual Cab CESM	111,259	17,787	32,737
P034-141203300	Mower ( Kubota) Lancelin - Capital Project	30,539	30,539	30,539
P041-141203300	Mower ( Kubota) Gingin - Capital Project	30,539	30,539	30,539
P045-141203300	Volvo FM13 Prime Mover	350,000	0	0
P056-141203300	Flatbed Crew Cab Truck GG056 - Plant Capital	50,000	(200,000)	38,636
P058-141203300	GG058- New Isuzu D-Max Utility- Plant Capital	71,000	71,000	72,441
P059-141203300	GG059- New Isuzu D-Max Utility- Plant Capital	71,000	71,000	72,441
P066-141203300	Replacement of Water Truck GG066	355,000	355,000	0
P076-140501310	Beermullah Light Tanker GG076 - (Capital)	255,200	0	0
P077-140501300	Guilderton Fire Tanker GG077 - Plant Capital	549,100	0	0
P079-141203300	Bomag Roller BW212 GG079	182,000	(18,000)	0
P6014-141203300	GG6014-HOWARD PORTER SEMI TRAILER (SIDE TIPPI	91,000	46,000	68,044
P6017-141203300	HOWARD PORTER SEMI TRAILER (SIDE TIPPING) GGE	66,500	66,500	66,281
PE11200-141102300	Gingin Aquatic Centre - Plant Capital	6,300	6,300	6,268
PE12200-141201300	Gingin Depot - Plant and Equipment (Capital) MUN	0	0	5,848
PE13260-141302300	Guilderton Caravan Park - Plant & Equipment (Capit	17,968	17,968	7,968
PE13600-141306300	Guilderton Store - Plant & Equipment (Capital)	75,000	75,000	75,000
PNEW12-141203300	New Rubbish Trailer	60,000	60,000	58,572
PNEW2-141203300	Skid Steer	136,500	22,695	136,500
PNEW5-141203300	Side Tipping Semi Trailer	140,000	140,000	138,929
PNEW7-141203300	Mitsubishi Fuso 8 Wheeler	0	(300,000)	0
PNEW8-141402300	New administration pool car	21,000	21,000	20,264
BR661-141201670	Weld St Bridge - Bridge (Capital)	1,682,061	0	0
DC000-141201650	Drainage Construction	30,000	30,000	0
FC134-141201700	Constable Street - Footpath Capital	0	0	1,568
LRCI0002-140503900	LRCI - CCTV Guilderton Foreshore	40,000	40,000	415
LRCI0003-141103700	LRCI - Upgrade Power Supply Lancelin Sporting Comp	63,500	0	0
OC10701-141007900	De Burgh St Ablution Block Carpark - Infrastructur	14,000	14,000	13,798
OC11100-141103900	Granville Park - Infrastructure Other ( Capital)	0	0	5,820
OC11302-141103900	Lancelin Bowling Greens - Infrastructure Other (Ca	265,625	265,625	12,406
OC13261-141302900	Guilderton Caravan Park Infrastructure Other (Capi	26,000	26,000	16,690
PC1102-141103700	Gingin - Constable St Park	30,000	30,000	2,302
PC11100-141103700	Granville Park Dam Barrier	25,000	25,000	17,113
PC11316-141103700	Gingin Equestrian Clubs - Infrastructure Parks & G	29,000	29,000	0
PC1170-141103700	Seabird Douglas Park Infrastructure Parks & Garden	15,000	15,000	12,098
PC1192-141103700	Lancelin Harold Park - Infrastructure Parks & Gard	50,000	50,000	32,613
PC1198-141103700	Lancelin Skate Park Bowl (at BMX Track)	10,000	10,000	12,281
PC14200-141402700	Gingin Administration Office - Park (Capital)	20,000	20,000	13,266
R2R019-141201460	Coonabidgee Road (R2R)	300,060	300,060	302,806
RC004-141201420	Beermullah Road West (Capital)	31,873	31,873	33,233
RC012-141201420	Wannamal Road West (Capital)	442,142	442,142	442,142
RC032-141201420	Aurisch Road (Capital)	344,508	344,508	324,224
RC038-141201420	Wannamal Road South (Capital)	109,791	109,791	109,791
RC254-141201410	Todman Road (Capital)	205,107	205,107	205,108
RRG001-141201490	Mooliabeenee Road (RRG)	1,411,000	1,411,000	1,475,791
SC10300-141003900	Guilderton Caravan Park - Replace Waste Water - de	300,000	100,000	0
<b>Total</b>		<b>10,738,650</b>	<b>5,498,925</b>	<b>5,225,685</b>

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

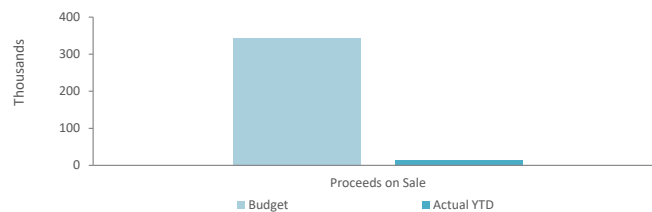
## APPENDIX 13.6.1

SHIRE OF GINGIN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

OPERATING ACTIVITIES

### 6 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
<b>Plant and equipment</b>									
	Beermullah BFB Light Tanker	19,053	45,000	25,947	0	0	0	0	0
	Guilderton BFB Fire Tanker	278,169	90,000	0	(188,169)	0	0	0	0
	GG045 Volvo Prime Mover	83,972	60,000	0	(23,972)	0	0	0	0
	GG002 Volvo Prime Mover	45,996	60,000	14,004	0	0	0	0	0
	GG034 Kubota Mower	0	7,200	7,200	0	0	7,200	7,200	0
	GG041 Kubota Mower	4,000	7,200	3,200	0	4,000	7,200	3,200	0
	GG056 Spray Truck	28,000	0	0	(13,000)	0	0	0	0
	GG066 Mercedes Benz Water Truck	60,000	36,364	0	(40,000)	0	0	0	0
	GG079 Bomag Roller	25,044	35,000	24,956	0	0	0	0	0
	GG6015 Trailer	762	1,000	238	0	0	0	0	0
	Guilderton Caravan Park - Generator	1,020	1,500	480	0	0	0	0	0
<b>Infrastructure - Parks and ovals</b>									
	Granville Park Dam - Bridge x 2	18,225	0	0	(18,225)	0	0	0	0
	Harold Park BBQs	4,000	0	0	(4,000)	3,497	0	0	(3,497)
	Pool Cleaner at Aquatic Centre	0	0	0	0	1,641	0	0	(1,641)
	Frank Douglas Park BBQ's	0	0	0	0	797	0	0	(797)
	Guilderton Caravan Park - Bench seats in camp kitchen	3,733	0	0	(3,733)	3,643	0	0	(3,643)
		<b>571,974</b>	<b>343,264</b>	<b>76,025</b>	<b>(291,099)</b>	<b>13,578</b>	<b>14,400</b>	<b>10,400</b>	<b>(9,578)</b>





# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.6.1

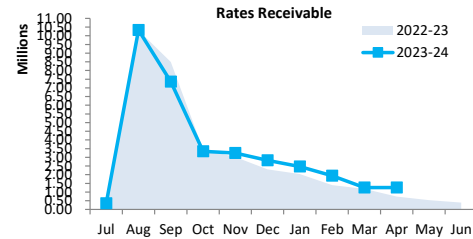
### SHIRE OF GINGIN SUPPLEMENTARY INFORMATION FOR THE PERIOD ENDED 30 APRIL 2024

### OPERATING ACTIVITIES

#### 7 RECEIVABLES

##### Rates receivable

	30 June 2023	30 Apr 2024
	\$	\$
Opening arrears previous years	399,663	393,515
Levied this year	9,437,442	10,116,594
Less - collections to date	(9,443,590)	(9,247,744)
Gross rates collectable	<b>393,515</b>	<b>1,262,365</b>
Net rates collectable	<b>393,515</b>	<b>1,262,365</b>
% Collected	96.0%	88.0%



##### Receivables - general

	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(3,074)	79,957	14,778	12,494	127,103	231,257
Percentage	(1.3%)	34.6%	6.4%	5.4%	55.0%	
<b>Balance per trial balance</b>						
Trade receivables						231,257
GST receivable						78,990
Allowance for credit losses of trade receivables						(8,871)
Legal costs - recovery of rates						69,756
Rubbish fees						136,733
<b>Total receivables general outstanding</b>						<b>507,865</b>

Amounts shown above include GST (where applicable)

##### KEY INFORMATION

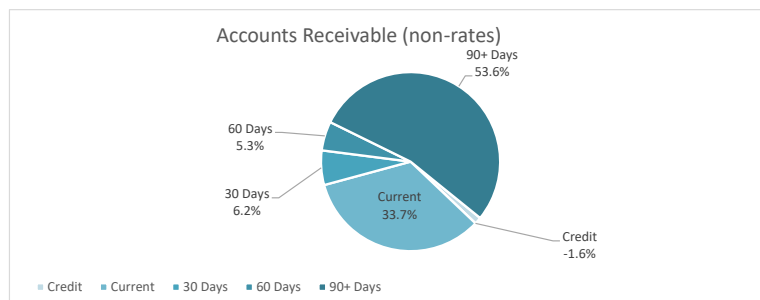
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

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

##### Classification and subsequent measurement

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

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



**SHIRE OF GINGIN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024**

**OPERATING ACTIVITIES**

**8 OTHER CURRENT ASSETS**

	Opening Balance 1 July 2023	Asset Increase	Asset Reduction	Closing Balance 30 April 2024
	\$	\$	\$	\$
<b>Other current assets</b>				
<b>Other financial assets at amortised cost</b>				
Financial assets at amortised cost - self supporting loans	2,327	0	(1,157)	1,170
Financial assets at amortised cost - advances	1,964	0	(978)	986
<b>Inventory</b>				
Fuel	8,222	298,398	(303,419)	3,201
History Books	14,691	0	0	14,691
<b>Other assets</b>				
Prepayments	39,059	0	(39,059)	0
<b>Contract assets</b>				
Contract assets	383,908	0	(274,107)	109,801
<b>Total other current assets</b>	<b>450,171</b>	<b>298,398</b>	<b>(618,720)</b>	<b>129,849</b>
<b>Amounts shown above include GST (where applicable)</b>				

**KEY INFORMATION**

**Other financial assets at amortised cost**

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

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

**Inventory**

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

**Contract assets**

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

SHIRE OF GINGIN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

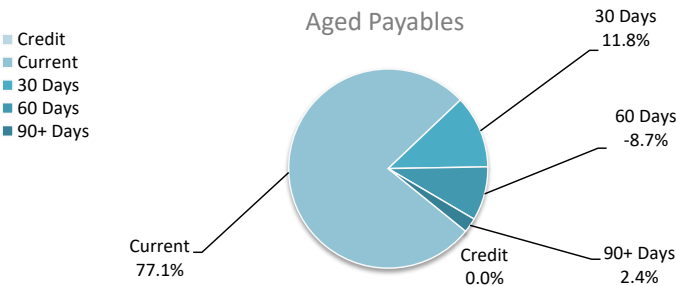
OPERATING ACTIVITIES

9 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	84,948	13,032	(9,638)	2,603	90,945
Percentage	0.0%	93.4%	14.3%	-10.6%	2.9%	
<b>Balance per trial balance</b>						
Sundry creditors						90,825
ATO liabilities						27,232
Prepaid rates						155,253
Bonds & deposits						815,940
Accrued interest on long term borrowings						26,259
<b>Total payables general outstanding</b>						<b>1,115,509</b>
<b>Amounts shown above include GST (where applicable)</b>						

KEY INFORMATION

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



**MINUTES  
ORDINARY COUNCIL MEETING  
21 MAY 2024**

**APPENDIX 13.6.1**

SHIRE OF GINGIN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

**OPERATING ACTIVITIES**

**10 RATE REVENUE**

**General rate revenue**

<b>RATE TYPE</b>	<b>Rate in \$ (cents)</b>	<b>Number of Properties</b>	<b>Rateable Value</b>	<b>Rate Revenue \$</b>	<b>Budget Interim Rate Revenue \$</b>	<b>Total Revenue \$</b>	<b>Rate Revenue \$</b>	<b>YTD Actual Interim Rate Revenue \$</b>	<b>Total Revenue \$</b>
<b>Gross rental value</b>									
GRV Townsites	0.092598	1,595	30,572,286	2,830,933	13,753	2,844,686	2,830,933	11,567	2,842,500
GRV Other	0.092598	979	18,179,385	1,683,375	15,508	1,698,883	1,683,375	14,159	1,697,534
<b>Unimproved value</b>									
UV Rural	0.004848	463	366,649,000	1,777,514	0	1,777,514	1,777,514	27,025	1,804,539
UV Other	0.004848	3	2,686,000	13,022	0	13,022	13,022	13,065	26,087
UV Intensive/Mining	0.007376	131	97,379,000	718,268	0	718,268	718,268	(24,661)	693,607
UV Exploraton Mining	0.004848	0	0	0	0	0	0	(1,599)	(1,599)
<b>Sub-Total</b>		<b>3,171</b>	<b>515,465,671</b>	<b>7,023,112</b>	<b>29,261</b>	<b>7,052,373</b>	<b>7,023,112</b>	<b>39,555</b>	<b>7,062,668</b>
<b>Minimum payment</b>									
<b>Minimum Payment \$</b>									
<b>Gross rental value</b>									
GRV Townsites	1,248	1,033	9,760,775	1,289,184	0	1,289,184	1,289,184	0	1,289,184
GRV Other	1,248	744	4,222,360	928,512	0	928,512	928,512	0	928,512
<b>Unimproved value</b>									
UV Rural	1,444	346	76,307,000	499,624	0	499,624	499,624	0	499,624
UV Other	1,444	1	180,000	1,444	0	1,444	1,444	0	1,444
UV Intensive/Mining	2,461	118	23,639,885	290,398	0	290,398	290,398	0	290,398
UV Exploraton Mining	1,444	31	101,934	44,764	0	44,764	44,764	0	44,764
<b>Sub-total</b>		<b>2,273</b>	<b>114,211,954</b>	<b>3,053,926</b>	<b>0</b>	<b>3,053,926</b>	<b>3,053,926</b>	<b>0</b>	<b>3,053,926</b>
<b>Amount from general rates</b>						<b>10,106,299</b>			<b>10,116,594</b>
Ex-gratia rates						6,299			0
<b>Total general rates</b>						<b>10,112,598</b>			<b>10,116,594</b>

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.6.1

SHIRE OF GINGIN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

### FINANCING ACTIVITIES

#### 11 BORROWINGS

##### Repayments - borrowings

Information on borrowings		New Loans			Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	Loan No.	1 July 2023	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Gingin Medical Centre	100	36,082	0	0	(36,081)	(36,081)	1	1	(785)	(1,771)
Tip Rationalisation Site	111	374,839	0	0	(22,798)	(22,797)	352,041	352,042	(19,594)	(23,963)
Seabird Sea Wall	127	81,002	0	0	(22,426)	(22,426)	58,576	58,576	(1,406)	(1,893)
Guilderton Country Club Hall Extension	114	254,993	0	0	(21,666)	(44,105)	233,327	210,888	(14,486)	(17,433)
Regional Hardcourt Facility	120	192,913	0	0	(13,333)	(27,111)	179,580	165,802	(10,413)	(12,441)
Regional Hardcourt Facility	124A	188,721	0	0	(11,763)	(23,769)	176,958	164,952	(6,297)	(7,551)
Gingin Swimming Pool Tiling	126	49,937	0	0	(16,136)	(16,136)	33,801	33,801	(1,044)	(1,424)
Gingin Outdoor Activity Space	132	143,590	0	0	(8,502)	(17,066)	135,088	126,524	(1,668)	(1,995)
Lancelin Cunliffe Street Carpark	133	250,000	0	0	(10,007)	(20,774)	239,993	229,226	(9,330)	(11,165)
Altus Financials Suite	131	139,253	0	0	(4,735)	(9,516)	134,518	129,737	(2,215)	(2,653)
Lot 44 Weld Street, Gingin	123	116,589	0	0	(20,241)	(20,241)	96,348	96,348	(6,358)	(7,768)
Land for Future Gingin Sporting Precinct	New	0	0	747,000	0	0	0	747,000	0	0
Guilderton Caravan Park Waste Water	New	0	0	300,000	0	0	0	300,000	0	0
		1,827,919	0	1,047,000	(187,688)	(260,022)	1,640,231	2,614,897	(73,597)	(90,057)
<b>Self supporting loans</b>										
Ledge Point Country Club Cool Room		14,745	0	0	(1,157)	(2,327)	13,588	12,418	(254)	(306)
		14,745	0	0	(1,157)	(2,327)	13,588	12,418	(254)	(306)
<b>Total</b>		<b>1,842,664</b>	<b>0</b>	<b>1,047,000</b>	<b>(188,845)</b>	<b>(262,349)</b>	<b>1,653,819</b>	<b>2,627,315</b>	<b>(73,851)</b>	<b>(90,363)</b>
Current borrowings		261,817					72,972			
Non-current borrowings		1,580,847					1,580,847			
		<b>1,842,664</b>					<b>1,653,819</b>			

All debenture repayments were financed by general purpose revenue.  
Self supporting loans are financed by repayments from third parties.

##### New borrowings 2023-24

Particulars	Amount Borrowed		Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
	\$	\$				\$	%	\$	\$	\$
Guilderton Caravan Park Waste Water	0	300,000		Council	10	0	4.54	0	(300,000)	0
Land for Future Gingin Sporting Precinct	0	747,000		Council	20	0	-	0	(747,000)	0
	<b>0</b>	<b>1,047,000</b>				<b>0</b>		<b>0</b>	<b>(1,047,000)</b>	<b>0</b>

##### KEY INFORMATION

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

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

**SHIRE OF GINGIN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024**

**FINANCING ACTIVITIES**

**12 LEASE LIABILITIES**

**Movement in carrying amounts**

Information on leases Particulars	Lease No.	1 July 2023	New Leases		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Lancelin administration office	1A	0	15,232	15,232	(6,144)	(7,236)	9,088	7,996	(551)	(797)
Photocopier - Ineo 958	2	2,559	0	0	(2,559)	(2,559)	-0	0	(6)	(6)
IT Server	4	42,835	0	0	(14,620)	(17,568)	28,215	25,267	(391)	(391)
<b>Total</b>		<b>45,394</b>	<b>15,232</b>	<b>15,232</b>	<b>(23,323)</b>	<b>(27,363)</b>	<b>37,303</b>	<b>33,263</b>	<b>(949)</b>	<b>(1,194)</b>
Current lease liabilities		20,122					4,218			
Non-current lease liabilities		25,274					33,086			
		<b>45,396</b>					<b>37,304</b>			

All lease repayments were financed by general purpose revenue.

**KEY INFORMATION**

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

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

**SHIRE OF GINGIN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024**

**OPERATING ACTIVITIES**

**13 OTHER CURRENT LIABILITIES**

	Note	Opening Balance 1 July 2023 \$	Liability transferred from/(to) non current \$	Liability Increase \$	Liability Reduction \$	Closing Balance 30 April 2024 \$
<b>Other current liabilities</b>						
<b>Other liabilities</b>						
Contract liabilities		454,424	0	320,760	(51,193)	723,991
Capital grant/contributions liabilities		467,678	0	1,396,652	(1,400,065)	464,265
<b>Total other liabilities</b>		922,102	0	1,717,412	(1,451,258)	1,188,256
<b>Employee Related Provisions</b>						
Provision for annual leave		721,704	0	0	0	721,704
Provision for long service leave		535,718	0	0	0	535,718
<b>Total Provisions</b>		1,257,422	0	0	0	1,257,422
<b>Total other current liabilities</b>		<b>2,179,524</b>	<b>0</b>	<b>1,717,412</b>	<b>(1,451,258)</b>	<b>2,445,678</b>

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 14 and 15

**KEY INFORMATION**

**Provisions**

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

**Employee Related Provisions**

**Short-term employee benefits**

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

**Other long-term employee benefits**

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

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

**Contract liabilities**

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

**Capital grant/contribution liabilities**

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

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.6.1

SHIRE OF GINGIN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

OPERATING ACTIVITIES

### 14 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions revenue					YTD Revenue Actual
	Liability	Increase in Liability	Decrease in Liability (As revenue)	Liability	Current Liability	Amended Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	
	1 July 2023			30 Apr 2024	30 Apr 2024						
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Grants and subsidies</b>											
<b>General purpose funding</b>											
Financial Assistance Grant - General Purpose	0	0	0	0	0	47,985	47,985	0	(47,985)	(47,985)	35,989
Financial Assistance Grant - Roads	0	0	0	0	0	53,800	53,800	0	(53,800)	(53,800)	40,350
DFES Operating Grant	0	0	0	0	0	224,404	224,404	224,404	0	224,404	224,381
Coastal Hazard Risk Management Plan Grant	0	0	0	0	0	10,580	8,820	10,580	0	10,580	0
CAP Grant Funding	0	0	0	0	0	45,000	27,000	45,000	0	45,000	45,000
CMPAP Coastal Inundation Integration	0	0	0	0	0	20,000	16,670	20,000	0	20,000	0
<b>Recreation and culture</b>											
State Library Travel Claim Lancelin Library	0	0	0	0	0	0	0	0	0	0	153
Direct Road Grant MRWA	0	0	0	0	0	267,159	267,159	261,330	(5,829)	255,501	267,159
DWER Grant for Standpipe Monitoring System	0	0	0	0	0	9,000	9,000	0	(9,000)	(9,000)	900
	0	0	0	0	0	677,928	654,838	561,314	(116,614)	444,700	613,932
<b>Contributions</b>											
<b>General purpose funding</b>											
Rates incentive Prize Night	0	0	0	0	0	16,681	16,681	12,000	(4,681)	7,319	16,182
<b>Law, order, public safety</b>											
CESM Grant - DFES	0	0	0	0	0	96,143	77,208	96,143	0	96,143	66,132
BRMO Grant - DFES	72,084	111,618	(47,316)	136,386	136,386	111,618	111,618	111,618	0	111,618	47,316
MAF Mitigation - DFES	0	209,142	0	209,142	209,142	600,517	250,215	600,517	0	600,517	71,064
Gingin Resilience Project - Mindaroo Foundation	100,000	0	(3,877)	96,123	96,123	137,500	137,500	137,500	0	137,500	3,877
<b>Community amenities</b>											
Claymont Estate - Planning contributions	0	0	0	0	0	8,000	6,660	8,000	0	8,000	30,000
<b>Recreation and culture</b>											
Naming Sponsorship - Gingin Aquatic Centre - Image Resources	0	0	0	0	0	10,000	10,000	10,000	0	10,000	10,000
Contribution income for suite of events	0	0	0	0	0	54,654	53,324	36,400	(18,254)	18,146	52,655
<b>Transport</b>											
Contribution income for Aurisch Road Maintenance	0	0	0	0	0	12,500	12,500	12,500	0	12,500	12,500
<b>Economic Services</b>											
Guilderton Caravan Park Deposit Liability	282,340	0	0	282,340	282,340	0	0	0	0	0	0
Market PLI contributions	0	0	0	0	0	2,000	1,670	2,000	0	2,000	0
	454,424	320,760	(51,193)	723,991	723,991	1,049,613	677,376	1,026,678	(22,935)	1,003,743	309,725
<b>TOTALS</b>	454,424	320,760	(51,193)	723,991	723,991	1,727,541	1,332,214	1,587,992	(139,549)	1,448,443	923,657



# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.6.1

SHIRE OF GINGIN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

INVESTING ACTIVITIES

### 15 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Capital grants, subsidies and contributions revenue					
	Liability	Increase in	Decrease in	Liability	Current	Amended	YTD	Annual	Budget	Expected	YTD
	1 July 2023	Liability	Liability	30 Apr 2024	Liability	Budget	Budget	Budget	Variations		Revenue
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Capital grants and subsidies</b>											
<b>Law, order, public safety</b>											
DFES - Capital Grant - Buildings	40,187	0	0	40,187	40,187	40,187	0	40,187	0	40,187	0
DFES - Capital Grant - Vehicles	0	0	0	0	0	804,300	0	804,300	0	804,300	0
<b>Recreation and culture</b>											
LRCI - Unspent funds	15,101	0	(15,101)	0	0	103,500	0	103,500	0	103,500	0
Lancelin Bowling Club - DLGSC Grant and Bendigo Bank Grant	0	0	0	0	0	138,541	138,541	0	138,541	138,541	0
<b>Transport</b>											
LRCI - Unspent Funds Roads	21,732	550,733	(504,952)	67,513	67,513	892,579	327,095	892,579	0	892,579	578,132
Roads to Recovery	40,596	268,713	(302,806)	6,504	6,504	1,641,309	0	1,641,309	0	1,641,309	302,806
Regional Road Group (Moolabeenee Rd)	0	577,206	(577,206)	(0)	(0)	655,237	150,184	505,053	150,184	655,237	577,206
Financial Assistance Grants - Special Projects	350,062	0	0	350,062	350,062	350,061	350,061	350,061	0	350,061	0
	<b>467,678</b>	<b>1,396,652</b>	<b>(1,400,065)</b>	<b>464,265</b>	<b>464,265</b>	<b>4,625,714</b>	<b>965,881</b>	<b>4,336,989</b>	<b>288,725</b>	<b>4,625,714</b>	<b>1,458,144</b>
<b>Capital contributions</b>											
<b>Recreation and culture</b>											
Lancelin Bowling Club Contribution for Lancelin Bowling Greens	0	0	0	0	0	38,542	38,542	0	38,542	38,542	0
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>38,542</b>	<b>38,542</b>	<b>0</b>	<b>38,542</b>	<b>38,542</b>	<b>0</b>
<b>TOTALS</b>	<b>467,678</b>	<b>1,396,652</b>	<b>(1,400,065)</b>	<b>464,265</b>	<b>464,265</b>	<b>4,664,256</b>	<b>1,004,423</b>	<b>4,336,989</b>	<b>327,267</b>	<b>4,664,256</b>	<b>1,458,144</b>

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 13.6.1

SHIRE OF GINGIN  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 APRIL 2024

### 16 BUDGET AMENDMENTS

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

Description	GL/Project Code	Council Resolution	Classification	Non Cash Adjustment \$	Increase in Available Cash \$	Decrease in Available Cash \$	Amended Budget Running Balance \$
<b>Budget adoption</b>							0
Management approval 06/11/2023 to reduce budget for Gully Traps	OC13261	N/A	Capital expenses	0	10,000	0	10,000
Management approval 06/11/2023 to reduce budget for Replacement of bench seats	OC13261	N/A	Capital expenses	0	29,000	0	39,000
Management approval 06/11/2023 to increase budget for repairs to Chisleter verandah roofing	BC13260	N/A	Capital expenses	0	0	(39,000)	0
OCM 19/09/2023 - Item 18.1 Purchase of land for Future Gingin Sporting Precinct	LC11300	CCM 19/09/2023 Item 18.1	Capital expenses	0	0	(715,000)	(715,000)
OCM 19/09/2023 - Item 18.1 Purchase of Land for Future Gingin Sporting Precinct - Lot 7 Dewar Road, Granville	151103550	CCM 19/09/2023 Item 18.1	Capital revenue	0	715,000	0	0
SCM 06/02/24 - 13.1 Unbudgeted Expenditure - Purchase of Kubota Track Loader	PNEW2	SCM 16/02/2024	Capital expenses	0	22,695	0	22,695
SCM 06/02/2024 - 13.1 Unbudgeted Expenditure- Purchase of Kubota Track Loader	P056	SCM 16/02/2024	Capital expenses	0	0	(22,695)	0
SCM 06/02/2024 - 13.2 Unbudgeted Expenditure- Critical Bridge Maintenance Works	M8000	SCM 16/02/2024	Operating expenses	0	43,350	0	43,350
SCM 06/02/2024 - 13.2 Unbudgeted Expenditure- Critical Bridge Maintenance Works- Reserve 31 Road Reserve - \$26,874	151201810	SCM 16/02/2024	Capital revenue	0	0	(26,874)	16,476
SCM 06/02/2024 - 13.2 Unbudgeted Expenditure- Critical Bridge Maintenance Works- Reserve #28 Cowalla Road \$16,476	151201810	SCM 16/02/2024	Capital revenue	0	0	(16,476)	0
OCM 20 February 2024 - Item 13.3 LCSC - Air Conditioner Unit Replacement	BC11318	OCM 20/02/2024	Capital expenses	0	0	23,000	23,000
OCM 20 February 2024 - Item 13.3 Lancelin Community Sporting Complex - Air Conditioner Unit Replacement	131103350	OCM 20/02/2024	Operating revenue	0	(8,000)	0	15,000
OCM 20 February 2024 - Item 13.3 Lancelin Community Sporting Complex - Air Conditioner Unit Replacement	151103810	OCM 20/02/2024	Capital revenue	0	(15,000)	0	0
OCM 20 February 2024 - Item 13.4 Unbudgeted Expenditure - Release of Reserve Funds for Ambulance Purchases	120704870	OCM 20/02/2024	Operating expenses	0	0	49,813	49,813
OCM 20 February 2024 - Item 13.4 Unbudgeted Expenditure - Release of Reserve Funds for Ambulance Purchases	150707810	OCM 20/02/2024	Capital revenue	0	(49,813)	0	0
OCM 19 March 2024 Item 12.2 Establishment of CEO Selection Panel	T004014	OCM 19/03/2024	Operating expenses	0	(6,000)	0	(6,000)
OCM 19 March 2024 Item 12.2 Establishment of CEO Selection Panel	120402520	OCM 19/03/2024	Operating expenses	0	0	6,000	0
OCM 19 March 2024 Item 13.4 Lancelin Community and Sporting Club Transfer of Funds for contribution for replacement of bus shed door	151107810	OCM 19/03/2024	Capital revenue	0	(2,004)	0	(2,004)
OCM 19 March 2024 Item 13.4 Lancelin Community and Sporting Club Transfer of Funds for contribution for replacement of bus shed door	121103870	OCM 19/03/2024	Operating expenses	0	0	2,004	0
OCM 19 March 2024 Item 13.4 Lancelin Community and Sporting Club Transfer of Funds for contribution to new playground	121103870	OCM 19/03/2024	Operating expenses	0	0	23,806	23,806
OCM 19 March 2024 Item 13.4 Lancelin Community and Sporting Club Transfer of Funds for contribution to new playground	151103810	OCM 19/03/2024	Capital revenue	0	(23,806)	0	0
OCM 19 March 2024 Item 13.4 Lancelin Community and Sporting Club Transfer of Funds for contribution to replace the pump shed	121103870	OCM 19/03/2024	Operating expenses	0	0	7,610	7,610
OCM 19 March 2024 Item 13.4 Lancelin Community and Sporting Club Transfer of Funds for contribution to replace the pump shed	151103810	OCM 19/03/2024	Capital revenue	0	(7,610)	0	0
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	W10116	CCM 19/03/2024	Operating expenses	0	(45,000)	0	(45,000)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO4100	CCM 19/03/2024	Operating expenses	0	0	3,000	(42,000)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO11303	CCM 19/03/2024	Operating expenses	0	0	1,145	(40,855)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO1191	CCM 19/03/2024	Operating expenses	0	0	1,200	(39,655)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO1192	CCM 19/03/2024	Operating expenses	0	0	1,200	(38,455)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO1193	CCM 19/03/2024	Operating expenses	0	0	1,200	(37,255)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO12200	CCM 19/03/2024	Operating expenses	0	0	1,200	(36,055)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO12100	CCM 19/03/2024	Operating expenses	0	0	2,800	(33,255)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO1170	CCM 19/03/2024	Operating expenses	0	0	3,016	(30,239)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO1182	CCM 19/03/2024	Operating expenses	0	0	7,839	(22,400)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO11100	CCM 19/03/2024	Operating expenses	0	0	2,000	(20,400)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO11261	CCM 19/03/2024	Operating expenses	0	0	3,500	(16,900)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO11290	CCM 19/03/2024	Operating expenses	0	0	1,500	(15,400)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO1154	CCM 19/03/2024	Operating expenses	0	0	800	(14,600)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO1180	CCM 19/03/2024	Operating expenses	0	0	1,200	(13,400)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO1181	CCM 19/03/2024	Operating expenses	0	0	1,200	(12,200)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO1190	CCM 19/03/2024	Operating expenses	0	0	1,200	(11,000)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO14200	CCM 19/03/2024	Operating expenses	0	0	9,350	(1,650)
CCM 19/03/2024 Item 19.1 RFT 01/2024 Provision of Cleaning and Sanitary Services	BO14290	CCM 19/03/2024	Operating expenses	0	0	1,650	0
Budget review 2023/24 Adjustments	Various	OCM 19/03/2024		0	0	0	0
				663,012	(663,012)		0

## **14 REPORTS - REGULATORY AND DEVELOPMENT SERVICES**

### **14.1 WASTE MANAGEMENT - KERBSIDE BIN STOCK RENEWAL**

File	WST/5
Author	Tanya Anderson – Coordinator Resource Recovery & Environmental Health
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	Nil
Appendices	Nil

#### **DISCLOSURES OF INTEREST**

Nil

#### **PURPOSE**

For Council to approve the purchase of additional kerbside bins to replenish stock being held by Avon Waste.

#### **BACKGROUND**

Avon Waste, the Shire's kerbside collection contractor, has advised that there are currently only three sets of kerbside bins for the Shire of Gingin remaining in its warehouse. Avon Waste has requested that approval be granted for an order of Shire of Gingin stamped bins to restock.

As a new property build is completed, notification is received by the Shire's Rates team and a bin delivery service is added to the relevant rates notice. At that point Avon Waste is advised and activates the delivery of the bin set to the new householder.

The Schedule of Fees and Charges 2023/2024 includes a rate of \$246 per household per service (which includes one recycle bin and one general waste bin). This is in line with the *Waste Avoidance and Resource Recovery Act 2007* (the Act), Section 50 service provisions and the Shire of Gingin's Waste Local Law 2016.

This rate covers the initial cost of the bins (replacement costs \$110 per bin) and the ongoing kerbside service collections. The Shire retains ownership of the bins throughout the life of the units.

## **COMMENT**

As a result of the release of new residential developments and construction currently underway on Cheriton Estate, Honeycomb Estate and in Karakin, an increased stock of kerbside bins is required as a matter of urgency to meet the Shire's requirements under the Act and to be able to service the waste removal needs of residents.

The last purchase of bins was over five years ago and rapid growth in the Shire has seen a rapid decrease in the stock of receptacles held in storage by Avon Waste.

In December 2023, Avon Waste requested that the Shire purchase 112 sets of bins whilst a reasonable number was still being held in reserve. As the number held in stock is now at 3 sets only, increasing the purchase to 224 sets will provide sufficient stock to see through the next 12 -18 months. In addition, ordering of larger quantities also facilitates the printing of the bins with the Shire logo and identification numbers used to track and trace missing bins.

## **STATUTORY/LOCAL LAW IMPLICATIONS**

*Environmental Protection Act 1986*

*Environmental Protection Regulations 1987*

*Environmental Protection (Rural Landfill) Regulations 2002*

*Waste Avoidance and Resource Recovery Act 2007*

*Waste Local Law 2016 (as amended)*

*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**

Nil

## **BUDGET IMPLICATIONS**

The 2023/2024 budget does not include an allocation of any funds for the purchase of new bins for properties nor have they been future forecasted.

A transfer of funds from the Waste Reserve account to subsidize the purchase is requested in accordance with the table below, which will see the Shire covered for the next 12 – 18 months.

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Account	Description	Current Budget	Revised Budget	Surplus/Deficit
121001180	SAN - Purchase of Bins (Sulo and Other) MUN	\$0.00	\$49,280.00	\$49,280.00
Reserve 10	Tip Rationalisation	\$2,348,985.13	\$2,299,705.13	\$(49,280.00)
Net				\$0.00

**STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

<b>Aspiration</b>	3. Planning & Sustainability - Plan for Future Generations
<b>Strategic Objective</b>	3.5 Sustainable Waste Solutions - Incorporate opportunities that support responsible and sustainable disposal of waste

**VOTING REQUIREMENTS - ABSOLUTE MAJORITY**

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION**

**MOVED:** Councillor Balcombe

**SECONDED:** Councillor Sorensen

That Council agree to approve the transfer of funds to progress the purchase of 224 sets of Shire of Gingin stamped bins for storage and distribution by Avon Waste as new residences commence occupancy within the Shire.

Account	Description	Current Budget	Revised Budget	Surplus/Deficit
121001180	SAN - Purchase of Bins (Sulo and Other) MUN	\$0.00	\$49,280.00	\$49,280.00
Reserve 10	Tip Rationalisation	\$2,348,985.13	\$2,299,705.13	\$(49,280.00)
Net				\$0.00

**CARRIED BY ABSOLUTE MAJORITY  
7 / 0**

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

**AGAINST:** *Nil*

## 14.2 ROAD NAMING - LANCELIN SOUTH ESTATE

File	LND/137
Applicant	Veris
Location	Lot 9001 Lancelin Road, Lancelin (Lancelin South)
Owner	VIMG
Zoning	Urban Development
WAPC No	163013
Author	James Bayliss – Manager Planning and Building
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	Nil
Appendices	1. Applicants Proposal [14.2.1 - 2 pages]

### DISCLOSURES OF INTEREST

Nil

### PURPOSE

To consider road names within Stage 2 of Lancelin South Estate (Lot 9001 Lancelin Road, Lancelin).

### BACKGROUND

The subject land consists of a portion of Lot 9001 Lancelin Road and is located within the approved Lancelin South Stage One Outline Development Plan (ODP). Subdivision approval for Stage 2 was issued by the Western Australian Planning Commission (WAPC) on 9 November 2022, with a revised Plan of Subdivision approved on 23 May 2023 (Ref. 163013).

Road names are endorsed by the Minister for Lands through the Department of Land Information's Geographic Names Committee (GNC).

Given that Stage 2 of the subdivision is an extension of Stage 1, subdivisional roads that connect with the existing estate will assume the existing road names (i.e. – Kingfisher Drive and Hamelin Avenue will be extended).

The applicant advises that the proposed road names have used a theme related to native birds. The proposed subdivisional road names are outlined in the table below:

Name	Meaning
Hamelin Avenue	Extension of existing Avenue.
Roseate Street	The roseate spoonbill nests in shrubs or trees, often mangroves, laying two to five eggs, which are whitish with brown markings. Immature birds have white, feathered heads, and the pink of the plumage is paler. The bill is yellowish or pinkish.
Caspian Street	The Caspian Tern is the largest tern in Australia, with long, slender backswept wings and a slightly forked tail. The heavy bill is red with a dusky tip. When breeding the tern is white, except for a black crown from bill to nape and a short shaggy black crest. The mantle and upper wings are grey and the flight feathers are darker. The eye is dark brown and legs are black.
Plover Avenue	Plovers or Masked Lapwings are fairly large birds. They have long reddish legs and large yellow facial wattles. They inhabit virtually the whole of Australia and are commonly found on the shores of swamps and lakes. They commonly inhabit large grassy areas, particularly those areas cleared for pasture or parkland.
Peregrine Drive	The Peregrine Falcon is found in most habitats, from rainforests to the arid zone, and at most altitudes, from the coast to alpine areas. It requires abundant prey and secure nest sites and prefers coastal and inland cliffs or open woodlands near water and may even be found nesting on high city buildings.
Kingfisher Drive	Extension of existing Drive

Table 1 – Proposed Road Names – Stage 2

The applicant advises that the above names have passed Landgate's preliminary screening process as being appropriate.

It is noted that Council considered road names within the Lancelin South Development on 6 December 2011, with relevant portions of the resolution outlined below:

*3. Seek support from the Minister for Lands through the Department of Land's Geographic names committee to name the new roads in Lancelin South Development as listed below:*



*Prescott, Saunders, Bentley, Baudin, Hamelin, Sheehan, Penn, Wheeler, Arcus Davis, Green, Revilo, Kingfisher*

*4. Authorise Staff to investigate the following street names/themes and liaise with the Developer to include those names in the Lancelin South Street Names List:*

*Matthews, Kramer, Nagel, Boat Names.*

*COUNCILLORS WERE OF THE VIEW THAT NAMES THAT ALREADY EXIST WITHIN THE DISTRICT SHOULD NOT BE USED. PREFERENCE SHOULD BE FOR NAMES OF ORIGINAL PIONEERING FISHING FAMILIES.*

It is noted that the existing names with Stage 1 relate to a nautical theme, being the names or owners of fishing boats, with the exception of Hamelin which related to the captain of a French scientific expedition.

It is evident that Council preferred and progressed with the nautical theme for Stage 1. That is not to say that each stage of the subdivision must continue with the existing theme.

The officer does not have strong views either way and is equally supportive of the names currently proposed by applicant, or continuance of the existing nautical theme if that is Council's preference.

The applicant's proposal is provided (see appendices).

## COMMENT

In Western Australia the practice of officially naming features, localities and roads is covered under Sections 26 and 26A of the *Land Administration Act 1997*. The legislation is supported by policies and processes which provide guidance on the naming of roads. In this instance *Policies and Standards for Geographical Naming In Western Australia* applies, which outlines how the GNC approves names and what principles guide the Committee's decisions.

The above-mentioned policy is rather extensive, however suitable names are generally those that are not duplicated, discriminatory or contentious and that relate to a theme relevant to the local area. The theme 'native birds' has produced the proposed names. The officer is of the view that the proposed names are generally consistent with the guiding policy.

## Summary

In view of the above, it is considered appropriate to support the road names submitted by the applicant.



## STATUTORY/LOCAL LAW IMPLICATIONS

*Land Administration Act, 1997*

Part 2 – General administration

Division 3 – General

S.26 – Land districts and townsites, constitution etc. of

S.26A – Names of roads and areas in new subdivision

## POLICY IMPLICATIONS

Landgate - Policies and standards for geographical naming in Western Australia

## BUDGET IMPLICATIONS

## STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

<b>Aspiration</b>	3. Planning & Sustainability - Plan for Future Generations
<b>Strategic Objective</b>	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

## VOTING REQUIREMENTS - SIMPLE MAJORITY

### COUNCIL RESOLUTION/OFFICER RECOMMENDATION

**MOVED:** Councillor Balcombe

**SECONDED:** Councillor Woods

That Council endorse the road names for Stage 2 of the Lancelin South Estate as outlined below:

Name	Meaning
Hamelin Avenue	Extension of existing avenue.
Roseate Street	The roseate spoonbill nests in shrubs or trees, often mangroves, laying two to five eggs, which are whitish with brown markings. Immature birds have white, feathered heads, and the pink of the plumage is paler. The bill is yellowish or pinkish.
Caspian Street	The Caspian Tern is the largest tern in Australia, with long, slender backswept wings and a slightly forked tail. The heavy bill is red with a dusky tip.

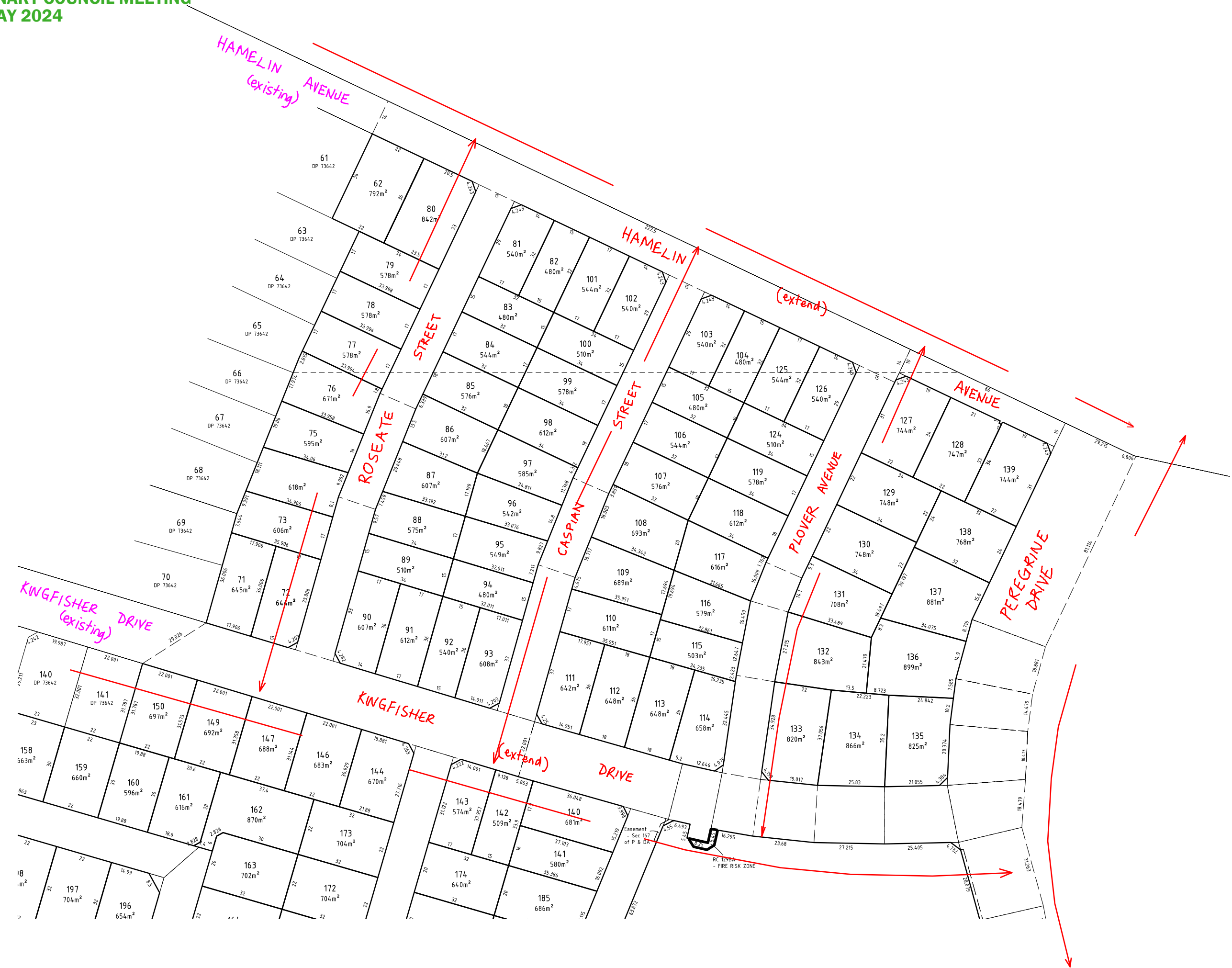
	When breeding the tern is white, except for a black crown from bill to nape and a short shaggy black crest. The mantle and upper wings are grey and the flight feathers are darker. The eye is dark brown and legs are black.
Plover Avenue	Plovers or Masked Lapwings are fairly large birds. They have long reddish legs and large yellow facial wattles. They inhabit virtually the whole of Australia and are commonly found on the shores of swamps and lakes. They commonly inhabit large grassy areas, particularly those areas cleared for pasture or parkland.
Peregrine Drive	The Peregrine Falcon is found in most habitats, from rainforests to the arid zone, and at most altitudes, from the coast to alpine areas. It requires abundant prey and secure nest sites, and prefers coastal and inland cliffs or open woodlands near water, and may even be found nesting on high city buildings.
Kingfisher Drive	Extension of existing Drive

**CARRIED UNANIMOUSLY  
7 / 0**

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

**AGAINST:** *Nil*

LANCELIN SOUTH ROAD NAME TESTING - DP73642, Lot 9001			Theme -BIRDS
NAME	Pass	Meaning	SOURCE
Hamelin		Extension of existing Avenue	
Roseate	Y	The roseate spoonbill nests in shrubs or trees, often mangroves, laying two to five eggs, which are whitish with brown markings. Immature birds have white, feathered heads, and the pink of the plumage is paler. The bill is yellowish or pinkish.	<a href="https://inaturalist.ala.org.au/taxa/62529-Platalea-ajaja">https://inaturalist.ala.org.au/taxa/62529-Platalea-ajaja</a>
Caspian	Y	The Caspian Tern is the largest tern in Australia, with long, slender backswept wings and a slightly forked tail. The heavy bill is red with a dusky tip. When breeding the tern is white, except for a black crown from bill to nape and a short shaggy black crest. The mantle and upperwings are grey and the flight feathers are darker. The eye is dark brown and legs are black.	<a href="https://www.birdsinbackyards.net/species/Hydroprogne-caspia">https://www.birdsinbackyards.net/species/Hydroprogne-caspia</a>
Plover	Y	Plovers or Masked Lapwings are fairly large birds. They have long reddish legs and large yellow facial wattles. They inhabit virtually the whole of Australia and are commonly found on the shores of swamps and lakes. They commonly inhabit large grassy areas, particularly those areas cleared for pasture or parkland.	<a href="https://www.wires.org.au/wildlife-information/plovers">https://www.wires.org.au/wildlife-information/plovers</a>
Peregrine	Y	The Peregrine Falcon is found in most habitats, from rainforests to the arid zone, and at most altitudes, from the coast to alpine areas. It requires abundant prey and secure nest sites, and prefers coastal and inland cliffs or open woodlands near water, and may even be found nesting on high city buildings.	<a href="https://www.google.com/search?q=peregrine+bird+australia&amp;sca_esv=3a672a59104811df&amp;rlz=1C1VDKB_enAU1014AU1015&amp;ei=yfvOZfaQNrf2roPqNuO4Ak&amp;ved=0ahUKEwi2mfWLma-EAxW4r1YBHaitA5wQ4dUDCBA&amp;uact=5&amp;og=peregrine+bird+australia&amp;gs_lp=Egxnd3Mtd2l6LXNlcniGHBicmVncmluZSBiaXJkIGF1c3RyYWxpYTIIECEYoAEYwwQyCBAhGKABGMMESIYZUMsMWIJAWcAF4AZABA.laB7QGgAdAlaaEDMi01uAFDvAFA-">https://www.google.com/search?q=peregrine+bird+australia&amp;sca_esv=3a672a59104811df&amp;rlz=1C1VDKB_enAU1014AU1015&amp;ei=yfvOZfaQNrf2roPqNuO4Ak&amp;ved=0ahUKEwi2mfWLma-EAxW4r1YBHaitA5wQ4dUDCBA&amp;uact=5&amp;og=peregrine+bird+australia&amp;gs_lp=Egxnd3Mtd2l6LXNlcniGHBicmVncmluZSBiaXJkIGF1c3RyYWxpYTIIECEYoAEYwwQyCBAhGKABGMMESIYZUMsMWIJAWcAF4AZABA.laB7QGgAdAlaaEDMi01uAFDvAFA-</a>
Kingfisher		Extension of existing Drive	



### 14.3 APPLICATION FOR AMENDED DEVELOPMENT APPROVAL - LOT 10 (1340) WANNAMAL ROAD WEST, BOONANARRING

File	BLD/2337
Applicant	Burgess Design Group
Location	Lot 10 (1340) Wannamal Road West, Boonanarring
Owner	Westpork Pty Ltd
Zoning	General Rural
WAPC No	NA
Author	James Bayliss – Manager Planning and Building
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	Nil.
Appendices	1. Applicant's Proposal [14.3.1 - 130 pages]

#### DISCLOSURES OF INTEREST

Nil

#### PURPOSE

To consider an Application for Development Approval to expand the existing piggery on Lot 10 (1340) Wannamal Road West, Boonanarring.

#### BACKGROUND

The subject land accommodates a piggery (Animal Husbandry – Intensive), known as Mindarra Farm. The farm consists of four units/modules, known as Mindarra 1, 2, 3 and 4.

Since 2012, three works approvals have been granted in relation to the Mindarra 4 piggery:

- W5087/2011/1: For the construction of two anaerobic ponds;
- W5632/2014/1: For a liquid waste facility (Category 61) and a compost manufacturing facility (67A); and
- W6114/2017/1: For construction of a new evaporation pond.

The purpose of this proposal is to seek approval to:

1. Build a new anaerobic pond at Mindarra 3 so that the existing anaerobic pond can be desludged and cleaned out prior to being recommissioned.
2. Build two new covered anaerobic ponds, biogas flare with proposed generator, gas conditioning pad and an evaporative pond at Mindarra 4, with the primary objective being to reduce Westpork's greenhouse gas emissions.
3. Increase the number of animals housed in Mindarra 4 from 55,000 pigs to 65,000 pigs, which would increase the total number of animals for the premises to 86,100 pigs. No pig number increases are proposed for the other piggery units (i.e., Mindarra 1, 2 or 3). The officer understands that the facility already accommodates the additional pigs, so retrospective approval is sought for this component.

The applicant's proposal, which includes the works proposal prepared by Aurora Environmental, adequately addresses the planning framework(see appendices).

The officer does not seek to duplicate the applicant's assessment in this report.

## **COMMENT**

### Stakeholder 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*. No comments were received.

## **PLANNING FRAMEWORK**

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

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

- a) *Manage land use changes so that the specific local rural character of the zone is maintained or enhanced;*
- b) *Encourage and protect broad acre agricultural activities such as grazing and more intensive agricultural activities such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use;*



- c) *Maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage; and*
- d) *Provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the General Rural zone.*

Officer comment:

The development is viewed as being consistent with the above objectives, which is supported by multiple earlier approvals being issued.

The land use 'Animal Husbandry – Intensive' is defined as follows:

*Animal husbandry - intensive" means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots.*

It should be noted the Scheme does not have any specific development provisions relating to 'Animal Husbandry – Intensive' or piggeries in the General Rural zone.

Vehicle Access

Access to the site is via Brand Highway, Wannamal Road West and the property crossover which is approximately two kilometres east of the junction between the sealed and unsealed portions of Wannamal Road West.

The officer sought clarity regarding how many additional truck movements will be generated by an increase of 10,000 pigs per annum. The landowner advised as follows:

*There will be no changes to the existing truck movements to/from the site (i.e. a total of 9 truck movements per week for pigs...*

*The size and type of trucks used for pigs' movements will also remain unchanged.*

The officer is doubtful that an additional 10,000 pigs will not generate additional truck movements beyond those that relate to the approved 55,000 pigs, and no clarification has been provided to substantiate the landowner's position.

In the most recent report submitted to Council with respect to this property (18 October 2022) which related to composting, it is noted that the overall developments onsite at that time generated a total of 92 vehicle movements per day, 42 of which were heavy vehicles.

The composting approval included the following conditions:

8. a. *Within 6 months from the date of this approval, the applicant/operator shall enter into a deed of agreement for an upgrade to the unsealed portion of Wannamal Road West to the proposed property access location, (including interim maintenance contributions) to the satisfaction of the Shire of Gingin. The applicant/operator shall be responsible for all costs associated with the preparation of the deed (including all drafts);*
- b. *Within 12 months from the date of this approval, the applicant/operator shall undertake the work specified in the deed of agreement to the satisfaction of the Shire of Gingin. The applicant/operator shall be responsible for all costs associated with the works;*
- c. *Within 12 months from the date of this approval, the applicant/operator shall install a new crossover to service the development in accordance with 'Shire of Gingin Crossover Specifications - SoG-STD10\_RevB'. The applicant/operator shall be responsible for all costs associated with the crossover installation.*

Given the applicant's position is that an increase of 10,000 pigs will not generate any additional trucks, there would be no basis to impose a condition requiring any alteration to traffic-related infrastructure (i.e. crossover/Wannamal Road West). Council could also take the view that the abovementioned condition provides a level of security that Wannamal Road West will be upgraded by the landowner.

However, Council could duplicate a condition similar to the above based on the understanding that 10,000 pigs leaving the property must generate additional trucks. As it has not been satisfactorily demonstrated how 10,000 additional animals will leave the property if not via further truck movements.

If Council wants clarity on the traffic issues (i.e. pigs vs trucks), then consideration of the proposal could be deferred pending further information being provided by the applicant.

#### General Comment

The additional anaerobic pond servicing Mindarra 3, and new covered anaerobic ponds, biogas flare with proposed generator, gas conditioning pad and an evaporative pond servicing Mindarra 4 are viewed as an improvement to the existing onsite waste management practices. The pig increase is not viewed as warranting a comprehensive Odour Impact Assessment (OIA).

The officer is mindful that the overall scale of the development onsite is large. Development proposals must consider the 'worst case' or 'maximum' development scenario, including cumulative impacts.



It should be noted that any further development or expansion on the property ought to be supported by a comprehensive suite of up-to-date documents (i.e. Odour Impact Assessment, Transport Impact Assessment and Operational Management Practices) taking into account the broader development onsite to ensure piecemeal proposals do not gradually depart from the planning framework or create adverse amenity impacts.

#### Summary

In view of the above, the officer supports the proposal subject to the conditions set out in the Officer Recommendation.

#### **STATUTORY/LOCAL LAW IMPLICATIONS**

Local Planning Scheme No. 9

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

#### **POLICY IMPLICATIONS**

Environmental Protection Authority Guidance Statement No. 3 - Guidance for the Assessment of Environmental Factors Western Australia (In Accordance with the Environmental Protection Act 1986) - Separation Distances between Industrial and Sensitive Land Uses

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

#### **BUDGET IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

<b>Aspiration</b>	3. Planning & Sustainability - Plan for Future Generations
<b>Strategic Objective</b>	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

**VOTING REQUIREMENTS - SIMPLE MAJORITY**

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION**

**MOVED:** Councillor Sorensen

**SECONDED:** Councillor Kestel

That Council grant Development Approval for expansion of the existing piggery on Lot 10 (1340) Wannamal Road West, Boonanarring subject to the following conditions:

1. Prior to the commencement of site works, the landowner shall provide architectural drawings (elevations) of the anaerobic and evaporation ponds to the Shire of Gingin for approval.
2. The land use and development shall be undertaken in accordance with the approved plans and specifications, including any directions written in red ink or modifications required as a consequence of any condition(s) of this approval.
3. This approval is limited to:
  - An anaerobic pond to service Mindarra 3.
  - Two anaerobic ponds, biogas flare, generator, gas conditioning pad and an evaporative pond to service Mindarra 4.
  - An increase in the number of animals housed in Mindarra 4 from 55,000 pigs to 65,000 pigs, which would increase the total number of animals for the premises to 86,100 pigs.
4. The landowner/operator is required to keep up to date records of annual pig number throughputs and shall provide the Shire of Gingin with a copy of such records within 14 days upon written request.

**Advice Notes**

**Note 1:** If you are aggrieved by the conditions of this approval, you have the right to request that the State Administrative Tribunal (SAT) review the decision under Part 14 of the *Planning and Development Act 2005*.

**Note 2:** If the development subject to this approval is not substantially commenced within a period of two years, the approval shall lapse and have no further effect.

- Note 3: Where an approval has so lapsed, no development may be carried out without further approval of the local government having first been sought and obtained.
- Note 4: Further to this approval, the applicant is required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011* and *Health Act 2016*, which are to be approved by the Shire of Gingin.
- Note 5: This approval is not a building permit or an approval under any law other than the *Planning and Development Act 2005*. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents and/or licences required under any other law, and to commence and carry out development in accordance with all relevant laws.
- Note 6: The applicant/landowner is reminded that this Development Approval does not circumvent the landowner's obligation to upgrade/contribute to the upgrade of Wannamal Road West to sealed standard in accordance with P2448.
- Note 7: It is advised that the proposal should at all times comply with the *Biosecurity and Agriculture Management (Stable Fly) Management Plan 2019* in order to minimise the effects of stable flies on the community.
- Note 8: The operation will be required to comply with the *Environmental Protection (Noise) Regulations 1997*.
- Note 9: It is the landowner's responsibility to implement and maintain bushfire protection and mitigation measures on their property.
- Note 10: It is recommended that cadastral lot boundaries be established by a suitably qualified land surveyor to ensure that all development is carried out within the subject allotment.
- Note 11: It should be noted that the amendment will require works approval and/or licensing requirements under Part V of the *Environmental Protection Act 1986*, which is to be issued by the Department of Water and Environmental Regulation (DWER).
- Note 12: It should be noted that the existing water licence may require amendment by the Department of Water and Environmental Regulation (DWER).

**Note 13:** Please be advised that further to this approval, an Offensive Trade Licence may be required. Please contact the Shire of Gingin's Environmental Health Department in this regard.

**CARRIED UNANIMOUSLY  
7 / 0**

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

**AGAINST:** *Nil*

PROPOSED AMENDMENTS TO  
APPROVED INTENSIVE PIGGERY &  
ASSOCIATED WASTEWATER  
TREATMENT INFRASTRUCTURE

LOT 10 (NO. 1340) WANNAMAL ROAD WEST,  
BOONANARRING  
(MINDARRA PIGGERY FARM)  
SHIRE OF GINGIN

FEBRUARY 2024



**BURGESS** | DESIGN  
GROUP  
TOWN PLANNING + URBAN DESIGN

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File reference:	240226RLGA_Development Application (Piggery)

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0	13/12/23	First draft	B. Murphy	K. Jooste/N. Ferguson
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Figure 1        Location Plan

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Figure 3        Shire of Gingin Local Town Planning Scheme No.9 Map

**LIST OF APPENDICES**

Appendix 1     Certificate(s) of Title

Appendix 2     Works Approval Application Supporting Information  
(Aurora Environmental)



## **1. INTRODUCTION**

Burgess Design Group has been appointed by Westpork Pty Ltd, the registered owners of Lot 10, for the provision of town planning consultancy services for the preparation of a Development Application and the coordination of statutory approvals for the proposed amendments to the existing 'Intensive Piggery' operations on the 421.4774ha area of land (the "site").

The site is currently operational as an intensive farrow-to-finish piggery, known as Mindarra Farm. The farm consists of four units/modules, known as Mindarra 1, 2, 3 and 4, with each housing average pig numbers between 3,118 and 62,929 pigs (as at 2022). This Development Application seeks approval to increase the number of pigs housed in Mindarra 4 from 55,000 to 65,000 pigs (i.e., increase by a total 10,000 pigs) and the associated changes to the wastewater treatment infrastructure that will be required to support the increased pig numbers. The current number of pigs on site will remain the same. This application aligns the Development Approval with the DER license and the actual number of pigs housed within the facility. Additionally, the proposed amendments to the wastewater treatment infrastructure will assist in reducing greenhouse gas emissions from Westpork's operations.

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

The Development Application has been formulated by Burgess Design Group, on behalf of Westpork Pty Ltd, in collaboration with a team of specialist consultants, who have provided technical input in relation to matters as follows:

### **1.1 ABBREVIATIONS**

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

<b>BGL</b>	Below Ground Level
<b>BMP</b>	Bushfire Management Plan
<b>CAP</b>	Covered Anaerobic Pond
<b>DWER</b>	Department of Water and Environment and Regulation
<b>LPS9</b>	Shire of Gingin Local Planning Scheme No.9

WAPC Western Australian Planning Commission

## **2. SITE DESCRIPTION/DETAILS**

### **2.1 LEGAL DESCRIPTION, RESTRICTIONS AND ENCUMBRANCES**

Lot 10 is registered in the ownership of Westpork Pty Ltd.

The site is formally described as:

- Lot 10 on Diagram 80101, Certificate of Title Volume 1931 Folio 299.

Refer to **Appendix 1 – Certificates of Title**.

The site comprises a total legal land area of 421.4774ha.

### **2.2 LOCATION**

The site is located within the locality of Boonanarring and is situated approximately 19.5km north of the Gingin townsite.

The site gains direct access to Wannamal Road West, a constructed and gazetted road. **Figure 1 – Location Plan** shows the site's location.

### **2.3 EXISTING AND HISTORICAL USE AND DEVELOPMENT**

The overall site is currently operational as an 'Intensive Piggery' with associated wastewater treatment infrastructure, which includes five anaerobic ponds across the three intensive piggeries. There are three liquid waste facilities, a compost manufacturing facility with an evaporation pond attached to the composting facility. Refer to **Figure 3 –Aerial Photograph**.

Mindarra Three has one anaerobic pond with a liquid waste facility attached to it.

Mindarra Four has three anaerobic ponds and a liquid waster facility attached to it.

## **2.4 SURROUNDING LAND USE AND DEVELOPMENT**

The surrounding land uses are predominantly 'General Rural'. A portion of Lot 5450 Wannamal Road West, the adjoining land to the west of the subject site, is zoned 'Special Use 8' (SU8) under the Shire of Gingin's *Local Planning Scheme No. 9*, which permits the use of the land as a 'landfill site for the disposal, recovery and processing of Class I, II and III wastes only, and incidental infrastructure' and 'composting'.

The land to the south of Wannamal Road West is zoned 'Parks and Recreation' and is occupied by the Boonanarring Nature Reserve.

## **3. PLANNING FRAMEWORK**

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

### **3.1 STATUTORY FRAMEWORK**

#### **3.1.1 SHIRE OF GINGIN LOCAL PLANNING SCHEME NO.9 (LPS9)**

The subject site is zoned 'General Rural' under the Shire of Gingin *Local Planning Scheme No. 9* (LPS9).

### **3.2 WAPC POLICIES**

#### **3.2.1 STATE PLANNING POLICY 2.5: RURAL PLANNING (SPP2.5)**

State Planning Policy: Rural Planning (SPP2.5) is applicable to land zoned for rural or agricultural purposes in a region or local planning scheme, and is therefore applicable to the subject site. SPP2.5 sets out to ensure that Western Australia's rural assets are protected and preserved, due to their economic, natural resource, food production, environmental and landscape values.

## 4. PROPOSED DEVELOPMENT

### 4.1 OUTLINE OF PROPOSAL

The purpose of this Development Application (DA) is to seek approval to:

- I. Build a new anaerobic pond at Mindarra Three so that the existing anaerobic pond can be desludged and cleaned out prior to being recommissioned.
- II. Build two new covered anaerobic ponds, biogas flare with proposed generator, gas conditioning pad and an evaporative pond at Mindarra Four, with the primary objective being to reduce Westpork's greenhouse gas emissions.
- III. Align the current Development Approval, with the DER license and the current holding capacity of the Mindarra Four facility. Mindarra 4's Development Approval is to be lifted from 55,000 to 65,000 pigs, which equates to an additional 10,000 pigs. This would increase the total number of pigs housed on the subject to a total of 86,100 pigs.

To support the additional pig numbers, the construction of two Covered Anaerobic Ponds (CAP 1 and 2) and a biogas flare are proposed at Mindarra 4, in addition to the construction and operation of a new evaporation pond. The proposed biogas flare pad and proposed generator and gas conditioning pad are to be located to the south of the two CAPs. The provision of this new infrastructure will allow for the generation, collection and treatment of biogas and power generation.

### 4.2 EXISTING & NEW WASTEWATER INFRASTRUCTURE

Aurora Environmental has prepared the *'Works Approval Application Supporting Information Mindarra Farm Piggery 1340 Wannamal Road West, Boonanarring WA'* (Supporting Information Report (SIR)), as attached at **Appendix 2**. The document outlines the existing and new infrastructure proposed for the Mindarra 3 and 4 units, and has been summarised below.

#### 4.2.1 MINDARRA 3

The existing Mindarra 3 unit consists of one clay-lined anaerobic pond with a surface area of ~6,872m<sup>2</sup>, which requires desludging. It is proposed for the existing pond to be replaced with a new lined anaerobic pond with a surface area of 3,600m<sup>2</sup>, which is approximately 50% of the surface area of the existing pond, while the existing pond is cleaned out and relined for

commissioning. The new pond will sit at approximately 198m AHD, with effluent to flow into the existing facultative pond (clay-lined with 7,400m<sup>2</sup> surface area) and then to the existing Evaporation Pond 1 (clay-lined with 6,815m<sup>2</sup> surface area). The existing anaerobic pond is to be de-sludged.

#### **4.2.2 MINDARRA 4**

At present, effluent is piped from the existing concrete tank, which is located to north-east of the piggery shed and is to remain unchanged, to the two screw press separators. It is proposed to remove the screw press separators and replace with the CAPs, which will remove up to 70% of solids from the effluent. Effluent will be pumped from the concrete tank directly to the two CAPs.

The CAPs will be constructed of a concrete floor, with four mixer support blocks for stirrers in each, as well as underground trenches which will allow the installation of pipes and cables for the transport of influent and effluent in and out of each CAP.

The biogas flare, generator and gas conditioning pad will be located in a previously cleared area to the south of the CAPs at a similar elevation (205 AHD to 208 AHD), with the flare to have a minimum of 30m radius clearance around it. Effluent in the CAPs is mixed by stirrers to break up suspended solids and heated to facilitate biogas production, with the biogas then captured and stored within the fully enclosed digester. Solid wastes will be, for the majority, broken down during the anaerobic digestion process, and any remaining solids will be preventing from settling due to the agitation in the digester. Remaining solids will flow out of the CAPs to the existing anaerobic ponds 1a, 1b and 1c, which are to be de-sludged and relined for utilisation as settlement trenches.

Biogas is extracted from the CAPs using gas blowers, which assists in extracting the gas and maintains the flow of gas to the flare/generator. The gas, which is saturated with moisture upon leaving the CAP, is then chilled to removed moisture and re-pressurised at the gas conditioning pad. Automatic controls on the gas management system will then direct the gas to the alternators or the flare, as required.

The flare would be used to combust excess gas which is not combusted by the gas generator, and prevent excess gas being vented to the atmosphere.

Each cover has four emergency ventilation points, which under the normal course of events are not used. In the event both the flare and generator fail or breakdown simultaneously, the collected gas is temporarily released via the emergency ventilation points.

The existing reactor and facultative lagoons are to be taken offline and de-sludged for use as evaporation ponds, in addition to Evaporation Ponds 1 and 3, which will continue to be utilised as evaporation ponds. Evaporation Pond 2 is no longer part of the wastewater treatment system and had been transferred to the composting operation.

A new 460m by 70m evaporation pond (Evaporation Pond 4), with surface area of 65,228m<sup>2</sup>, is to be constructed directly to the north of Evaporation Pond 3.

Liquid remaining after digestion travels from the weir in the digester through the pipelines into the current anaerobic ponds (1a, 1b and 1c post de-sludging) and settle before flowing into the evaporation ponds.

#### **4.3 LAND USE PERMISSIBILITY**

The proposed increase in pig numbers from 55,000 to 65,000 pigs will be contained within the 19 existing tunnel ventilated sheds within the Mindarra 4 unit. The proposal is consistent with the existing 'Intensive Piggery' land use approved over the site and is hence considered to be consistent with LPS9. Aurora Environmental, on behalf of Westpork Pty Ltd, has recently submitted an application to the Department of Water and Environmental Regulation (DWER) to amend the existing licence to allow for the increased pig numbers.

The changes to the wastewater treatment system are incidental to the primary land use. The changes to the wastewater treatment system are directly related to Westpork's desire to abate some of its scope 1 emissions. With approximately 53% of an intensive piggery's emissions being associated with uncovered anaerobic ponds, the proposal significantly reduces Westpork's greenhouse gas emissions. The design of the wastewater treatment plant is based on the increased pig numbers.

#### **4.4 SITE COVERAGE**

There are no additional buildings proposed as part of this development application and, therefore the site coverage will remain as currently approved. The two proposed CAPs are, however, covered by an impervious 2.0mm thick High-Density Polyethylene (HDPE). The

dimensions of each CAP will be 80m by 8m deep (640m<sup>2</sup>), which is negligible in relation to the 421.4774ha total site area.

#### **4.5 BUILDING SETBACKS**

No new buildings nor external works to the existing buildings (piggery sheds) are proposed as part of this application. The proposed CAPs are proposed to be setback at approximately 150m from the western boundary, with the associated flare, generator, and gas conditioning pad to be setback approximately 200m from the western boundary at the closest point. The flare is proposed to stand at least 3m above the as-built ground level. It is considered that given the considerable setback and the unimposing nature of the proposal, in addition to the permitted 'special use' of the adjoining land to the west for landfill purposes, the proposed development will not detrimentally impact the visual amenity of the locality.

#### **4.6 ENVIRONMENTAL CONSIDERATIONS**

As per the Supporting Information Report (SIR) prepared by Aurora Environmental, several emissions and discharges associated with the proposed activities have been identified, as outlined below.

##### **4.6.1 DUST**

It is expected that there will be some additional dust emissions during construction activities, including from earthworks associated with the creation of the new ponds and pipelines, and also on-site traffic movement. Due to the absence of any residences within 1km of the subject site, with the closest being approximately 3.4km east of the earthworks area, it is anticipated that risk of any dust nuisance is negligible.

Regardless, exposed soil is proposed to be wet down prior to and during construction activities, and in the event that significant dust is generated, construction activities will cease until further mitigation measures can be implemented.

##### **4.6.2 NOISE**

Noise emissions are anticipated to occur as the result of earthworks associated with the creation of new ponds and pipelines. As mentioned above, the closest residence is located approximately 3.4km east of the proposed earthworks area and construction activities will only be carried out between 7am and 7pm on all days, except Sundays and public holidays.

The flare is proposed to be designed and regularly maintained to ensure noise levels are negligible and, Westpork's experience with two other plants of this nature and the distance to any residences, any sound received at the nearest residence will be below background levels.

#### **4.6.3 ODOUR**

Odours are not associated with the de-sludging of the anaerobic ponds, however, given the distance to the closest residence (3.4km) and the staged approach, whereby not all ponds are to be de-sludged simultaneously, there expected to be no detrimental impacts.

The primary source of odour from an intensive piggery is associated with uncovered anaerobic ponds. This proposal includes covering the anaerobic pond system at Mindarra Four, which house approximately 65,000 of the 86,100 pigs on the site. Odour emissions from the property will significantly reduced.

In the event of an emergency release of biogas from one or both CAP's, the overall odour emitting from the property would not be dissimilar to what is currently occurring. Given the site has not been the subject of odour complaints and the distance to the nearest residence, it is unlikely that they will be impacted. The chance of an emergency gas release is proposed to be minimised via numerous steps, including:

- Installation of CAPs in accordance with manufacturer's instructions, which includes a Quality Assurance and Quality Control (QA/QC) program for all the welded joints;
- Daily visual inspections of the HDPE cover;
- Daily inspection and monitoring of both the flare and generator; and
- An automated control system with inbuilt triggers to detect changes in pressure levels and therefore indicate potential leaks.

#### **4.6.4 SMOKE**

Smoke emissions may occur in the event of a bushfire, however the event and severity of a bushfire occurring on site is proposed to be managed via the following measures:

- Firebreaks around the property which are regularly maintained;
- Firefighting equipment available on-site and regularly maintained;



- Firefighting training for on-site personnel; and
- Bushfire Management Plan (BMP) to be enacted.

It is expected that fires will be extinguished within minutes of ignition and that that damage to vegetation would be minimal.

#### **4.6.5 SOLID WASTE**

The proposed CAP's are designed to operate at approximately 38 degrees. Pond temperature is maintained via a combination of heat radiating through the black cover and the automated heat exchanger design to heat the pond when it falls below the desired temperature. Operating the pond at this temperature increases the overall digestion of the organic matter and, by default, reduces the overall solid waster remaining within the waste stream.

The subject site is within proximity to the Leederville-Parmelia Groundwater Aquifer (LPGA) (located >65m below ground level) and one Environmentally Sensitive Area (ESA) (Conservation Category Wetland) located off-site, approximately 620m north-east of Mindarra 4's largest evaporation pond.

The CAPs have been adequately sized to handle the overall effluent volumes and will remove the majority (approximately 70%) of solids from influent and capture biogas. A large separation distance and thick clay layer (>55m) exists between pond bases and groundwater.

#### **4.6.6 GREENHOUSE GAS**

Flaring of up to 8,000m<sup>3</sup> per day of biogas is expected to be generated from the anaerobic digestion process, this destroys the greenhouse gas, limits emissions to the atmosphere and reduces Westpork Scope One emissions by approximately 53%. This project delivers Westpork's single biggest greenhouse gas reduction strategy. The flare and the generator are essential features for the purpose of destroying greenhouse gases as they operate at over 600 degrees for safely burning gas.

#### **4.6.7 WASTEWATER DISCHARGE**

There is a rare likelihood that an unplanned release of effluent from the CAPs may occur, which could have a low impact to the LPGA (located >65m bgl) and the ESA (Conservation Category Wetland) located approximately 620m north-east of Mindarra 4's largest evaporation pond. The

instance of this occurring is proposed to be managed by lining the CAPs with compacted natural sand/clay and installation of 1.5mm HDPE to manufacturer's instructions. The HDPE cover will be inspected daily. An automated control system with inbuilt triggers will be installed, to detect changes in pressure levels and therefore indicate potential leaks.

Similarly, there is a rare risk that the facultative and evaporation ponds at Mindarra 4 could overflow, which would also present a low risk to the LPGA and nearby ESA. The water balance modelling included in Aurora Environmental's report indicated that in the worst-case scenario, there is sufficient capacity in the system to store water to prevent the ponds overtopping. There is also sufficient capacity within the 0.5m freeboard of each pond to store water and prevent overflow.

The facultative and evaporation ponds at Mindarra 3 also present a rare and low risk to the LPGA and ESA, which is located 1.4km south-east of Mindarra 3. The ponds, however, have no history of overtopping and typically dry-out over most summer periods. There is sufficient capacity, including in the worst-case scenario as identified in the water balance modelling, for water to be stored in the system. The wastewater treatment system at Mindarra 3 and 4 will regularly be monitored, at least every second day, to ensure any pipe blockages are detected and cleared.

The risk of leaks in the pond liner and/or leaks or cracks in the pipeline carrying wastewater to/from the CAPs and ponds is proposed to be controlled by installing concrete bases in the CAPs, which will be quality-control tested following construction to ensure impermeability. Thick clay or HDPE is proposed to line the facultative and evaporation ponds and the pond bases will also be >55m above groundwater, which will also minimise risk of groundwater contamination.

#### **4.7 CONCLUSION**

Burgess Design Group, on behalf of Westpork Pty Ltd, has prepared the preceding Development Application report to guide the development of the new wastewater treatment system to support the proposed increased pig numbers at Mindarra 4.

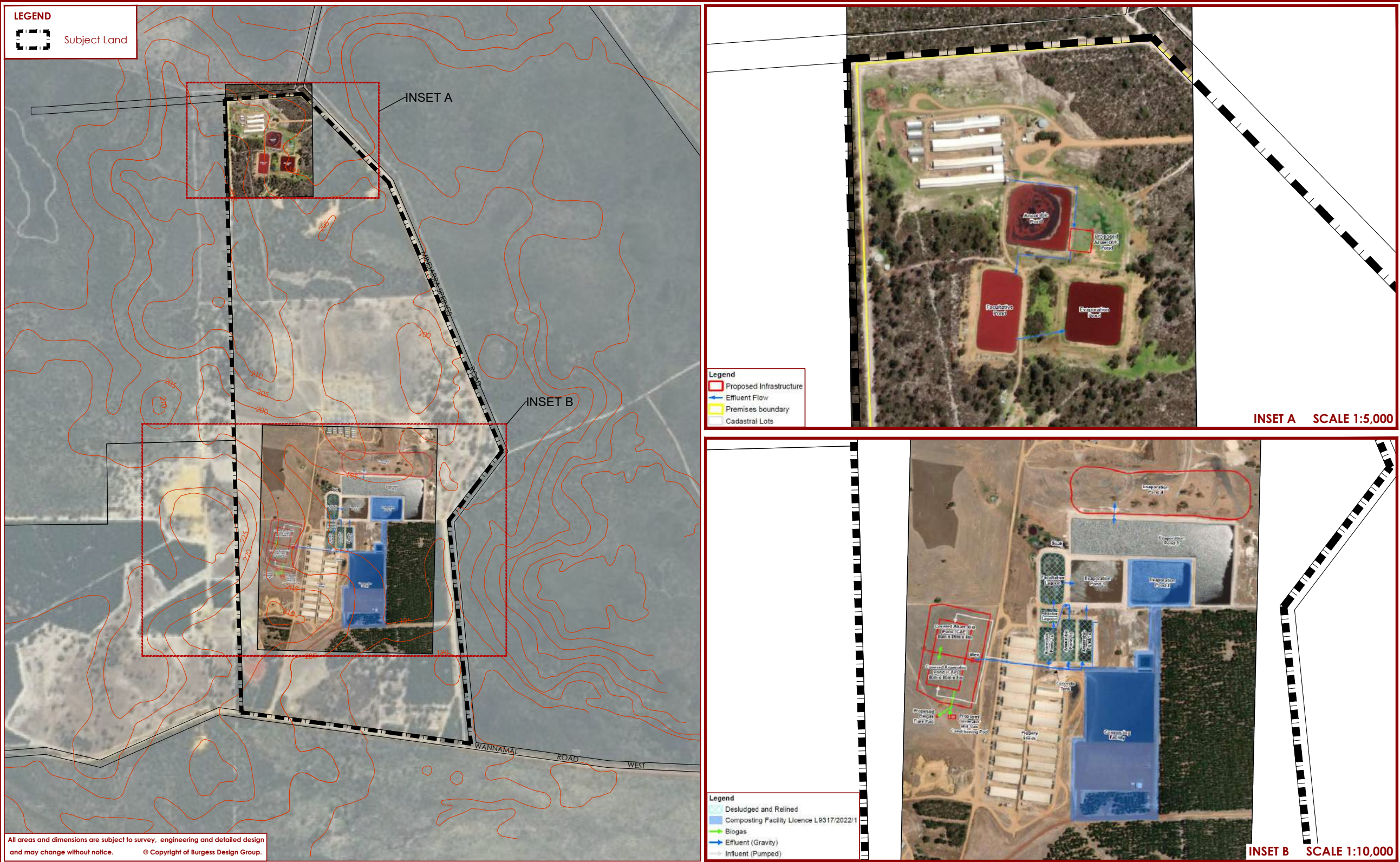
The proposed development is considered to be consistent with the approved and ongoing use of the site as an 'Intensive Piggery', with the proposed changes to the wastewater treatment

system designed to allow Westpork Pty Ltd to reduce their greenhouse gas emissions and, subsequently, improve their environmental sustainability of their operations into the future.

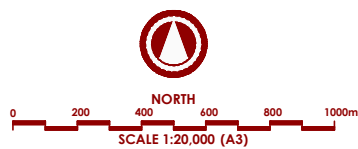
Burgess Design Group respectfully seeks Council's approval of the proposed development.

**PLAN 1:**  
SITE CONTEXT  
PLAN





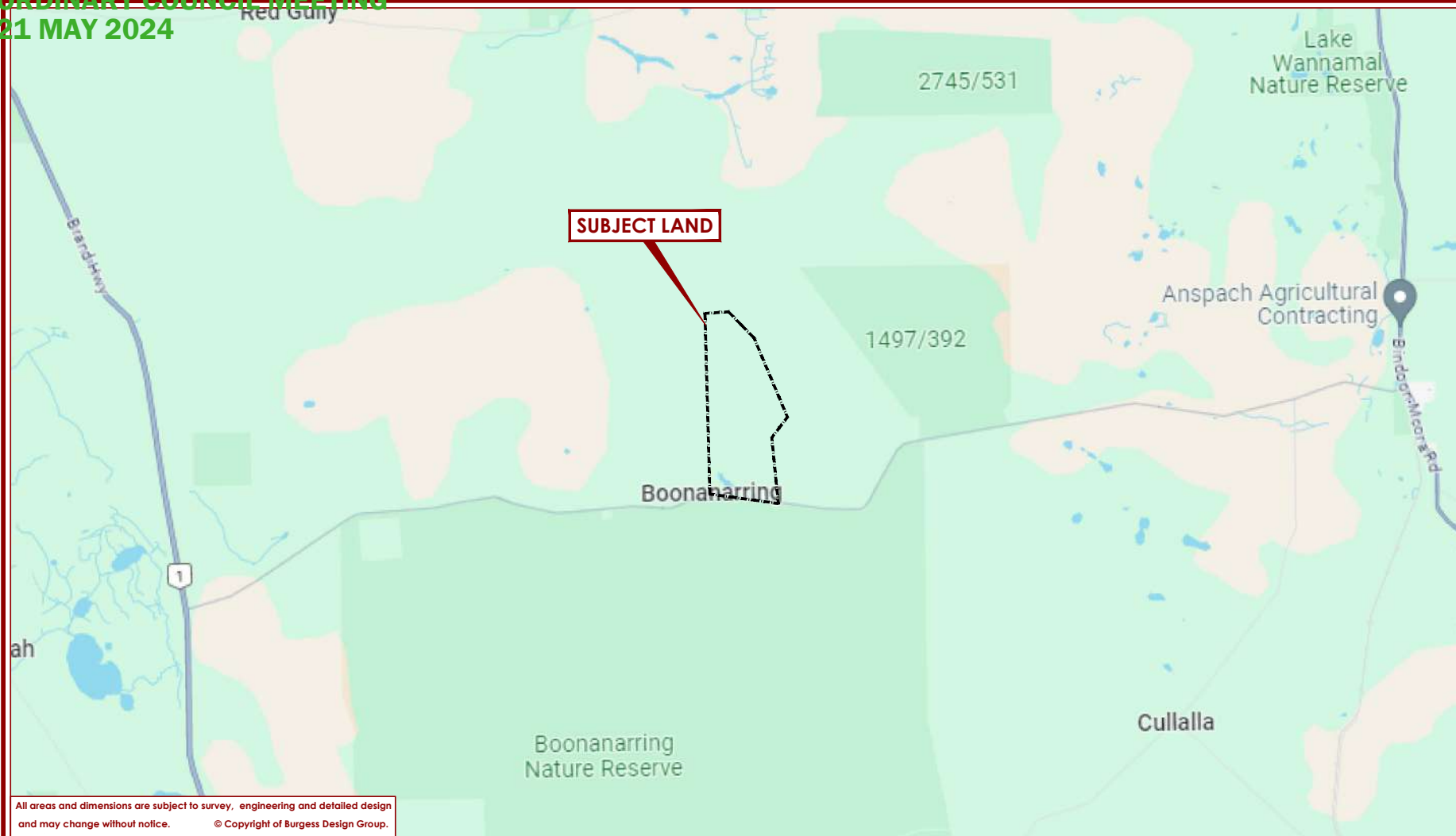
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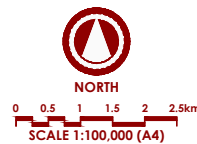
SITE CONTEXT PLANS  
LOT 10 (NO. 1340) WANNAMAL ROAD WEST  
BOONANARRING  
SHIRE OF GINGIN

**FIGURE 1:**  
LOCATION PLAN





DRAFT



LOCATION PLAN  
LOT 10 (NO. 1340) WANNAMAL ROAD WEST  
BOONANARRING  
SHIRE OF GINGIN

**BURGESS DESIGN GROUP**  
TOWN PLANNING • URBAN DESIGN

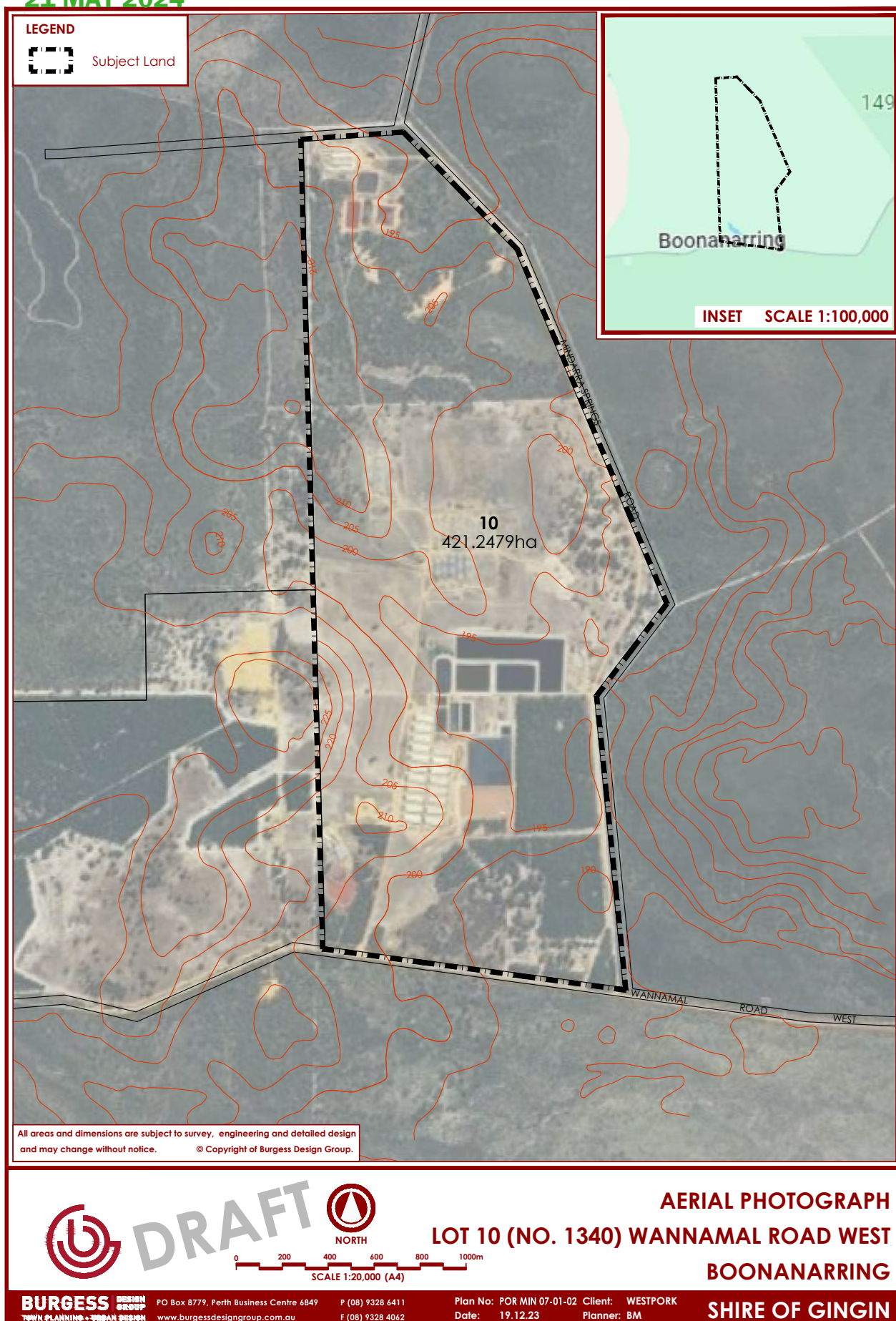
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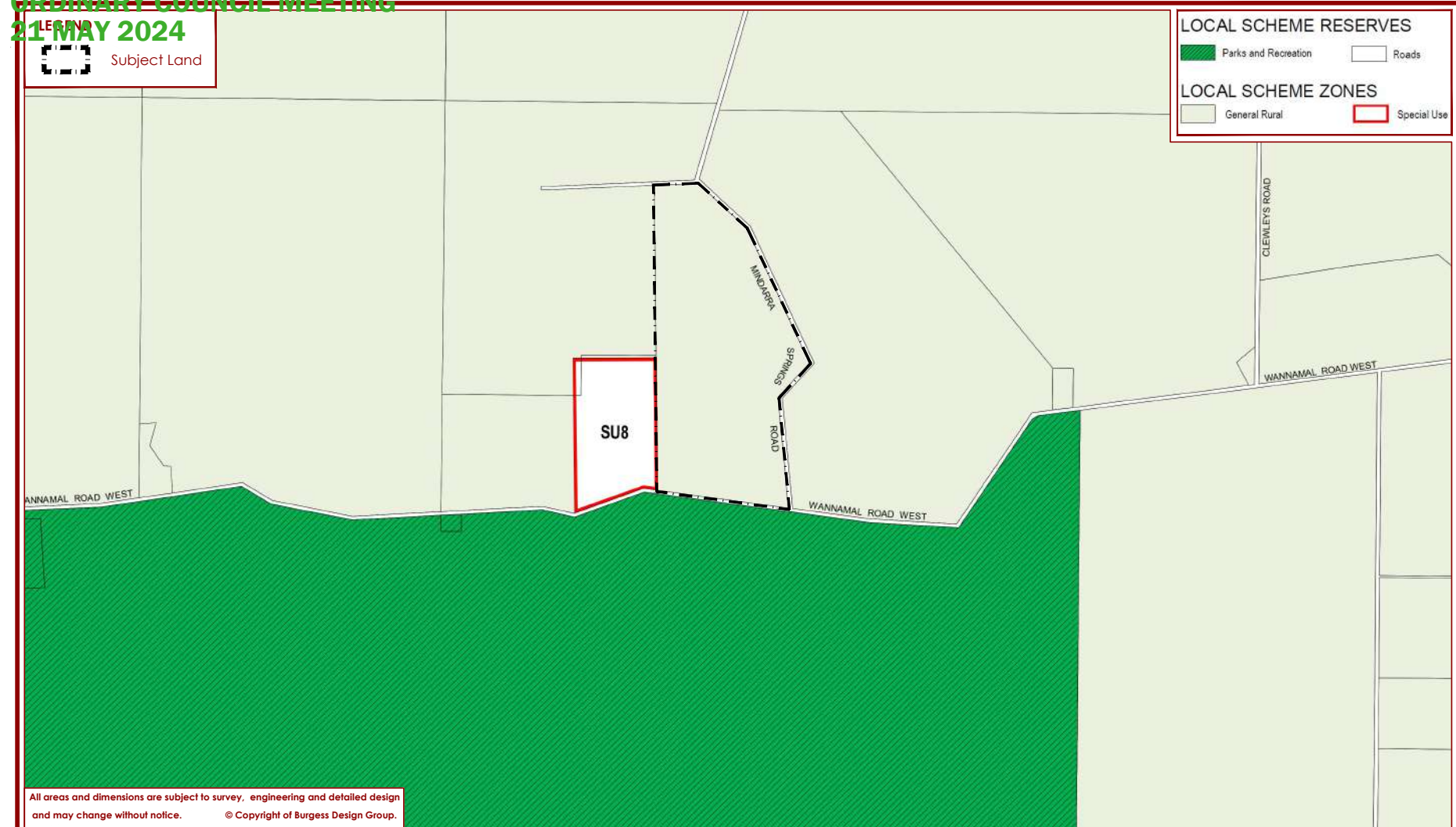
Plan No: POR MIN 07-01-01 Client: WESTPORK  
Date: 19.12.23 Planner: BM

**FIGURE 2:**  
AERIAL  
PHOTOGRAPH

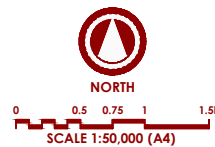




**FIGURE 3:**  
SHIRE OF GINGIN  
TPS9 MAP



DRAFT



LOCAL PLANNING SCHEME NO.9 MAP  
LOT 10 (NO. 1340) WANNAMAL ROAD WEST  
BOONANARRING  
SHIRE OF GINGIN

**BURGESS DESIGN GROUP**  
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Plan No: POR MIN 07-01-03 Client: WESTPORK  
Date: 19.12.23 Planner: BM

**APPENDIX 1:**  
CERTIFICATE OF  
TITLE

**APPENDIX 2:**  
WORKS APPROVAL  
APPLICATION  
SUPPORTING  
INFORMATION  
(AURORA  
ENVIRONMENTAL)





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Works Approval Application  
Supporting Information  
Mindarra Farm Piggery  
1340 Wannamal Road West, Boonanarring WA



Prepared For: Westpork Pty Ltd  
1/7 Foundry Street  
Maylands WA 6051  
Report Number: AP2023-073  
Report Version: V1  
Report Date: 10 October 2023

Works Approval Application Supporting Information Mindarra Farm Piggery 1340 Wannamal Road West, Boonanarring  
WA

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Document No: WPK2017-007\_WORK\_005\_CH\_V1

Report No: AP2023-073

Author: Caitlin Hewitt  
Senior Environmental  
Scientist




Signature

10 October 2023

Date

Reviewed by: Paul Zuvela  
Manager Environmental  
Impact Assessment



Signature

10 October 2023

Date

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1	WPK2017-007_WORK_005_CH_V0.3	Draft	1 August 2023	Westpork Pty Ltd	CH
1	WPK2017-007_WORK_005_CH_V1	Final	10 October 2023	Westpork Pty Ltd	CH



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- K. Pre-European Vegetation
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WA

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WA

**1 ATTACHMENT 1A PROOF OF OCCUPIER STATUS**

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WA

**3 ATTACHMENT 2 PREMISES MAP**







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#### **4 ATTACHMENT 3A ENVIRONMENTAL COMMISSIONING PLAN**

Westpork proposes the following schedule (see next page) for commissioning of infrastructure. A summary of activities is provided in Table A.

**TABLE A: SUMMARY OF COMMISSIONING SCHEDULE**

STAGE	CONSTRUCTION / COMMISSIONING ACTIVITY	APPROXIMATE TIMEFRAME
1 – Mindarra 3 New Anaerobic Pond	Construct effluent pipelines and lined anaerobic pond.	3 months
	Submit Construction Compliance Report (CCR) for effluent pipelines and lined anaerobic pond.	
	Commission the pond under time limited operations.	
	Seed the new anaerobic pond by pumping effluent from the existing anaerobic pond into the new pond. Divert effluent from the sheds to the new anaerobic pond.	
2 – Mindarra 4 New Covered Anaerobic Ponds (CAPs)	Construct effluent pipelines, two CAPs (excluding cover and gas collection system).	7 months
	Submit CCR for effluent pipelines, CAPs (excluding cover and gas collection system).	
	Commence commissioning under time limited operations by: <ul style="list-style-type: none"> <li>• Diverting effluent from sheds into CAPs.</li> <li>• Transferring effluent from old anaerobic ponds 1a, 1b and 1c.</li> </ul> and/or	
	Seed the new CAPs by trucking effluent from either Mindarra 1 or Mindarra 3 anaerobic ponds.	
	Commence 50 days post initial intake, float/seal cover, install stirrers, plumbing, flare, electrical and controls.	
	Submit CCR for cover, stirrers, plumbing, flare.	
	Commence flaring under time limited operation.	
	De-sludge old anaerobic ponds 1a, 1b, and 1c, and reline.	
	Submit CCR for new pond liners.	
	Release effluent from CAPs into anaerobic ponds 1a, 1b and 1c (now effectively used as settlement trenches).	
3 – Mindarra 4 New Evaporation Pond	Construct new lined evaporation pond.	3 months
	Submit CCR for evaporation pond.	
	Commence commissioning under time limited operation, by accepting effluent flow from settlement trenches.	
	Take the reactor lagoon and facultative lagoon offline and de-sludge.	
	Lodge an application for licence amendment.	7 months



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**TABLE A: SUMMARY OF COMMISSIONING SCHEDULE**

STAGE	CONSTRUCTION / COMMISSIONING ACTIVITY	APPROXIMATE TIMEFRAME
4 – Licence Amendment	Department of Water and Environmental Regulation (DWER) Assessment Period (assume 6 months).	
	New licence issued; operations begin.	

Mindarra Farm Piggery Works Approval Environmental Commissioning Schedule																										
ID		Task Mode	Task Name	Duration	Start	Finish	Predecessors	Qtr 4, 2023			Qtr 1, 2024			Qtr 2, 2024			Qtr 3, 2024			Qtr 4, 2024			Qtr 1, 2025			
								Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	
1																										
2			Stage 1 Mindarra 3	70 days	Mon 8/01/24	Fri 12/04/24																				
3			Constuction of lined anaerobic pond	1 mon	Mon 8/01/24	Fri 2/02/24																				
4			Testing and Engineering report prepared	2 wks	Mon 5/02/24	Fri 16/02/24	3																			
5			CCR for pond submitted	0 days	Fri 15/03/24	Fri 15/03/24	4,11																			
6			Divert effluent from shed into new pond	0 mons	Fri 15/03/24	Fri 15/03/24	4,11																			
7			Transfer effluent from old anaerobic pond	1 mon	Mon 18/03/24	Fri 12/04/24	4,11																			
8			Stage 1 complete	0 days	Fri 12/04/24	Fri 12/04/24	7,6																			
9			Stage 2 Mindarra 4 - CAPs	140 days	Mon 8/01/24	Fri 19/07/24																				
10			Construction of CAPs	2 mons	Mon 8/01/24	Fri 1/03/24																				
11			Testing and Engineering report prepared	2 wks	Mon 4/03/24	Fri 15/03/24	10																			
12			CCR for CAPs submitted	0 days	Fri 15/03/24	Fri 15/03/24	11																			
13			Divert effluent from sheds into new CAPs	0 wks	Fri 15/03/24	Fri 15/03/24	11																			
14			Transfer effluent from old anaerobic ponds 1a, 1b and 1c and / or Mindarra 1 and 3 ponds	6 wks	Mon 18/03/24	Fri 26/04/24	11																			
15			50 day retention time of effluent in new CAPs, float/seal cover, install stirrers, plumbing, flare, electrical and controls	50 days	Mon 29/04/24	Fri 5/07/24	13,14																			
16			Testing and Engineering report prepared	2 wks	Mon 8/07/24	Fri 19/07/24	15																			
17			CCR submitted for cover, stirrers, plumbing and flare	0 days	Fri 19/07/24	Fri 19/07/24	16																			
18			Begin flaring	0 days	Fri 19/07/24	Fri 19/07/24	16																			
19			Desludge old anaerobic ponds 1a, 1b and 1c and reline	2 mons	Mon 29/04/24	Fri 21/06/24	14																			
20			Testing and Engineering report prepared	2 wks	Mon 24/06/24	Fri 5/07/24	19																			
21			CCR submitted for new pond liners	0 days	Fri 5/07/24	Fri 5/07/24	20																			
22			Release effluent from CAPs into anaeobic ponds 1a, 1b and 1c (now effectively used as settlement trenches)	0 days	Fri 19/07/24	Fri 19/07/24	15,19,20,21,16,17																			
23			Effluent flow from settlement trenches into Evaporation Pond 3.	0 days	Fri 19/07/24	Fri 19/07/24	22																			
24			Stage 2 complete	0 days	Fri 19/07/24	Fri 19/07/24	23																			

Project: Mindarra Environmental  
Date: Tue 3/10/23

Task

Split

Milestone

Summary

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

External Tasks

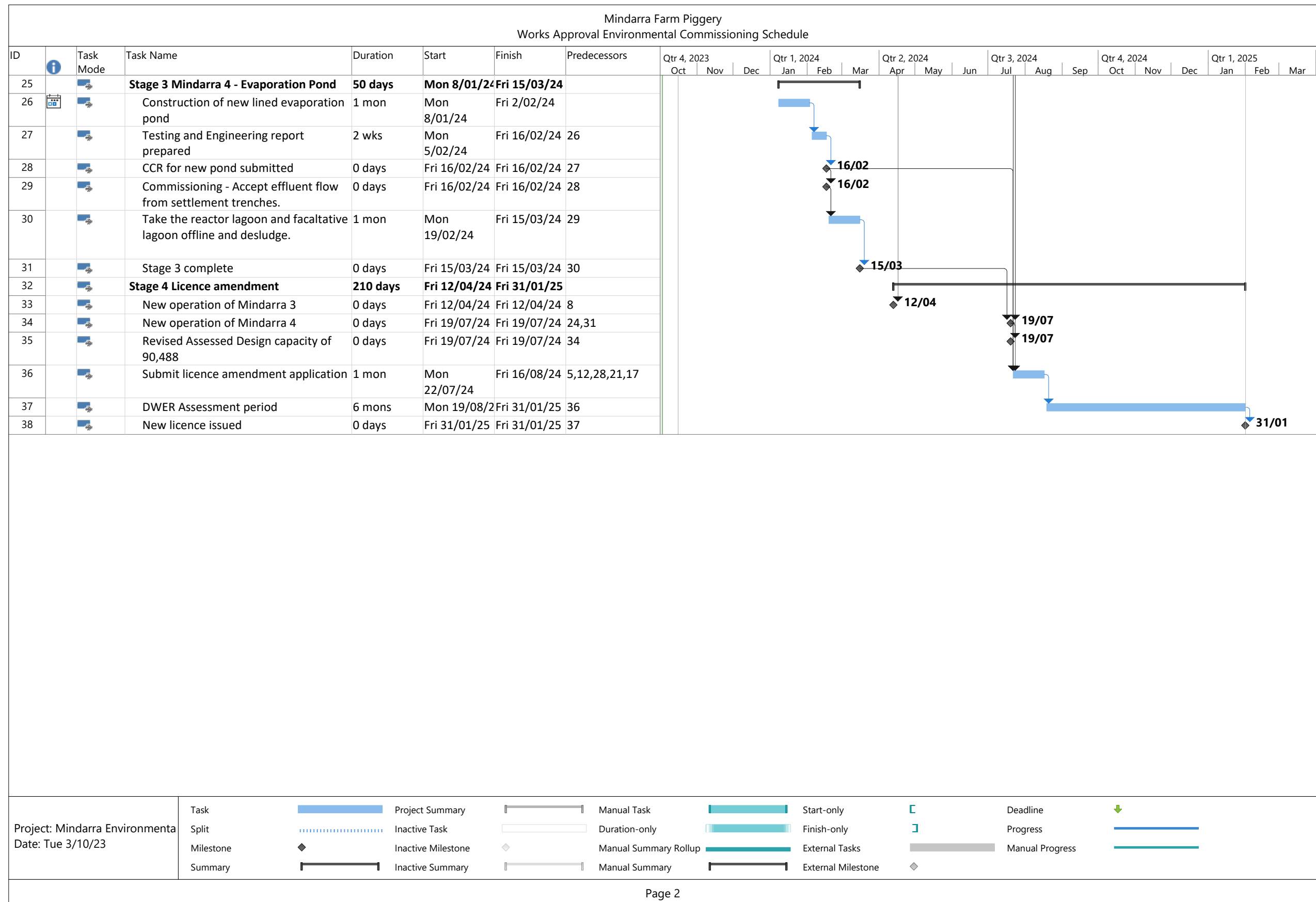
External Milestone

Deadline

Progress

Manual Progress

Page 1



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## 5 ATTACHMENT 3B PROPOSED ACTIVITIES

### 5.1 BACKGROUND

The premises operates under Licence L5724/1993/11, issued to Westpork by the former Department of Environment Conservation on 31 May 2012. It is licensed under Schedule 1 of the *Environmental Protection Regulations 1987*, prescribed as Category 2; intensive piggery: premises on which pigs are fed, watered, and housed in pens. The premises has an assessed production capacity of no more than 65,000 pigs.

Since 2012, three works approvals have been granted in relation to the Mindarra 4 piggery:

- **W5087/2011/1:** For the construction of two anaerobic ponds.
- **W5632/2014/1:** For a liquid waste facility (Category 61) and a compost manufacturing facility (67A).
- **W6114/2017/1:** For construction of a new evaporation pond.

The combination of delays associated with the construction/operation of the composting facility, Westpork's desire to move towards a lower carbon footprint and the preference to have the licence reflected in Standard Pig Unit<sup>1</sup> (SPU), forms the basis behind this works approval.

#### 5.1.1 Covered Anaerobic Pond (CAP)

A CAP is an anaerobic pond fitted with an impermeable cover which captures biogas, to reduce odour and greenhouse gas emissions, and/or make biogas available for energy.

Westpork has commissioned two CAPs at two farms within the business, both of which are functioning correctly, producing significant quantities of gas which is either being flared or converted into power via cogeneration. The technology used at both farms is provided by Martin Energy Group, who have many functional CAPs operating throughout Australia.

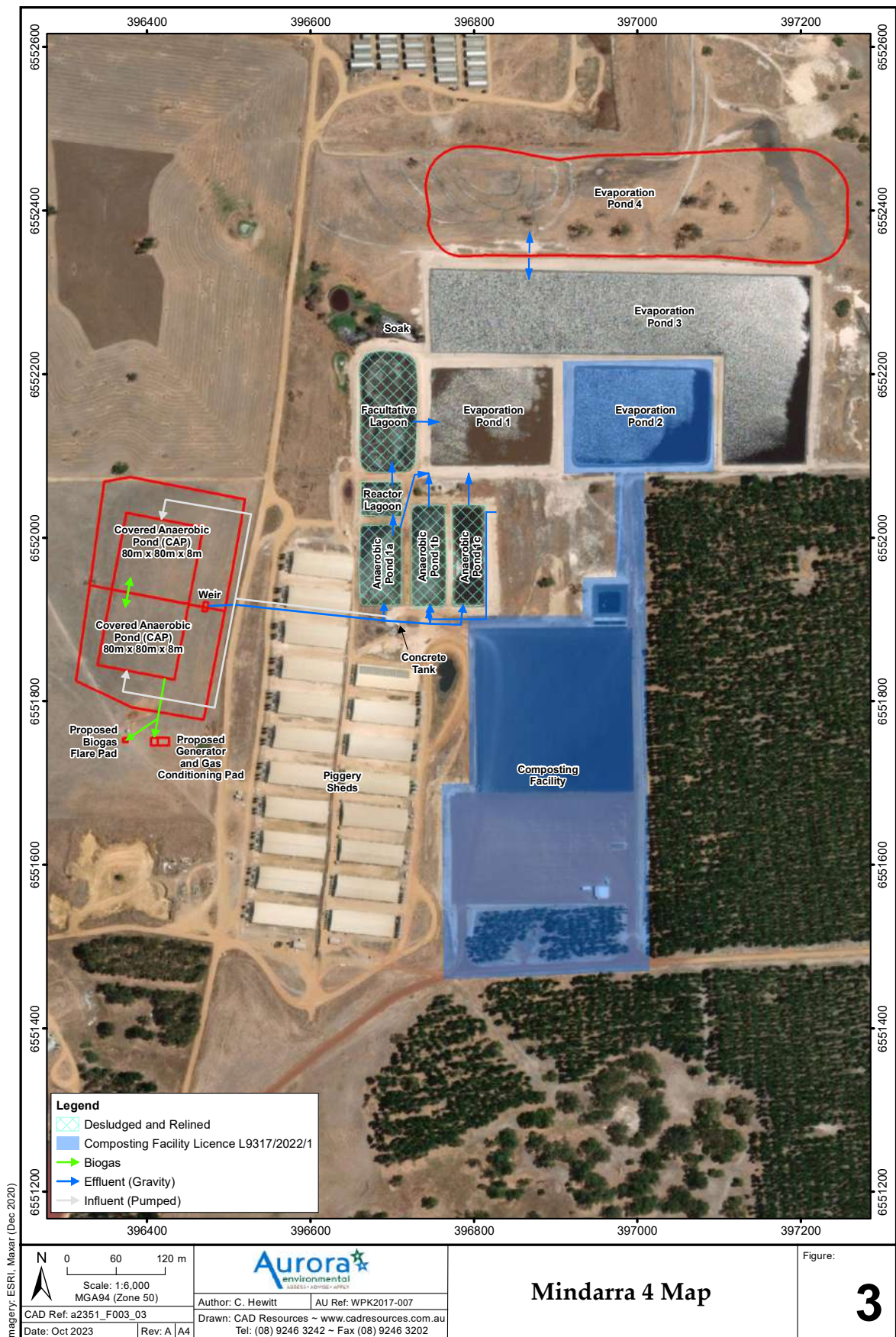
Westpork recognises the overall need to reduce its carbon footprint from its operations. To this end, work undertaken by consultant Integrity Ag & Environment (2022) demonstrates that covering the primary anaerobic pond, and either flaring the gases or cogeneration for power, can reduce the overall carbon footprint by over 51%. Moving forward, Westpork sees a natural progression whereby it will progressively move more farms towards CAPs. On the basis, Mindarra 4 is Westpork's largest intensive facility, it is logical that this farm is the next step in this natural progression.

#### 5.1.2 Evaporation Pond

The long-term intention was that sludge from the existing ponds was to be progressively removed and used in the composting process. However, due delays to construct the composting facility and the tenant has failed to commence operating the facility, there has been a progressive buildup of sludge within the overall system. Within the premises Westpork intends to build a new evaporation pond which allows individual ponds to be progressively taken offline, given time to dry before the solids are removed, the pond relined and brought back into operation.

---

<sup>1</sup> A Standard Pig Unit (SPU) is a unit for defining piggery capacity by manure production where the manure and waste feed produced by one SPU contains the amount of volatile solids (VS) equivalent to that typically produced by an average size grower pig (90 kg VS/yr) (APL, 2018).





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## 5.2 EXISTING OPERATION

The Mindarra Farm is a farrow-to-finish piggery, as it houses the breeder, weaner, and grower / finisher stages. The pigs born at the Site are reared until sale age (20-26 weeks of age). The farm is divided into four separate areas, as shown on the Premises Map (Attachment 2) and described in Table B.

**TABLE B: DESCRIPTION OF THE FOUR UNITS OF THE MINDARRA FARM PIGGERY**

UNIT	DESCRIPTION	AGES / CLASSES OF PIGS HOUSED IN THE UNIT	EFFLUENT DISCHARGED TO PONDS (ML/YR) <sup>2</sup>
Mindarra 1	<b>Breeder unit</b> , housing pigs in four conventional sheds and four deep litter sheds.	Gestating sows Lactating sows Boars Suckers	15.7
Mindarra 2	<b>Grow out unit</b> , housing pigs in 120 deep litter shelters.	Weaners Porkers Growers Finishers	Nil
Mindarra 3	<b>Multiplier unit</b> , housing pigs in four conventional sheds and three eco-shelters.	All ages (including breeders and growers)	39.2
Mindarra 4	<b>Grow out unit</b> , housing pigs in 19 tunnel ventilated weaner, grower, and finisher sheds.	Weaners Porkers Growers Finishers	294.5

The pig numbers fluctuate daily in each unit, as sales can vary due to market conditions, births, and mortalities. Westpork record pig numbers in monthly stocktakes and calculate the corresponding SPU. Table C shows the range of fluctuation between the individual units and the maximum number per unit recorded in 2022 (over a 12-month period).

**TABLE C: 2022 PIG NUMBERS**

UNIT	2022 PIG NUMBERS			LICENCE LIMIT <sup>3</sup>
	RANGE (OVER 12 MONTHS)	AVERAGE	MAXIMUM <sup>4</sup>	
Mindarra 1	2,847 – 3,361	3,118	3,361	<b>3,800 pigs</b>
Mindarra 2	6,153 – 9,753	6,918	9,753	<b>10,800 pigs</b>
Mindarra 3	5,110 – 5,466	5,254	5,466	<b>6,500 pigs</b>

<sup>2</sup> Based on Table 2 of Integrity Ag & Environment, 2023 (Attachment 8A)

<sup>3</sup> Based on Table 1 of Licence

<sup>4</sup> The maximum number of pigs per unit does not occur in the same month. The highest month in the data set over the year was recorded in this column for each unit.

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**TABLE C: 2022 PIG NUMBERS**

UNIT	2022 PIG NUMBERS			LICENCE LIMIT <sup>3</sup>
	RANGE (OVER 12 MONTHS)	AVERAGE	MAXIMUM <sup>4</sup>	
Mindarra 4	57,672 – 64,914	62,929	64,914	<b>55,000 pigs</b>

### 5.3 PROPOSED CHANGES TO THE OPERATION

Westpork wish to seek approval for the following activities:

- Amending the licence from an ‘assessed production capacity of no more than 65,000 pigs’ to an ‘assessed **design** capacity of **90,488 SPU**’, to enable consistency across all Westpork’s Part V licences.
- Increase the number of animals housed in Mindarra 4 from 55,000 pigs to 65,000 pigs, which would increase the number of animals for the premises to 86,100 pigs (90,488 SPU). No pig number increases are proposed for the other piggery units (i.e., Mindarra 1, 2 or 3).
- Construction of a two CAPs and a flare at Mindarra 4, and associated equipment and pipelines.
- Construction and operation of a new evaporation pond at Mindarra 4.
- Generation, collection and treatment of biogas and power generation.
- Construction of a new lined anaerobic pond at Mindarra 3, and associated pipelines.

The Average Annual Forward Abatement Estimate (FAE) is expected to be between 18,000 and 19,000 tonnes CO<sub>2</sub>-e (CO<sub>2</sub> equivalent) per year for Mindarra 4 and Mindarra 3 combined. The FAE is Westpork’s best estimate of the total amount of carbon abatement. Carbon abatement is the removal of greenhouse gases from the atmosphere or the avoidance of greenhouse gases.

A description of the proposed activities/changes is provided below.

#### 5.3.1 Mindarra 4 Increase in Pig Numbers

The resulting change to the licence would be amending *Table 1: Infrastructure and Equipment Requirements* on page’s 4 and 5, to allow for the premises to have a maximum of 90,488 SPU (86,100 pigs), as summarised in Table D. The increase in pigs occurs at Mindarra 4 only, all other units remain the same as the current licence.

**TABLE D: PROPOSED PIG NUMBERS FOR LICENCE**

UNIT	2022 PIG NUMBERS			PROPOSED LICENCE LIMIT – PIGS	PROPOSED LICENCE LIMIT – SPU
	RANGE (OVER 12 MONTHS)	AVERAGE	MAXIMUM <sup>5</sup>		
Mindarra 1	2,847 – 3,361	3,118	3,361	<b>3,800 pigs</b>	<b>2,820</b>

<sup>5</sup> The maximum number of pigs per unit does not occur in the same month. The highest month in the data set over the year was recorded in this column for each unit.

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**TABLE D: PROPOSED PIG NUMBERS FOR LICENCE**

UNIT	2022 PIG NUMBERS			PROPOSED LICENCE LIMIT – PIGS	PROPOSED LICENCE LIMIT – SPU
	RANGE (OVER 12 MONTHS)	AVERAGE	MAXIMUM <sup>5</sup>		
Mindarra 2	6,153 – 9,753	6,918	9,753	<b>10,800 pigs</b>	<b>11,115</b>
Mindarra 3	5,110 – 5,466	5,254	5,466	<b>6,500 pigs</b>	<b>6,053</b>
Mindarra 4	57,672 – 64,914	62,929	64,914	<b>65,000 pigs</b>	<b>70,500</b>
Total			83,494	<b>86,100 pigs</b>	<b>90,488</b>

Wastewater treatment infrastructure changes are required to Mindarra 4, to increase the pig numbers. The Mindarra 4 Grow Out Unit houses pigs in 19 tunnel ventilated sheds. An increase in the number of pigs housed, from 55,000 pigs to 65,000 pigs, will change the concentration of the effluent generated from the sheds and discharged into the wastewater treatment system.

### **5.3.2 Mindarra 4 PigBal and Water Balance Modelling**

Westpork commissioned Integrity Ag & Environment to undertake PigBal and water balance modelling, based on pigs housed in Mindarra 4 in the 2022 financial year (as presented in Table C). The results are provided in Attachment 8A. These results were used to assess current conditions, and then scaled up to assess the capacity of the wastewater treatment system if Mindarra 4 houses 65,000 pigs. Both scenarios are discussed further below.

#### **5.3.2.1 Modelling Scenario – 2022 Pig Numbers**

Modelling suggests 294.5 megalitres (ML) per year (or 0.81 ML/day) of effluent is currently discharged to the wastewater treatment system, based on the pigs housed in Mindarra 4 in 2022. This equates to 13.71 L per SPU per day. The composition of the effluent is noted in Table 2 of Integrity Ag & Environment (2023) as:

- 17,612 kg/day total solids;
- 14,349 kg/day volatile solids;
- 1643 kg/day nitrogen;
- 388 kg/day phosphorus; and
- 389 kg/day potassium.

Clean water sourced from the on-Site production bores, are used to flush, and hose the sheds (see Table 1 of Integrity Ag & Environment (2023) for volumes). Recycled effluent sourced from the Reactor Lagoon, is also used for flushing sheds.



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#### 5.3.2.2 Modelling Scenario – 65,000 pigs

If the pig numbers at Mindarra 4 are increased to 65,000, the volume of effluent will increase to 314 ML/year or 0.86 ML/day, which is an additional 19.5 ML/year or 0.05 ML/day (6%). The volume of water used for flushing and hosing the sheds will remain the same (see Table 1 of Integrity Ag & Environment (2023) for volumes), however as more pigs will be in the sheds, the effluent will be more concentrated/richer in solids.

The water balance results indicate an additional evaporation pond with a surface area of 54,000m<sup>2</sup> (or 5.4 ha) and a capacity of 71,667m<sup>3</sup> (excluding freeboard) is required for the system to be capable of handling 314 ML/year in both mean and 99% percentile rain years. This assumes 0.86 ML/day is extracted from the Reactor Lagoon for recycling through the sheds. With the inclusion of an additional evaporation pond, modelling indicates overtopping is unlikely in mean and 90<sup>th</sup> percentile annually adjusted rainfall scenarios, and storage volumes stay below the freeboard in the final evaporation pond.

When the Reactor Lagoon is being de-sludged, recycled water will be sourced from an evaporation pond temporarily.

#### 5.3.3 Mindarra 4 CAPs

The driver to change the infrastructure for Mindarra 4 is two-fold; to reduce greenhouse gas emission from Westpork's operations and to allow an increase in pig numbers.

Recently Westpork participated in the Australian Pork Limited (APL) Life Cycle Assessment project. This project provided Westpork with a preliminary estimate of their carbon footprint for pork production for the 2020 financial year. The estimate was 'cradle to processor gate'. It included greenhouse gas emissions generated through the breeding and grow out phases, manure management, feed production, milling and the production of purchased inputs, notably feed commodities. Both total emissions (including upstream emissions) and emissions intensity (CO<sub>2</sub>-e/kg LW) were determined. The project also identified areas for emission mitigation and one of these was to reduce manure emissions through covering of anaerobic ponds. This mitigation measure was suggested as the largest opportunity for carbon emission reduction in conventional piggeries (Integrity Ag and Environment, 2022). This exercise clearly pointed out that Production Systems with uncovered anaerobic ponds emitted more CO<sub>2</sub>, than straw-based systems and covered anaerobic systems. In fact, the Gingin Production Loop (Gingin and Mindarra) could reduce its overall emission by 58% with the installation of covered anaerobic ponds. Further analysis indicated that between 84 – 92% of Westpork's Scope 1, 2 and 3 emissions come from manure management and feed usage.

The work undertaken by Integrity Ag (Integrity Ag and Environment, 2022) provided the Westpork Board with clear and tangible mitigation steps around greenhouse gas emission. As the largest farm in Westpork's business, the board has decided to build new CAPs at Mindarra 4 to process Mindarra 4's effluent.

##### 5.3.3.1 Mindarra 4 New Wastewater Treatment System Infrastructure

The existing wastewater treatment system at Mindarra 4 is comprised of a concrete holding tank, two screw press separators, three anaerobic ponds connected in parallel, leading into one small reactor lagoon, followed by one facultative pond, then two evaporation ponds. Proposed changes to the infrastructure and new infrastructure are **bolded** in Table E and shown on Figure 3.

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**TABLE E: MINDARRA 4 EXISTING AND NEW INFRASTRUCTURE**

INFRASTRUCTURE	DESCRIPTION	CHANGES
Concrete Tank	11m diameter concrete tank. 136 kL capacity.	No changes to the concrete tank. <b>Influent will be piped to the CAPs</b> rather than to the screw press separators.
Two screw press separators	Machine press in which a ram is driven back and forward with a screw.	Infrastructure will be removed and replaced by the <b>CAPs</b> , which will remove up to 70% solids from effluent.
Anaerobic Pond 1a / Anaerobic lagoon	102.4m by 47m wide by 7.4m deep. Lined with 1.5mm thick High-density polyethylene (HDPE). Freeboard of 0.5m. Capacity excluding freeboard is 26,985m <sup>3</sup> .	<b>Effluent diverted to the CAPs. Pond de-sludged and relined, then pond acts as a settlement trench.</b>
Anaerobic Pond 1b	120m by 45m wide by 7m deep. Lined with 1.0mm thick HDPE. Freeboard of 0.5m. Capacity excluding freeboard is 29,122m <sup>3</sup> .	<b>Effluent diverted to the CAPs. Pond de-sludged and relined, then pond acts as a settlement trench.</b>
Anaerobic Pond 1c	120m by 45m wide by 7m deep. Lined with 1.0mm thick HDPE. Freeboard of 0.5m. Capacity excluding freeboard is 29,122m <sup>3</sup> .	<b>Effluent diverted to the CAPs. Pond de-sludged and relined, then pond acts as a settlement trench.</b>
Reactor Lagoon	41m by 47m wide by 6.5m deep. Lined with 1.0mm thick HDPE. Contains HDPE curtain. Freeboard of 0.5m. Capacity excluding freeboard is 5,774m <sup>3</sup> .	<b>Taken offline and de-sludged. Pond then used as an evaporation pond.</b>
Facultative Lagoon	150m by 66m wide by 4.5m deep. Lined with 1.0mm thick HDPE. Contains HDPE curtain. Freeboard of 0.5m. Capacity excluding freeboard is 34,524m <sup>3</sup> .	<b>Taken offline and de-sludged. Pond then used as an evaporation pond.</b>
Evaporation Pond 1	150m by 125m wide. Depth grades from 1.0m to 4.5m deep at end of lagoon. Lined with 1.0mm thick HDPE. Freeboard of 0.5m. Capacity excluding freeboard is 32,736m <sup>3</sup> .	No changes. Pond will continue to be used as an evaporation pond.
Evaporation Pond 2	170m by 120m wide. Depth grades from 1.0m to 4.5m deep at end of lagoon. Lined with 1.0mm thick HDPE. Freeboard of 0.5m. Capacity excluding freeboard is 35,766m <sup>3</sup> .	This pond was excised from the wastewater treatment system and transferred to the composting operation (L9317/2022/1). It should be removed from the licence infrastructure table.
Evaporation Pond 3	Licence description: 250m by 250m wide. Depth 1.5m and lined with 1.5mm thick HDPE. Freeboard of 0.5m. Capacity excluding freeboard is 88,220m <sup>3</sup> .	No changes to the operation of the pond. Pond will continue to be used as an evaporation pond.  <b>Note: the actual description requires amending on the licence, as the pond was not constructed as a square pond (i.e., 250m by 250m) but rather "L" shaped and has a smaller capacity.</b>

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**TABLE E: MINDARRA 4 EXISTING AND NEW INFRASTRUCTURE**

INFRASTRUCTURE	DESCRIPTION	CHANGES
	Actual description <sup>6</sup> : 'L' shaped pond surface area of 57,600m <sup>2</sup> , depth of 2m, freeboard of 0.5m and lined with 1.5mm thick HDPE. Minimum holding capacity of 84,258m <sup>3</sup> (excluding freeboard).	
<b>CAPs</b>	Two CAPs will be constructed with a concrete floor, with four mixer support blocks for stirrers in each. The dimensions of each CAP will be 80m by 80m by 8m deep with a freeboard of 1m. The capacity of each CAP will be a minimum of 29,867m <sup>3</sup> (including freeboard) and 23,858m <sup>3</sup> (excluding freeboard). The combined capacity of both CAPs will be a minimum of 59,734m <sup>3</sup> (including freeboard) and 47,716m <sup>3</sup> (excluding freeboard). The sides of each CAP will be lined with minimum 1.5mm thick HDPE. The cover of each CAP will comprise minimum 2.0mm thick HDPE. Base, sides, and cover of each CAP will be gas tight. Underground trenches will be included, to allow the installation of pipes and cables, for the transport of influent and effluent in and out of each CAP. Safety vents and gas pressure monitors will be installed on the CAP.	
<b>Flare, generator, and gas conditioning pad.</b>	Height of the flare will be at least 3m above the as-built ground level. The flare will include an auto ignition system. Under normal operating scenarios, flaring of up to 8,000m <sup>3</sup> /day of gas may occur.	
<b>Evaporation Pond 4</b>	460m by 70m by 2.5m deep with a 0.5m freeboard and a surface area of 65,228m <sup>2</sup> . Capacity of the pond will be a minimum of 70,051m <sup>3</sup> , excluding freeboard. Lined with 1.5mm HDPE. HDPE geo-membrane liner will be installed and comply with the manufacturer's requirements.	

The elevation of the proposed location for the CAPs is approximately 205 Australian Height Datum (AHD) to 208m AHD. The CAPs will be constructed at a higher elevation in the landscape than the other wastewater treatment ponds, and therefore, influent will be pumped from the concrete tank into the two CAPs (Figure 3). Liquid remaining after digestion (solids free) will travel from the weir under gravity through pipelines into the anaerobic ponds (1a, 1b, 1c post de-sludging) and settle before flowing into evaporation ponds 3 and 4 (when constructed).

The reduced level of the base of the new evaporation pond 4 is proposed to be at 194.05m AHD. Construction of the proposed new evaporation pond 4 will require removal of 10 existing paddock trees (Figure 3).

<sup>6</sup> The dimensions and minimum holding capacity of the evaporation pond has not been revised on the licence.

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#### **5.3.3.2 Mindarra 4 Generation, Collection, Treatment of Biogas and Flaring**

The flare, generator and gas conditioning pad will be located in a previously cleared area to the south of the CAPs at a similar elevation (205 AHD to 208m AHD). The flare will have a 50m radius clearance around it.

The CAPs will be lined with 1.5mm HDPE and covered with HDPE, to form a gas tight enclosure that excludes atmospheric oxygen and contains the generated biogas. The effluent is mixed by stirrers to break up suspended solids and heated to facilitate biogas production. The generated biogas is captured and stored within the fully enclosed digester. There will never be a need to de-sludge the digester, and therefore no odour emissions to air, because of two reasons:

- The majority of the solids are consumed during the anaerobic digestion process; and
- Because of the agitation in the digester, the settlement of solids is minimised, and any remaining solids will flow out of the CAPs to the anaerobic ponds 1a, 1b and 1c.

Effluent from the concrete tank will be continuously fed to the CAPs, with the liquid digested effluent being extracted at a rate which ensures that the volume/level of effluent in the digester is constant.

Previously, accumulated solid wastes were removed from Site. This will no longer be required with the installation and use of the anaerobic digester.

The CAPs are designed to achieve an 85% reduction in Chemical Oxygen Demand (COD), which will reduce the odour emissions and loading on the existing ponds. The operation of the CAPs will be fully automated, with safety vents and gas and pressure monitors installed where appropriate.

Biogas generated from the enhanced anaerobic digestion process generally consists of 60 – 75% Methane (CH<sub>4</sub>), 25 – 30% Carbon Dioxide (CO<sub>2</sub>), 0 – 1% Nitrogen (N<sub>2</sub>), 5% water (H<sub>2</sub>O) and 2,000 – 4,000 parts per million (ppm) Hydrogen Sulphide (H<sub>2</sub>S). It is extracted from the CAPs using gas blowers, which create a negative pressure in the enclosed space above the effluent surface.

Biogas will be scrubbed to remove the non-methane contaminants in the gas, such as particulates, and trace by-gases such as H<sub>2</sub>S, water and ammonia (NH<sub>3</sub>). The scrubber will reduce the H<sub>2</sub>S content of the gas from approximately 2,000 – 4,000ppm to 200ppm. The biogas will be saturated with moisture on leaving the CAPs but is then chilled, to remove moisture and re-pressurised at the gas conditioning pad, to ensure the alternators receive a constant supply of gas at the design pressure of the alternators. Automatic controls on the gas management system will direct the gas to the alternators or flare, as required. The flare is an essential safety feature that is required so that any excess gas can be safely burnt in the event of emergencies to prevent explosion.

#### **5.3.3.3 De-sludging and Relining of Ponds**

The installation of the CAPs will reduce the overall odour potential for the premises, by being a fully contained system that will reduce the majority of solids (by up to 70%) from the influent and therefore, reduce the loading on the downstream treatment ponds. This in turn will reduce the frequency of de-sludging in the existing treatment ponds.

However, to integrate the CAPs into the wastewater treatment system, de-sludging of ponds will occur as per previous de-sludging operations at the premises, utilising in built underground pipes connected to the bases of anaerobic ponds. Sludge will be pumped into the concrete tank and then into the CAPs

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for treatment. A staged approach to de-sludging (i.e., not all ponds de-sludged at once) will be undertaken, as described in the Environmental Commissioning Schedule (See Section 4).

The ponds proposed to be de-sludged include:

- Anaerobic ponds 1a, 1b and 1c (one pond will remain operational as a settlement trench receiving effluent from the CAPs, and flow will continue onto evaporation ponds).
- Reactor lagoon (the recycled water is sourced from this pond and will temporarily be sourced from another evaporation pond to ensure water is maintained for flushing the sheds).
- Facultative lagoon.

Ponds will be relined with 1.5mm thick HDPE, in accordance with manufacturer's specifications. The installation will be verified by a qualified professional and reported in a CCR to DWER.

Following relining, the ponds will be brought back online and have the following new functions:

- Anaerobic ponds 1a, 1b and 1c will be used alternatively as settlement trenches.
- Reactor lagoon and facultative lagoon used as evaporation ponds and source point for recycled water to flush the sheds.

#### **5.3.3.4 Mindarra 3 New Wastewater Treatment System Infrastructure**

The changes at Mindarra 3 are purely to reduce greenhouse gas emissions. The existing wastewater treatment system at Mindarra 3 is comprised of one anaerobic pond, followed by one facultative pond, and one evaporation pond. A new anaerobic pond will be installed adjacent to the existing anaerobic pond. The existing anaerobic pond will be de-sludged and replaced by the new pond, and the existing facultative pond and evaporation pond will continue to be used. Details of the changes to the wastewater treatment system are provided in Table F and shown on Figure 4.





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**TABLE F: MINDARRA 3 EXISTING AND NEW INFRASTRUCTURE**

INFRASTRUCTURE	DESCRIPTION	CHANGES
Anaerobic Pond	Clay lined pond. 91m by 86m by approximately 4m deep. Surface area of approximately 6,872m <sup>2</sup> .	No longer used. Replaced by the new anaerobic pond. Effluent will be pumped to the new lined anaerobic pond. Pond will be de-sludged.
Facultative Pond	Clay lined pond. 120m by 62m by 2m deep with a 0.5m freeboard. Surface area of approximately 7,440m <sup>2</sup> . Capacity of the pond is a minimum of 9,837m <sup>3</sup> or 9.8kL, excluding freeboard.	No changes.
Evaporation Pond 1	Clay lined pond. 90m by 90m by 3m deep, with a 0.5m freeboard. Surface area of approximately 6,815m <sup>2</sup> . Capacity of the pond will be a minimum of 17,243m <sup>3</sup> or 17.2kL, excluding freeboard.	No changes.
New Anaerobic Pond	The dimensions of the anaerobic pond will be 60m x 60m by 7m deep, with a 1m freeboard. Surface area of 3,600m <sup>2</sup> . Capacity of the pond will be a minimum of 9,292m <sup>3</sup> or 9.2kL, excluding freeboard. The pond will be lined with minimum 1.5mm thick HDPE.	

The new anaerobic pond will be deeper, facilitating a larger anaerobic layer for treatment. It will have a smaller surface area, by approximately 50%, as the current pond is approximately 6,872m<sup>2</sup> and the new pond will be approximately 3,600m<sup>2</sup>. The new anaerobic pond will be sited at an elevation of approximately 198m AHD, and effluent will flow via a new overland pipeline under gravity into the facultative pond, and via the existing overland pipeline under gravity to the evaporation pond.

#### **5.3.3.5 Mindarra 3 PigBal and Water Balance Modelling**

Westpork commissioned Integrity Ag & Environment to undertake PigBal and water balance modelling for Mindarra 3 (Attachment 8A).

Modelling suggests the expected effluent volume generated from the operation is 39ML per year, and 26ML per year is extracted for reuse through the sheds. The existing wastewater treatment system is a closed system and has sufficient capacity for disposal through evaporation. Water levels in the final evaporation pond for the mean rainfall and the 90<sup>th</sup> percentile annually adjusted rainfall, are both modelled below the freeboard level, suggesting overtopping events are unlikely.

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**6 ATTACHMENT 3D ADDITIONAL INFORMATION FOR CLEARING  
ASSESSMENT**



Attachment 3D – Photograph Log

**Photograph 1: Tree 1.**



**Photograph 2: Tree 2.**



Attachment 3D – Photograph Log

**Photograph 3: Tree 3.**



**Photograph 4: Tree 4.**





**Photograph 5: Tree 5.**



**Photograph 6: Tree 6.**



Attachment 3D – Photograph Log

**Photograph 7: Tree 7.**



**Photograph 8: Tree 8.**





Attachment 3D – Photograph Log

**Photograph 9: Tree 9.**



**Photograph 10: Tree 10.**



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## **7 ATTACHMENT 6A EMISSIONS AND DISCHARGES**

### **7.1 RISK ASSESSMENT**

The emissions and discharges associated with the proposed activities are listed in Table G. A risk analysis has been undertaken for the proposed activities, in accordance with the procedures outlined in the Australian and New Zealand Standards *AS/NZS ISO 31000:2018 Risk Management—Guidelines* and *HB 203:2012* (Managing Environment-Related Risk), using DWER's Guidance Statement Risk Assessments (DWER, 2017, available at: <https://www.der.wa.gov.au/component/k2/item/6566-guidance-statement-risk-assessments>). Qualitative risk analysis was used to evaluate the significance of emissions and discharges. The risk analysis was undertaken assuming the proponent controls were in place.

**TABLE G: EMISSIONS AND DISCHARGE RISK ASSESSMENT**

SOURCES OF EMISSION AND DISCHARGE				PROPONENT CONTROLS / MANAGEMENT	POTENTIAL IMPACT	CONSEQUENCE ON RECEPTOR	LIKELIHOOD OF CONSEQUENCE	LEVEL OF RISK / ADVERSE IMPACT ON RECEPTOR
EMISSION (TYPE AND QUANTITY)	EMISSION EVENT (NORMAL / UPSET)	PATHWAY	RECEPTOR					
Dust particulates emitted during construction activities.	Normal - Dust emissions from earthworks associated with new ponds and pipelines. On-Site traffic movement (exhausts on vehicles and plant).	Air.	Humans - There are no residences within 1km of the piggery. The nearest residence is located on Lot 7779, approximately 3.4km east of the Mindarra 4 wastewater treatment system.	Exposed soil will be wetted down prior to and during, construction activities.  In the event significant dust is generated, construction activities will cease until additional controls can be implemented or any unusual weather conditions abate.  Dust impacts are also mitigated by the fact that no residences exist within 3km of the proposed locations of earthworks and 2km of the premises boundary. Between the premises and nearest receptor is bush and undulating hills which will further mitigate dust emissions.	No impacts are expected to residents once the controls are implemented.	Slight.	Rare.	Low.
Noise emissions.	Normal - Noise emissions from earthworks associated with new ponds and pipelines.	Air.	Humans - There are no residences within 1km of the piggery. The nearest residence is	Construction activities are to be carried out between 7am and 7pm on all days, except Sundays and public holidays. All equipment and plant used on-Site will be of modern	No impacts are expected to residents once the controls are implemented.	Slight.	Unlikely.	Low.

**TABLE G: EMISSIONS AND DISCHARGE RISK ASSESSMENT**

SOURCES OF EMISSION AND DISCHARGE		PATHWAY	RECEPTOR	PROPONENT CONTROLS / MANAGEMENT	POTENTIAL IMPACT	CONSEQUENCE ON RECEPTOR	LIKELIHOOD OF CONSEQUENCE	LEVEL OF RISK / ADVERSE IMPACT ON RECEPTOR
EMISSION (TYPE AND QUANTITY)	EMISSION EVENT (NORMAL / UPSET)							
	On-Site traffic movement flaring of biogas.		located on Lot 7779, approximately 3.4km east of the Mindarra 4 wastewater treatment system.	<p>design and well maintained, to minimise noise emissions.</p> <p>Routine observations and inspections will be undertaken in regard to noise.</p> <p>Noise complaints will be investigated, and mitigation measures implemented as needed.</p> <p>The flare will be designed to ensure noise levels at the nearest residence are below assigned noise levels. The design specification for the flare will be a sound power level of approximately 120dB(A). At a distance of 3.4km, and light westerly winds, the sound received at the nearest residence should be below background levels.</p> <p>The flare will only be used intermittently (not continuously) for safety purposes if excess gas is generated to prevent explosion.</p>				



**TABLE G: EMISSIONS AND DISCHARGE RISK ASSESSMENT**

SOURCES OF EMISSION AND DISCHARGE				PROPONENT CONTROLS / MANAGEMENT	POTENTIAL IMPACT	CONSEQUENCE ON RECEPTOR	LIKELIHOOD OF CONSEQUENCE	LEVEL OF RISK / ADVERSE IMPACT ON RECEPTOR
EMISSION (TYPE AND QUANTITY)	EMISSION EVENT (NORMAL / UPSET)	PATHWAY	RECEPTOR					
Odour emissions.	Normal - Installation of cover on anaerobic ponds / filling of ponds with effluent. Flaring of biogas (unburnt biogas can cause odour).	Air.	Humans - There are no residences within 1km of the piggery. The nearest residence is located on Lot 7779, approximately 3.4km east of the Mindarra 4 wastewater treatment system. No odour complaints have been received regarding existing operations.	Odour screening analysis (See Attachment 8G). Westpork will be compliant with the required separation distance of 1.93km from the nearest rural residence. Ensuring all biogas is burnt/flare working efficiently.	No impacts are expected to residents, based on the odour screening analysis.	Slight.	Unlikely.	Low.
Odour emissions.	Normal - Odour from sheds, settlement trenches, anaerobic	Air.	Humans - There are no residences within 1km of the piggery. The nearest	Odour screening analysis (See Attachment 8G). Westpork will be compliant with the required separation distance of 1.93km from the nearest rural residence.	No impacts are expected to residents once the controls are implemented.	Slight.	Unlikely.	Low.

**TABLE G: EMISSIONS AND DISCHARGE RISK ASSESSMENT**

SOURCES OF EMISSION AND DISCHARGE		PATHWAY	RECEPTOR	PROPONENT CONTROLS / MANAGEMENT	POTENTIAL IMPACT	CONSEQUENCE ON RECEPTOR	LIKELIHOOD OF CONSEQUENCE	LEVEL OF RISK / ADVERSE IMPACT ON RECEPTOR
EMISSION (TYPE AND QUANTITY)	EMISSION EVENT (NORMAL / UPSET)							
	ponds, and facultative ponds.		residence is located on Lot 7779, approximately 3.4km east of the Mindarra 4 wastewater treatment system. No odour complaints have been received regarding existing operations.	Keeping the pigs clean and dry. Maintaining pig health to minimise loose stools and providing clean and hygienic conditions within the sheds. Frequently and regularly clean flooring and other dirty and dusty surfaces. Regularly flushing pits. Use sufficient water to clean pits and remove manure solids. Collecting mortalities, afterbirth, and foreign materials promptly. Facultative and evaporation ponds are adequately sized to avoid overloading and generation of odours. Designing the CAPs such that they are adequate for the capacity of the wastewater volume produced. Monitoring salinity and pH of the CAPs to ensure pond chemistry is suitable for treatment microorganisms.				

**TABLE G: EMISSIONS AND DISCHARGE RISK ASSESSMENT**

SOURCES OF EMISSION AND DISCHARGE				PROPONENT CONTROLS / MANAGEMENT	POTENTIAL IMPACT	CONSEQUENCE ON RECEPTOR	LIKELIHOOD OF CONSEQUENCE	LEVEL OF RISK / ADVERSE IMPACT ON RECEPTOR
EMISSION (TYPE AND QUANTITY)	EMISSION EVENT (NORMAL / UPSET)	PATHWAY	RECEPTOR					
				Dilute with freshwater if necessary.				
Odour emissions.	Normal – de-sludging of anaerobic ponds at Mindarra 4 and Mindarra 3.	Air.	Humans - There are no residences within 1km of the piggery. The nearest residence is located on Lot 7779, approximately 3.4km east of the Mindarra 4 wastewater treatment system. No odour complaints have been received regarding existing operations.	Odour screening analysis (See Attachment 8G). Westpork will be compliant with the required separation distance of 1.93km from the nearest rural residence. Staged approach to desludging (i.e., not all ponds de-sludged at once).	No impacts are expected to residents once the controls are implemented.	Slight.	Unlikely.	Low.
Odour emissions.	Upset – Unplanned release of gas from CAPs. H <sub>2</sub> S	Air.	Humans - There are no residences within 1km of	CAPs installed in accordance with manufacturer's instructions which include a Quality Assurance and Quality	No impacts are expected to residents once the	Slight.	Rare.	Low.

**TABLE G: EMISSIONS AND DISCHARGE RISK ASSESSMENT**

SOURCES OF EMISSION AND DISCHARGE								
EMISSION (TYPE AND QUANTITY)	EMISSION EVENT (NORMAL / UPSET)	PATHWAY	RECEPTOR	PROPONENT CONTROLS / MANAGEMENT	POTENTIAL IMPACT	CONSEQUENCE ON RECEPTOR	LIKELIHOOD OF CONSEQUENCE	LEVEL OF RISK / ADVERSE IMPACT ON RECEPTOR
	concentrations in raw biogas can cause nervous system failure.		the piggery. The nearest residence is located on Lot 7779, approximately 3.4km east of the Mindarra 4 wastewater treatment system.	Control (QA/QC) program for all welded joints. Daily visual inspections of HDPE cover. CAPs will be maintained under negative pressure which minimises the possibility of odourous gases leaking. Automated control system with inbuilt triggers to detect changes in pressure levels and therefore indicate potential leaks.	controls are implemented.			
Increase in Solid Waste.	Normal – more concentrated effluent generated (higher total solids) from an increase in pig numbers in Mindarra 4 will require treatment through the wastewater	Water.	Other groundwater users of the Leederville – Parmelia Groundwater Aquifer (located >65m below ground level [bgl]). One Environmentally	PigBal modelling (See Attachment 8A) has quantified the volume of total solids requiring treatment. The CAPs have been adequately sized to handle these volumes. CAPs will remove the majority (approximately 70%) of solids from influent and capture biogas. Large separation distance and thick clay layer exists (>55m)	No impacts to groundwater or ESAs are expected from the increase in effluent being treated.	Slight.	Unlikely.	Low.

**TABLE G: EMISSIONS AND DISCHARGE RISK ASSESSMENT**

SOURCES OF EMISSION AND DISCHARGE								
EMISSION (TYPE AND QUANTITY)	EMISSION EVENT (NORMAL / UPSET)	PATHWAY	RECEPTOR	PROPONENT CONTROLS / MANAGEMENT	POTENTIAL IMPACT	CONSEQUENCE ON RECEPTOR	LIKELIHOOD OF CONSEQUENCE	LEVEL OF RISK / ADVERSE IMPACT ON RECEPTOR
	treatment system.		Sensitive Area (ESA) (Conservation Category Wetland) located off-Site, approximately 620m north-east from Mindarra 4's largest evaporation pond, and adjacent to the Premises boundary.	between pond bases and groundwater.				
Increase in Solid Waste.	Normal – de- sludging of anaerobic ponds at Mindarra 4 and Mindarra 3.			No discharge of solids to land. Removal of solid waste off-Site as controlled waste by a licensed waste carrier or to the licensed composting facility (L9317, see Premises Map 2).	No impacts to groundwater or ESA are expected from de-sludging of ponds.	Slight.	Unlikely.	Low.
Increase in Solid Waste.	Hazardous materials required for the operation of the generator and biogas conditioning pad (e.g., generator motor oil,	Water and Land.	Humans - There are no residences within 1km of the piggery. The nearest residence is located on Lot 7779, approximately 3.4km east of the Mindarra 4	No discharge of solid or liquid waste to land. Removal of solid and liquid waste off-Site as controlled waste by a licensed waste carrier.	No impacts to human health, groundwater or ESA are expected, following appropriate disposal of waste.	Slight.	Unlikely.	Low.

**TABLE G: EMISSIONS AND DISCHARGE RISK ASSESSMENT**

SOURCES OF EMISSION AND DISCHARGE		PATHWAY	RECEPTOR	PROPONENT CONTROLS / MANAGEMENT	POTENTIAL IMPACT	CONSEQUENCE ON RECEPTOR	LIKELIHOOD OF CONSEQUENCE	LEVEL OF RISK / ADVERSE IMPACT ON RECEPTOR
EMISSION (TYPE AND QUANTITY)	EMISSION EVENT (NORMAL / UPSET)							
	biogas filter media).		<p>wastewater treatment system.</p> <p>Other groundwater users of the Leederville – Parmelia Groundwater Aquifer (located &gt;65m bgl). One ESA (Conservation Category Wetland) located off-Site, approximately 620m north-east from Mindarra 4's largest evaporation pond and adjacent to the Premises boundary.</p>					

**TABLE G: EMISSIONS AND DISCHARGE RISK ASSESSMENT**

SOURCES OF EMISSION AND DISCHARGE								
EMISSION (TYPE AND QUANTITY)	EMISSION EVENT (NORMAL / UPSET)	PATHWAY	RECEPTOR	PROPONENT CONTROLS / MANAGEMENT	POTENTIAL IMPACT	CONSEQUENCE ON RECEPTOR	LIKELIHOOD OF CONSEQUENCE	LEVEL OF RISK / ADVERSE IMPACT ON RECEPTOR
Greenhouse gas emissions.	Normal - Flaring of up to 8,000m <sup>3</sup> /day of biogas generated from the anaerobic digestion process.	Air	Atmosphere / Local Airshed.	The flare is an essential safety feature, so excess gas can be safely burnt to prevent explosion.  The operation of the CAPs will be fully automated with safety vents and gas and pressure monitors installed where appropriate.	Release of greenhouse gas emissions to atmosphere.	Almost certain.	Slight.	Medium.
Wastewater discharge.	Upset - Unplanned release (i.e., spill) of effluent from CAPs.	Water.	Other groundwater users of the Leederville – Parmelia Groundwater Aquifer (located >65m bgl).  One ESA (Conservation Category Wetland) located off-Site, approximately 620m north-east from Mindarra 4's largest evaporation	Base of each CAP is lined with compacted natural sand/clay and 1.5mm HDPE installed, in accordance with manufacturer's instructions which include a QA/QC program for all welded joints.  Daily visual inspections of HDPE cover.  Automated control system with inbuilt triggers, to detect changes in pressure levels and therefore indicate potential leaks.	Elevated concentrations of nutrients in groundwater. Highly unlikely to affect receptors or ecosystem function.	Slight.	Rare.	Low.



**TABLE G: EMISSIONS AND DISCHARGE RISK ASSESSMENT**

SOURCES OF EMISSION AND DISCHARGE			RECEPTOR	PROPONENT CONTROLS / MANAGEMENT	POTENTIAL IMPACT	CONSEQUENCE ON RECEPTOR	LIKELIHOOD OF CONSEQUENCE	LEVEL OF RISK / ADVERSE IMPACT ON RECEPTOR
EMISSION (TYPE AND QUANTITY)	EMISSION EVENT (NORMAL / UPSET)	PATHWAY						
			pond and adjacent to the Premises boundary.					
Wastewater discharge.	Upset - Overflow of facultative and evaporation ponds at Min 4.	Water.	Other groundwater users of the Leederville – Parmelia Groundwater Aquifer (located >65m bgl). One ESA (Conservation Category Wetland) located off-Site, approximately 620m north-east from Mindarra 4's largest evaporation pond and adjacent to the Premises boundary.	Water balance modelling (Attachment 8A) indicated under a worse case upset scenario whereby there are two consecutive 90 <sup>th</sup> percentile wet years, overtopping of ponds is unlikely to occur. There is sufficient capacity in the system to store water. In addition, there is sufficient capacity in the freeboard of each pond (0.5m freeboard) to store water, prior to an overflow. Figure 5 of the water balance modelling indicated >25,000kL of freeboard storage is available in the system. Large separation distance and thick clay layer exists (>55m) between pond bases and groundwater.	Elevated concentrations of nutrients in the vicinity of the overflow Site. Highly unlikely to affect receptors or ecosystem function.	Slight.	Rare.	Low.

**TABLE G: EMISSIONS AND DISCHARGE RISK ASSESSMENT**

SOURCES OF EMISSION AND DISCHARGE				PROPONENT CONTROLS / MANAGEMENT	POTENTIAL IMPACT	CONSEQUENCE ON RECEPTOR	LIKELIHOOD OF CONSEQUENCE	LEVEL OF RISK / ADVERSE IMPACT ON RECEPTOR
EMISSION (TYPE AND QUANTITY)	EMISSION EVENT (NORMAL / UPSET)	PATHWAY	RECEPTOR					
				The wastewater treatment systems will be regularly monitored, at least every second day to ensure any pipe blockages are detected and cleared.				
Wastewater discharge.	Upset - Leak in pond liner or leak/crack in pipeline carrying wastewater to / from CAPs / facultative ponds evaporation ponds.	Water.	Other groundwater users of the Leederville – Parmelia Groundwater Aquifer (located >65m bgl). One ESA (Conservation Category Wetland) located off-Site, approximately 620m north-east from Mindarra 4's largest evaporation pond and adjacent to the	Wastewater treatment systems proposed are fit for purpose. CAPs will have concrete bases and will be quality controlled tested following construction, to confirm impermeability. Facultative ponds and evaporation ponds are either clay-lined or HDPE lined. Large separation distance and thick clay layer exists (>55m) between pond bases and groundwater. The wastewater treatment system and pipelines will be regularly monitored, at least every second day.	Elevated concentrations of nutrients in groundwater. Highly unlikely to affect receptors or ecosystem function.	Slight.	Rare.	Low.

**TABLE G: EMISSIONS AND DISCHARGE RISK ASSESSMENT**

SOURCES OF EMISSION AND DISCHARGE			RECEPTOR	PROPONENT CONTROLS / MANAGEMENT	POTENTIAL IMPACT	CONSEQUENCE ON RECEPTOR	LIKELIHOOD OF CONSEQUENCE	LEVEL OF RISK / ADVERSE IMPACT ON RECEPTOR
EMISSION (TYPE AND QUANTITY)	EMISSION EVENT (NORMAL / UPSET)	PATHWAY						
			Premises boundary.					
Wastewater discharge.	Upset - Overflow of facultative and evaporation ponds at Min 3.	Water.	Other groundwater users of the Leederville – Parmelia Groundwater Aquifer (located >65m bgl). One ESA (Conservation Category Wetland) located off-Site, approximately 1.4km south-east from Mindarra 3's evaporation pond.	27.1ML maximum storage capacity of the wastewater treatment system, and ponds completely dry out over most summer periods. No history of overtopping of ponds in the past. Water balance modelling (Attachment 8A) indicated under a worse case upset scenario whereby there are two consecutive 90 <sup>th</sup> percentile wet years, overtopping of ponds is unlikely to occur. There is sufficient capacity in the system to store water. In addition, there is sufficient capacity in the freeboard of each pond (0.5m freeboard) to store water, prior to an overflow. Figure 5 of the water balance modelling indicated >4,000kL of	Elevated concentrations of nutrients in the vicinity of the overflow Site. Highly unlikely to affect receptors or ecosystem function.	Slight.	Rare.	Low.

**TABLE G: EMISSIONS AND DISCHARGE RISK ASSESSMENT**

SOURCES OF EMISSION AND DISCHARGE				PROPONENT CONTROLS / MANAGEMENT	POTENTIAL IMPACT	CONSEQUENCE ON RECEPTOR	LIKELIHOOD OF CONSEQUENCE	LEVEL OF RISK / ADVERSE IMPACT ON RECEPTOR
EMISSION (TYPE AND QUANTITY)	EMISSION EVENT (NORMAL / UPSET)	PATHWAY	RECEPTOR					
				<p>freeboard storage is available in the system.</p> <p>Large separation distance and thick clay layer exists (&gt;55m) between pond bases and groundwater.</p> <p>The wastewater treatment system will be regularly monitored, at least every second day, to ensure any pipe blockages are detected and cleared.</p>				
Smoke emissions.	Upset – Bushfire.	Air.	There are no residences within 1km of the piggery. The nearest residence is located on Lot 7779, approximately 3.4km east of the Mindarra 4 wastewater treatment system.	<p>Firebreaks around the property which are regularly maintained.</p> <p>Firefighting equipment available on-Site and maintained.</p> <p>Firefighting training for on-Site personnel.</p> <p>Bushfire Management Plan will be enacted.</p>	Any fires that start will be managed within minutes and it is expected that any damage to vegetation would be minimal.	Slight.	Unlikely.	Low.

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## 8 ATTACHMENT 7 SITING AND LOCATION

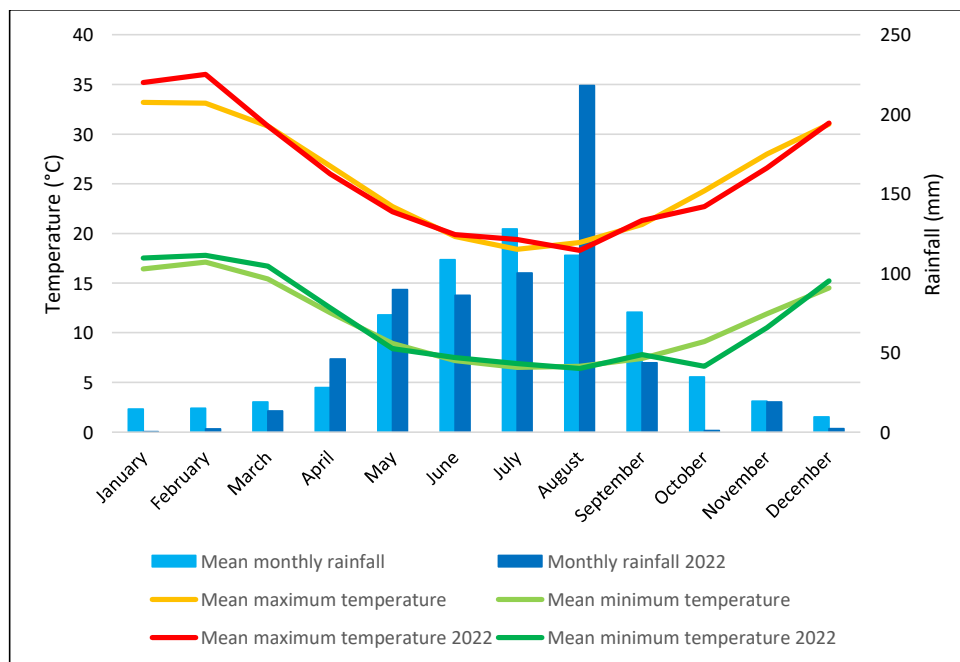
For the purposes of Attachment 7, the 'Site' is considered the entirety of 1340 Wannamal Road West (Lot 10 on Diagram 80101) Boonanarring Western Australia (WA) 6503. Details of the Site are shown in Attachment 2 'Premises Map'.

### 8.1 CLIMATE

The Site experiences a warm Mediterranean climate with hot, dry summers and mild, wet winters. The nearest complete weather records are from Gingin Aero Station (009178), located approximately 34km south / south-west of the Site.

The average yearly rainfall Gingin is 620mm, with most rainfall falling between May and September (Bureau of Meteorology [BoM], 2023). In 2022, most months were drier than average, but higher than usual rainfall in August (107mm higher than average), which meant that the station recorded its annual average (Figure A).

**FIGURE A: CLIMATE STATISTICS FOR GINGIN AERO**



(Source: BOM, 2023)

December to March are the hottest months of the year, with average maximum temperatures above 30°C (BoM, 2023). July is typically the coldest month, with a mean maximum temperature of 18.4°C and mean minimum temperature of 6.5°C (BoM, 2023). Temperature data shows little difference between recorded monthly temperature averages from 2022, and the average statistics for Gingin (Figure A).

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Winds in the Gingin area during the warmer months are typically characterised by offshore (easterly) breezes during the daytime, followed by corresponding onshore breezes (from the south-west) as the land cools during the evening.

## **8.2 TOPOGRAPHY**

The topography of the Site is undulating with elevations ranging from approximately 194m AHD to 210m AHD (Landgate, 2023).

## **8.3 GEOLOGY AND SOILS**

The Site is located on the Dandaragan Plateau, which is geologically part of the Swan Coastal Plain. The Dandaragan Plateau is a sand and laterite-covered plateau, overlying Cretaceous sediments (Briese, 1979). It is situated at approximately 200m AHD.

The soil of the Site is part of the Dandaragan Plateau zone, which is a gently undulating plateau, with areas of sandplain and laterite (Landgate, 2023; Table H). Best available soil mapping indicates that the Site also intersects with the Capitella System, Capitella Pinnaroo sub-system, Capitella Ginginup sub-system, Capitella Coorang subsystem, Capitella Coorang duricrust phase, and Capitella Budjarrah duricrust phase (Landgate, 2023, Table H).

**TABLE H: SOIL CHARACTERISTICS**

SOIL UNIT	DESCRIPTION	DATA SET REFERENCE
<b>Dandaragan Plateau zone</b>	Gently undulating plateau with areas of sandplain and some laterite. On Cretaceous sediments. Broad u-shaped valleys 80-150m deep, smaller v-shaped valleys east of the Gingin Scarp in the south. Soils are formed in colluvium and weathered rock (Landgate, 2023).	DPIRD-017
<b>Capitella system</b>	Subdued stripped lateritic plateau, undulating to gently undulating low rises with gently undulating plain including dunes; pale and yellow deep sands, sandy gravels, some duplex; from sandstones plus alluvial and aeolian deposits (Landgate, 2023).	DPIRD-064
<b>Capitella Pinnaroo sub-system</b>	Gently undulating to undulating plains. Yellow deep sand (Landgate 2023).	DPIRD-027
<b>Capitella Ginginup sub-system</b>	Very gently to gently undulating low hills and rises. Yellow deep sand (Landgate, 2023).	DPIRD-027
<b>Capitella Coorang sub-system</b>	Very gently undulating plateau with slight rises. Yellow deep sand (Landgate, 2023).	DPIRD-027
<b>Capitella Coorang duricrust phase</b>	Very gently undulating plateau with slight rises. Areas dominated by duricrust (rock outcrop) (Landgate, 2023).	DPIRD-027
<b>Capitella Budjarrah duricrust phase</b>	Gently undulating rises. Areas dominated by duricrust (rock outcrop) (Landgate, 2023).	DPIRD-027

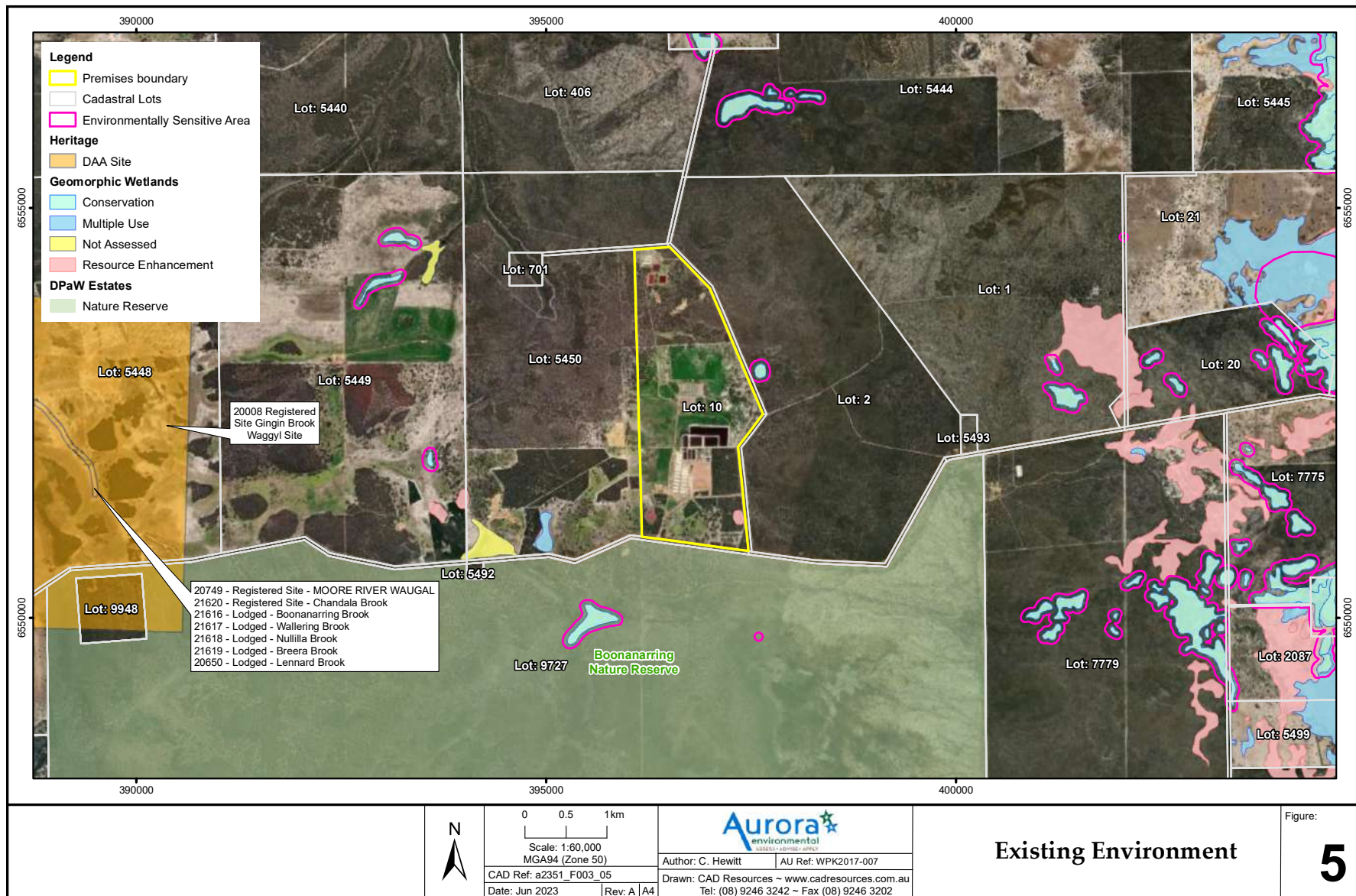
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#### **8.4 HYDROLOGY AND WETLANDS**

There are no watercourses on the property. Most of the Site is located within the Swan-Avon catchment, with a northern portion of the Site located in the Moore River catchment (Data set reference: DPIRD 2023).

One 'Resource Enhancement' wetland (ID: 11203) occurs in the south-east corner of the Site and a 'Conservation Category' wetland (ID: 11202) occurs off-Site, adjacent to the eastern boundary of the Site on Lot 2 (Landgate 2023, see Figure 5).





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## **8.5 HYDROGEOLOGY**

### **8.5.1 Regional Hydrogeology**

The DWER Water Register (<https://www.wa.gov.au/service/natural-resources/water-resources/water-register>) indicates several aquifers may underlie the Site. These are described in Table I.

**TABLE I: AQUIFERS**

AQUIFER	DESCRIPTION
<b>Perth Surficial Aquifer</b>	The unconfined 'Surficial Aquifer' consists of hydraulically disconnected, locally saturated, areas of the Cenozoic surficial deposits; located east of the Swan Coastal Plain (i.e., east of the Gingin Scarp). As such, the 'Surficial Aquifer' is considered separately to the 'Superficial Aquifer', which extends throughout the Swan Coastal Plain (Department of Water [DoW], 2017). The extensive, patchy sand/clay unconfined aquifer is thin, and often unsaturated, and is generally fresh groundwater (<1000mg/L TDS). Supports groundwater-dependent ecosystems (DoW, 2015).
<b>Perth Mirrabooka Aquifer</b>	Partially unsaturated and highly variable thickness (sandstone/shale), semi-confined aquifer. Generally fresh groundwater (<1000mg/L Total Dissolved Solids [TDS]), with highly variable yields, contributes to most of the summer flow in the headwaters of Gingin Brook; including downstream of the Gingin townsite, to the confluence with Mungala Brook (DoW, 2015).
<b>Leederville – Parmelia Aquifer</b>	Interconnects with Leederville Formation and Parmelia Group (sandstone, shale). Semi-confined to the north and becoming confined to the south. Generally fresh groundwater (<1000mg/L TDS) with good bore yields (up to 3000kL/day), contributes to baseflow in headwaters of Gingin Brook, including downstream sections. Important for maintaining summer flows in Moore River (DoW, 2015).
<b>Yarragadee Aquifer</b>	Deep aquifer (sandstone, shale) up to 2000m thick, unconfined to confined aquifer. Generally fresh groundwater (<1000mg/L TDS), however high salinity along the Darling Fault (Scarp), with very good bore yields (up to 5000kL/day) (DoW, 2015).

### **8.5.2 Local Hydrogeology**

The former DoW drilled the North Gingin 21A bore in 2018, as part of the East Midlands Groundwater Investigation Report 20/223. The North Gingin 21A bore is located on the adjacent lot to the east (Lot 5450) and is approximately 2.2km south-east of Mindarra 4. Therefore, the North Gingin 21A Site Details Report (available at Water Information Reporting [WIR], [https://wir.water.wa.gov.au/\\_layouts/15/oawi/ReportViewer.aspx?q=NjE2NzlyMzE6U2l0ZURldGFpbHM=](https://wir.water.wa.gov.au/_layouts/15/oawi/ReportViewer.aspx?q=NjE2NzlyMzE6U2l0ZURldGFpbHM=) Site reference: 61672231 - North Gingin 21A - NGG21A), which provides a lithological description of the bore, is likely to be similar to the local hydrogeology of the Mindarra Farm. An extract of the lithology log is provided in Figure B.

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**FIGURE B: LITHOLOGY LOG OF NORTH GINGIN 21A BORE**

From (mbGL)	To (mbGL)	Interpreted By	Substance	Lithological Description
0.000	3.000	Geologist-Internal staff	SAND	Yellow sand; moderately well sorted predominantly 0.5-1 mm with trace grains to 3mm, subrounded, predominantly quartz. Extensive yellow iron oxide (goethite (?)) staining of grains. (0-1m has gravel contamination from drill pad).
3.000	6.000	Geologist-Internal staff	FERRICRETE	Ferricrete nodule fragments: fragments are generally 5-10 mm, ferricrete consists of fine-medium sand (0.125-0.5 mm) cemented with dark purple red. Combination of iron and manganese oxide cement. Nodule surfaces coated with orange yellow (goethite (?)) cutans.
6.000	10.000	Geologist-Internal staff	CLAYEY SAND	~25 - 40 % red clay; clay content increases with depth. Red and trace white (kaolin (?)) dispersive clay. ~60-75% very coarse sand; poorly sorted 0-2.5 mm subangular, predominantly clear/grey quartz with ~2-5% milky quartz, trace fine heavy black mineral (limonite (?)). Extensive red (haematite (?)) iron oxide staining of grains.
10.000	13.000	Geologist-Internal staff	CLAY	~80 % red clay; clay content increases with depth. Red and trace white (kaolin (?)) dispersive clay. ~20% very coarse sand; poorly sorted 0-2.5 mm subangular, subrounded, predominantly clear/grey quartz with ~2-5% milky quartz, trace fine heavy black mineral (limonite (?)). Extensive red (haematite (?)) iron oxide staining of grains.
13.000	18.000	Geologist-Internal staff	SILTY CLAY	~70% yellow mottled clay; mottled yellow, red and off-white dispersive clay. Overall colour is dark yellow to light yellow. Colour becomes lighter with depth. ~30% sandy SILT: mostly 0-0.5mm, subrounded, predominantly clear quartz, trace white feldspar, yellow iron oxide (?goethite) and trace red iron oxide (haematite (?)) staining of grains. Contains trace coarse sand.
18.000	22.000	Geologist-Internal staff	SILTY CLAY	Dark olive-green silty clay; dark olive green to black clay, colour becomes darker with depth, quite sticky (green colour due to glauconite (?)).
22.000	54.000	Geologist-Internal staff	CLAY	Very dark black clay has greenish tinge, trace white mica, trace silt. Clay is extremely sticky. Clumps stuck to the drill pipe during drilling. From 59 m: with occasional partings of green grey fine sandy silt. From 62 m: with occasional sub angular fragments (<15 mm) of black lignite/coal.
54.000	65.000	Geologist-Internal staff	CLAY	Very dark black clay has greenish tinge, trace white mica, trace silt. Clay is extremely sticky. Clumps stuck to the drill pipe during drilling. From 59m: with occasional partings of green grey fine sandy silt. From 62m: with occasional sub angular fragments (<15 mm) of black lignite/coal.
65.000	68.000	Geologist-Internal staff	SAND	Grey, silty, sub angular, medium to coarse sand.
68.000	74.000	Geologist-Internal staff	SAND	Grey, silty, sub angular, fine sand, with occasional green grey micaceous silt.
74.000	77.000	Geologist-Internal staff	SAND	Grey, silty, sub angular, medium occasionally coarse sand
77.000	81.000	Geologist-Internal staff	SAND	Green grey very silty fine sand, including micaceous silt partings.
81.000	87.000	Geologist-Internal staff	SAND	Grey, silty sub angular, medium, becoming coarse sand. Between 82 m and 85 m: with much sub angular fragments (<20 mm) of black lignite / coal.
87.000	92.000	Geologist-Internal staff	SILT	Green grey, slightly clayey silt, with some grey fine sand matrix.
92.000	101.000	Geologist-Internal staff	SAND	Grey, slightly silty, sub angular, fine to medium, becoming medium to coarse sand
101.000	105.000	Geologist-Internal staff	SAND	Green grey, silty fine micaceous sand with occasional fragments (<15 mm) of black lignite/coal
105.000	108.000	Geologist-Internal staff	SAND	Grey, slightly silty fine to medium sand
108.000	111.000	Geologist-Internal staff	SILTY CLAY	Green grey, very silty clay, with occasional to some partings of grey micaceous silty fine to medium sand
111.000	113.000	Geologist-Internal staff	SAND	Grey, fine becoming medium to coarse sand with occasional micaceous silt partings
113.000	115.000	Geologist-Internal staff	SILTY CLAY	Green grey, very silty micaceous clay
115.000	124.000	Geologist-Internal staff	SAND	Grey slightly silty, fine, becoming medium to coarse sand, with some green grey micaceous silt partings
124.000	125.000	Geologist-Internal staff	SAND	Green grey, silty fine micaceous sand
125.000	126.000	Geologist-Internal staff	SILTY CLAY	Dark grey / black silty clay, high plasticity with occasional micaceous partings and occasional fragments (<5 mm) of black lignite.
126.000	130.000	Geologist-Internal staff	SAND	Light grey silty sub angular fine to medium sand of feldspar and quartz, with a little grey clay matrix.
130.000	135.000	Geologist-Internal staff	SAND	Grey silty sub angular medium to coarse sand of feldspar and quartz.
135.000	137.000	Geologist-Internal staff	SILTY CLAY	Dark grey / black silty CLAY, high plasticity with occasional micaceous partings.
137.000	141.000	Geologist-Internal staff	SAND	Grey silty sub angular medium to coarse sand of feldspar and quartz, with occasional fragments (<5 mm) of black lignite
141.000	142.000	Geologist-Internal staff	SILTY CLAY	Dark grey / black silty clay, high plasticity with occasional micaceous partings.
142.000	144.000	Geologist-Internal staff	SAND	Light grey silty sub angular fine to medium sand of feldspar and quartz, with a little grey clay matrix and occasional fragments (<15 mm) of black lignite
144.000	146.000	Geologist-Internal staff	SILTY CLAY	Dark grey / black silty clay, high plasticity with occasional micaceous partings.
146.000	148.000	Geologist-Internal staff	SAND	Grey silty sub angular fine to medium sand of feldspar and quartz, with occasional fragments (<5 mm) of black lignite
148.000	156.000	Geologist-Internal staff	SAND	Light grey, slightly sub angular, coarse, occasionally medium grained SAND of feldspar and quartz.



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156.000	157.000	Geologist-Internal staff	SAND	Dark grey / black clayey, silty fine sand, with occasional micaceous partings.
157.000	170.500	Geologist-Internal staff	SILTY CLAY	Light grey silty clay
170.500	172.000	Geologist-Internal staff	SILTY CLAY	Green grey, silty clay, with occasional green grey micaceous silt partings. (driller notes hard bands from 170 m)
172.000	177.000	Geologist-Internal staff	SILT	Dark grey very clayey silt, with occasional fine sandy micaceous silt partings.
177.000	192.000	Geologist-Internal staff	CLAY	Black clay
192.000	193.000	Geologist-Internal staff	CLAY	~10-15% medium to coarse sand: poorly sorted 0.1-2.5 mm subangular- subrounded, predominantly clear/grey quartz with ~2-5% feldspar. ~85-90% very dark clay
193.000	194.000	Geologist-Internal staff	SANDY CLAY	~30% medium to coarse sand: poorly sorted 0.1-2.5 mm subangular- subrounded, predominantly clear/grey quartz with ~2-5% feldspar. ~70% very dark clay
194.000	196.000	Geologist-Internal staff	CLAYEY SAND	~60% medium to coarse sand: poorly sorted 0.1-2.5 mm subangular- subrounded, predominantly clear/grey quartz with ~2-5% feldspar. ~40% very dark clay
196.000	197.000	Geologist-Internal staff	CLAYEY SAND	~60% coarse sand: poorly sorted 0.1-3 mm subangular- subrounded, predominantly clear/grey quartz with ~2-5% feldspar. ~40% very dark clay
197.000	200.000	Geologist-Internal staff	SANDY CLAY	~30% medium to coarse sand: poorly sorted 0.1-2 mm subangular- subrounded, predominantly clear/grey quartz with ~2-5% feldspar. ~40% very dark clay
200.000	206.000	Geologist-Internal staff	CLAY	~5% sand, ~95% very dark clay
206.000	207.000	Geologist-Internal staff	CLAY	~15% sand, ~85% very dark clay
207.000	217.000	Geologist-Internal staff	CLAY	Very dark clay
217.000	219.000	Geologist-Internal staff	CLAYEY SAND	~60% medium to very coarse sand: poorly sorted 0.1-2.5 mm subangular- subrounded, predominantly quartz with ~2-5% feldspar. ~40% very dark clay
219.000	221.000	Geologist-Internal staff	CLAYEY SAND	~80% very coarse sand: poorly sorted 0.1-3.5 mm subangular- subrounded, predominantly quartz with ~5-7% feldspar. ~20% very dark clay
221.000	222.000	Geologist-Internal staff	CLAY	Very dark clay, trace of sand
222.000	223.000	Geologist-Internal staff	SANDY CLAY	~20-30% medium to coarse sand: poorly sorted 0.1-2.5 mm subangular- subrounded, predominantly quartz with ~2-5% feldspar. ~70-80% very dark clay
223.000	227.000	Geologist-Internal staff	CLAY	~5-10% medium to coarse sand, ~90-95% very dark clay
227.000	228.000	Geologist-Internal staff	SANDY CLAY	~40% very coarse sand: poorly sorted 0.1-3 mm subangular- subrounded, predominantly quartz with ~2-5% feldspar. ~60% very dark clay
228.000	236.000	Geologist-Internal staff	CLAY	Very dark clay, trace of sand
236.000	236.000	Geologist-Internal staff	SANDY CLAY	~20-30% medium to coarse sand: poorly sorted 0.1-2 mm subangular- subrounded, predominantly quartz with ~2-5% feldspar. Minor silt. ~70-80% very dark clay
238.000	239.000	Geologist-Internal staff	SANDY CLAY	~40% medium to coarse sand: poorly sorted 0.1-2 mm subangular- subrounded, predominantly quartz with ~2-5% feldspar. Minor silt. ~60% very dark clay
239.000	243.000	Geologist-Internal staff	CLAY	Very dark clay, trace of sand
243.000	248.000	Geologist-Internal staff	CLAY	~5-7% coarse sand, ~93-95% very dark clay
248.000	252.000	Geologist-Internal staff	CLAY	~15-20% medium to very coarse sand: poorly sorted 0.1-5 mm subangular- subrounded, predominantly quartz with ~5-7% feldspar. ~80-85% very dark clay
252.000	255.000	Geologist-Internal staff	CLAY	Very dark clay, trace of sand
255.000	256.000	Geologist-Internal staff	SANDY CLAY	~40% medium to very coarse sand: poorly sorted 0.1-5 mm subangular- subrounded, predominantly quartz with ~2-5% feldspar. ~60% very dark clay
256.000	265.000	Geologist-Internal staff	SILTY CLAY	Dark grey silty clay, with occasional fine sandy silt partings
265.000	288.000	Geologist-Internal staff	SILTY CLAY	Dark grey silty clay
288.000	293.000	Geologist-Internal staff	SILTY CLAY	Slightly brown grey silty clay with occasional fragments (<10mm) of black lignite/coal
293.000	299.000	Geologist-Internal staff	SHALE	Sub angular fragments (<25 mm) of green grey silty very weak SHALE, recovered with some grey clay matrix.
299.000	329.800	Geologist-Internal staff	SILTY CLAY	Grey, locally greenish grey silty CLAY with rare light grey silt partings

Based on the lithological description of the North Gingin 21A bore, the local hydrogeology of the Mindarra Farm is interpreted as:

- Sand in the top 10m of the profile, assumed to host the patchy, often unsaturated, thin, unconfined, and hydraulically disconnected Perth 'Surficial Aquifer'.
- Thick clay between 10m and 65m.
- Sand, silt, sandy clay, and clay, between 65m and 293m; assumed to host the Leederville-Parmelia Aquifer.
- Shale to silty clay from 293m to the base of the bore (329.8m).

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Seven records of bores drilled on the Site are available on the WIR database (<https://wir.water.wa.gov.au>). Details of these bores are listed in Table J.

**TABLE J: RECORDS OF BORES DRILLED ON-SITE**

SITE REFERENCE	YEAR BORE COMPLETED	DETAILS
61642806	1998	Bore screened between 108m and 138m bgl in sandstone (interpreted by driller).
61607146	1993	Bore screened between 98m and 111m bgl in sandstone (interpreted by non-geologist).
61642807	2005	Bore screened between 114m and 138m bgl in clay, sand, and silt (interpreted by driller).
61671534	2015	Bore screened between 94m and 106m bgl in sand (interpreted by driller).
61770138	2015	Bore screened between 94m and 106m bgl in sand (interpreted by driller).
61642805	1993	No screening details available.
61607148	1998	Bore screened between 108m and 138m bgl in sandstone, sand, and silt (interpreted by driller).

Based on the above information, groundwater is inferred to be within the Leederville – Parmelia Aquifer.

### **8.5.3 Water Use**

The DWER Water Register (<https://maps.water.wa.gov.au/#/webmap/register>, accessed 25 July 2023) maps the Site within the Gingin Groundwater Area, bounded by the Gingin Brook and Moore River to the south, the Indian Ocean to the west, Grey and Moora in the north, and Wannamal in the east. The Site is situated in the Cowalla Confined Groundwater sub-area.

Groundwater in the *Gingin Groundwater Allocation Plan* (DoW, 2015) area is in high demand for various industries, including agriculture, horticulture, mining, and coastal lifestyle developments. In the Cowalla sub-area the Leederville – Parmelia Aquifer is fully allocated. Westpork holds a licence to take water (GWL60381) from three bores on the premises, known as ‘Min 4 Top Bore’, ‘Min 2 Bore’ and ‘Min 4 Bottom Bore’. The licence authorises 379,850kL of water to be taken from the Leederville – Parmelia Aquifer per annum.

A review of the DWERs Water Register indicates four other licensed users of the Leederville – Parmelia Aquifer occur within 10km of the Site:

- **GWL110564:** Located at 310 Wannamal Road, licensee the Howards (Kamarah Piggery), allocation of 105120kL.
- **GWL202067:** Located on Mining Leases M70/1311 and M70/1194 (adjacent to Brand Highway and Wannamal Road West), licensee Image Resources NL, allocation of 587,500kL.
- **GWL162360:** Located at Lot 5382 Brand Highway Red Gully, licensee Deaken & Associates Pty Ltd, allocation of 3075000kL (recently expired 1 July 2023).
- **GWL160718:** Located at Lot 5918 Aurisch Road, Boonanarring, licensee John David Thurtell, allocation of 86500kL.

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A review of the DWERs Water Register indicates two licensed users of the Perth 'Surficial Aquifer' occur within 10km of the Site:

- **GWL109823:** Located at Lot 7775 Wannamal Road, Cullalla, licensee Steven Martin, allocation of 30000kL.
- **GWL181546:** Located at Lot 5448 Wannamal Road, Boonanarring, licensee Energy Resources Limited, allocation of 5000kL.

Groundwater samples are required to be collected from the three piggery water supply bores, as part of Condition W4(b) of the DWER licence, and results are provided in Annual Environmental Reports to DWER.

### 8.6 FAUNA

A desktop assessment for conservation 'Significant Fauna' was undertaken, using the following databases on 26 June 2023:

- The Department of Biodiversity, Conservation and Attractions (DBCA) Dandjoo database, for species recorded within the premises (Attachment 8C).
- An *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) Protected Matters Report, to identify species of conservation significance protected under Commonwealth environmental legislation that may utilise the Site (including a 1km buffer), based on bioclimatic modelling (Attachment 8D).

Species of conservation significance that potentially occur within the Site are listed below:

- Australian Painted Snipe (*Rostratula australis*); Endangered.
- Carnaby's Cockatoo (*Zanda latirostris* or listed as *Calyptorhynchus latirostris*); Endangered.
- Curlew Sandpiper (*Calidris ferruginea*); Critically Endangered.
- Eastern Curlew (*Numenius madagascariensis*); Critically Endangered.
- Southern Whiteface (*Aphelocephala leucopsis*); Vulnerable.
- Malleefowl (*Leipoa ocellata*); Vulnerable.
- Chuditch (*Dasyurus geoffroii*); Vulnerable.
- Ghost Bat (*Macroderma gigas*); Vulnerable.

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## 8.7 FLORA AND VEGETATION

The premises is within the Swan Coastal Plain biogeographical region, one of 89 bioregions recognised under the Interim Biogeographic Regionalisation for Australia (IBRA). The Site is located within the Dandaragan Plateau (SWA1) sub-region, a plateau bordered by the Derby and Dandaragan faults; and characterised by Banksia low woodland, Jarrah-Marri woodland, and scrub-heaths on laterite pavement and on gravelly sandplains (Desmond, 2001).

A desktop assessment for conservation significant flora was undertaken, using the following databases on 26 June 2023:

- The DBCA Dandjoo database, for species recorded within the premises (Attachment 8C).
- An EPBC Act Protected Matters Report, to identify species of conservation significance that may utilise the Site (including a 1km buffer), based on bioclimatic modelling (Attachment 8D).

Species of conservation significance that potentially occur within the Site are listed below:

- Slender Andersonia (*Andersonia gracilis*); Endangered.
- Summer Honeypot (*Banksia mimica*); Endangered.
- Sandplain Duck Orchid (*Caleana dixonii*); Endangered.
- Gingin Wax (*Chamelaucium lullfitzii*); Endangered.
- One-headed Smokebush (*Conospermum densiflorum* subsp. *unicephalatum*); Endangered.
- Keighery's Eleocharis (*Eleocharis keighery*); Vulnerable.
- Scaly Butt Mallee (*Eucalyptus leprophloia*); Endangered.
- *Goodenia arthrotricha*; Endangered.
- Narrow curved-leaf Grevillea (*Grevillea curviloba* subsp. *Incurva*); Endangered.
- Keighery's Macarthuria (*Macarthuria keighery*); Endangered.
- Dwarf Pea (*Ptychosema pusillum*); Vulnerable.
- Cinnamon Sun Orchid (*Thelymitra dedmaniarum*); Endangered.
- Star Sun-orchid (*Thelymitra stellata*); Endangered.

The Site intersects with the Gingin\_1027 and Gingin\_949 pre-European vegetation groups (Landgate, 2023). These are described in Table K.

**TABLE K: PRE-EUROPEAN VEGETATION**

VEGETATION GROUP	STRUCTURE DESCRIPTION	FLORISTIC DESCRIPTION
<b>Gingin_1027</b>	Low forest, woodland, or low woodland with scattered trees.	Jarrah, banksia, or casuarina. <i>Eucalyptus marginata</i> , <i>Banksia</i> spp., <i>Allocasuarina</i> spp.
<b>Gingin_949</b>	Low woodland or open low woodland.	Other Acacia, Banksia, peppermint, cypress pine, Casuarina, or York gum. <i>Acacia</i> spp., <i>Banksia</i> spp., <i>Agonis flexuosa</i> , <i>Callitris</i> spp., <i>Allocasuarina</i> spp., <i>Eucalyptus loxophleba</i> .



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Remnant vegetation remains on the northern portion of the Site, around Mindarra 3 (see Figure 4). Pine plantations remain in southern parts of the Site.

The EPBC Act Protected Matters Report (Attachment 8D) suggests the Threatened Ecological Community (TEC), Banksia Woodlands of the Swan Coastal Plain ecological community, may occur in or within 1km of the Site. No flora and vegetation surveys have been conducted to confirm if the TEC occurs on-Site. Ten trees will be cleared, as part of the proposed construction works.

## 8.8 HERITAGE

The *Aboriginal Heritage Act 1972* defines Aboriginal Heritage Sites and provides for the preservation of places and objects customarily used by or traditionally important to Aboriginals, and prohibits the concealment, destruction, or alteration of any Aboriginal Heritage Sites. An Aboriginal Heritage Site may:

- Exist in any area of WA;
- Not have been recorded in the register of Aboriginal Sites or elsewhere; and
- Not have been identified in previous heritage surveys or reports on that area but remains fully protected under the Act.

There are no known Aboriginal Heritage Sites registered within the Site or surveys completed of the Site. The nearest sites are Chandala Brook (21620), Gingin Brook Waggy Site (20008), and Moore River Waugal (20749) (Department of Planning, Lands and Heritage [DPLH], 2023). These sites are overlapping and located approximately 6km to the west of the Site (Figure 5).

## 8.9 SURROUNDING LAND USE

The land uses surrounding the site are shown on Figure 5, and are described below:

- **South:** Wannamal Road and Boonanarring Nature Reserve.
- **West and North:** Shire of Gingin gravel pit (Lot 701) and Shire of Gingin owned property, containing remnant bush and pine plantation (Lot 5450).
- **East:** Lot 2 Wannamal Road, private landowner property containing remnant bush and an ESA (Conservation Category: wetland).

There are no residences within 1km of the piggery. The nearest residence is located on Lot 7779, approximately 3.4km east of the Mindarra 4 Wastewater Treatment System (see Figure 5).

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WA

**9 ATTACHMENT 8A WATER BALANCE MODELLING**



10 October 2023

Richard Evison  
Westpork Pty Ltd  
richard.evison@westpork.com.au

Dear Richard,

**RE: Mindarra 3 and 4 – Water Balance Modelling**

### 1. Mindarra Site Water Usage and Effluent Generation

A review of the water usage across the Mindarra piggery site was undertaken with the total water usage based on the bore water extraction volumes recorded monthly from the onsite flow meter. The water use at each of the four parts of the Mindarra operation were estimated based on PigBal v4.099 (APL, 2023) modelling for each production unit using the FY22 average pig numbers and housing types. PigBal4 is a model for estimating waste outputs for the evaluation and design of piggery management systems. The model uses input on herd composition, mass balance, feed intake, feed composition, feed wastage to determine the expected effluent volumes from different piggery operations. Input data where available was based on information provided by Westpork with respect to flushing, hosing and cooling water usage and recycling rates, otherwise default data integrated into Pigbal v4.099 for a 'Medium' flush system was used for the conventional production.

Outcomes of the analysis estimated the onsite water usage in accordance with the results shown in Table 1, with full details of the analysis provided in Attachment A. The total fresh water usage at the site is based on bore extraction volumes for FY22 was 369ML/year.

Table 1. FY22 Water Usage Summary for Mindarra

	Housing Conv	DL	Clean Water Drinking ML	Wasteage ML	Flushing ML	Hosing ML	Cooling ML	Recycled Flushing ML	Water Use Total ML	Water Use Fresh ML	Water Usage Total L/SPU.day	Water Usage Fresh L/SPU.day	Effluent Vol Out ML
Min 1	100%		4.5	1.1	1.1		0.4	10	17.2	7.2	19.3	8.1	15.7
Min 2		100%	19.9	5.0	0	0	3.4	0	28.2	28	6.9	6.9	0.0
Min 3	See note Min 3		13.3	3.3	2.9		1.9	26.0	47.4	21	17.6	8.0	39.2
Min 4	100%		105	26.25	29.2	34.58	116.8	140	451.6	311.8	21.0	14.5	294.5
Total			142.7	35.7	33.2	34.6	122.5	175.8	544.4	369	18.7	12.7	349.4

It should be noted that the volume of hosing and cooling water for Mindarra 4 were adjusted from the PigBal output to account for the total freshwater usage in accordance with the recommendations from Westpork.

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Outcomes of the water balance modelling provided details on the expected effluent generation volumes and composition. Table 2 provides the expected volumes of effluent generated for each of the three Mindarra operations that have conventional production, with the generation per SPU depending on the herd composition (breeder vs grower) and the housing type. No effluent is generated from Min 2 as all pigs are raised in the deep litter housing.

The composition of effluent, including the concentration of total solids (TS), volatile solids (VS), nitrogen, phosphorus (P) and potassium (K) are important considerations in the assessment of the design and suitability of different wastewater treatment systems. Table 2 provides details of the effluent composition from the three piggery operations.

*Table 2. Composition of Effluent*

	Effluent Discharged			TS	VS	N	P	K
	ML/yr	ML/day	L/SPU.day	kg/day	kg/day	kg/day	kg/day	kg/day
<b>Min 1</b>	15.70	0.04	17.61	860	692	70	18	18
				2.00%	1.61%	0.16%	0.04%	0.04%
<b>Min 2</b>	Nil							
<b>Min 3</b>	39.2	0.11	14.54	2,147	1,771	171	43	42
				2.00%	1.65%	0.16%	0.04%	0.04%
<b>Min 4</b>	294.5	0.81	13.71	17,612	14,349	1,643	388	389
				2.18%	1.78%	0.20%	0.05%	0.05%
<b>Total</b>	<b>349.4</b>	<b>0.957</b>		<b>20,619</b>	<b>16,812</b>	<b>1,884</b>	<b>449</b>	<b>448</b>
<b>Shed losses</b>				2%	3%	10%	0%	0%

## 2. Site Water Balance

Under the current operational structure, Min 1, 3 and 4 operate separate wastewater treatment systems to manage the effluent generated from each operational unit. The following sections review the capacity of the existing infrastructure to manage the effluent at Min3 and Min 4 separately, including any treatment system changes proposed for the site. Where applicable, recommendations for the infrastructure upgrades will be provided.

The capacity of the overall pond system to manage the volume of effluent generated from the piggery operations through evaporation was modelled using two separate water balance models, WatBal (APL, 2023) and Integrity Ag's water balance model. Both methods consider losses through evaporation, reuse through the piggery, direct rainfall into the ponds and flows through the pond system to determine the expected volume (if any) requiring alternative disposal.

Watbal is a daily timestep model and uses SILO ([Department of Environment and Science, Queensland, 2019](#)) meteorological data to assess the capacity of a system to manage wastewater. SILO is a database of Australian climate data from 1889 to the present, and provides daily meteorological datasets for a range of climate variables in formats suitable for biophysical modelling, research and climate applications. WatBal has the limitation of only being able to model a maximum of two treatment ponds, which does impact on the applicability of the model at some sites.

The Integrity Ag have developed an effluent treatment water balance model that can use either the daily timestep rainfall and evaporation data, or it can run on the mean and annually adjusted monthly rainfall data obtained from the Western Australian Bureau of Meteorology.

Results of both modelling methodologies are presented for each scenario on the following sections.

## 2.1 Mindarra 3

The Mindarra treatment system currently is comprised of one anaerobic pond, and two aerobic/evaporation ponds. Modelling assessed if it would be suitable to replace the existing anaerobic pond with a new anaerobic digester (covered) and utilise the two existing ponds for evaporation. A preliminary site layout is provided in Figure 1 with details of the ponds provided in Table 3.



Figure 1. Mindarra 3 Wastewater Treatment System

Table 3: Mindarra 3 Proposed Wastewater Treatment System Components

Component	Description	Freeboard	Capacity excl. freeboard
Evaporation Pond 1 (existing)	120m by 62m wide by 2 m deep	0.5m	9,837m <sup>3</sup>
Evaporation Pond 2 (existing)	90 m by 90 m wide by 3m deep	0.5m	17,243m <sup>3</sup>

The overall Mindarra site water balance determined that the expected effluent volume generated from the Min 3 operations is 39ML/year, and 26ML/year extracted for reuse (Table 1 ).

### ***WatBal***

The WatBal model is limited to modelling a maximum of two treatment ponds, a primary and storage pond. As such, the anaerobic digester was not included in the system as it has minimal impact on the water balance as it is covered and has not direct rainfall or evaporative loss. As such, the two existing evaporation ponds were included separately in the model.

WatBal output over the full timeseries indicated that the capacity of the ponds is sufficient to operate as a closed system with loss through evaporation, with no overtopping events. Figure 2 shows the expected volume of water in the Evaporation Pond 2 over the period 1 January 2000 to 20 July 2023, with the maximum volume remaining well below the 17.1 ML storage capacity in the final pond, and completely drying out over most summer periods. Full details of the WatBal model input and results are included in Attachment B.

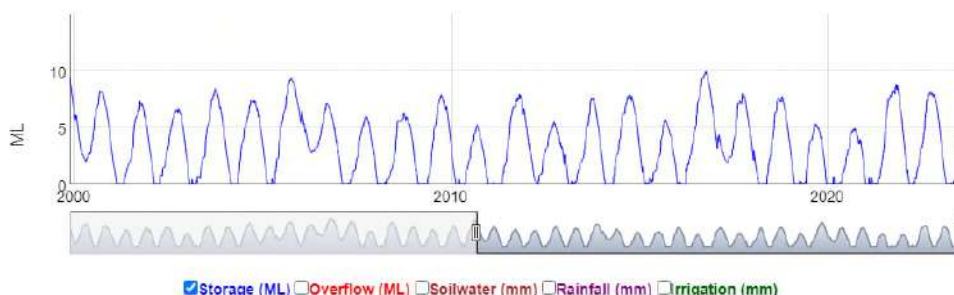


Figure 2. WatBal Storage Pond Volume (Max Storage 17.2ML excl. freeboard)

#### ***Integrity Ag Water Balance Model***

The Integrity Ag water balance model uses the monthly water balance was undertaken using:

- SILO (Department of Environment and Science, Queensland, 2019) for the Grid Reference (-31.15,115.9) located at the Mindarra piggery site.
- Bureau of Meteorology (2023) Station 009248: Moondah Brook: mean and 90 percentile annually adjusted monthly rainfall.
- Department of Agriculture (1987), Evaporation Data for Western Australia for Gingin.

Multiple treatment ponds can be modelled using the Integrity Ag water balance, and as such, the two evaporation ponds are modelled as operating in series, reflecting the operations onsite. Results are consistent with the WatBal outcomes indicating sufficient capacity in the wastewater treatment system for disposal through evaporation.

Water levels in the final evaporation pond for the period 1 January 2000 to 20 July 2023 using a daily timestep model are shown in Figure 3. Details of the modelling are included in Attachment C.

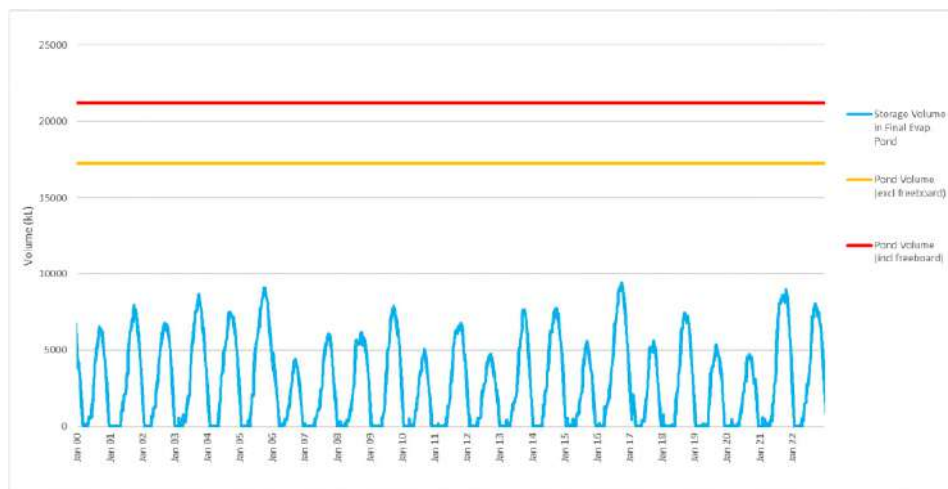


Figure 3. Evaporation Pond 2 Storage Volume – Daily Timestep Model

Water levels in the final evaporation pond for the mean rainfall, and the 90<sup>th</sup> percentile annually adjusted rainfall are shown in Figure 4. Details of the modelling are included in Attachment C.

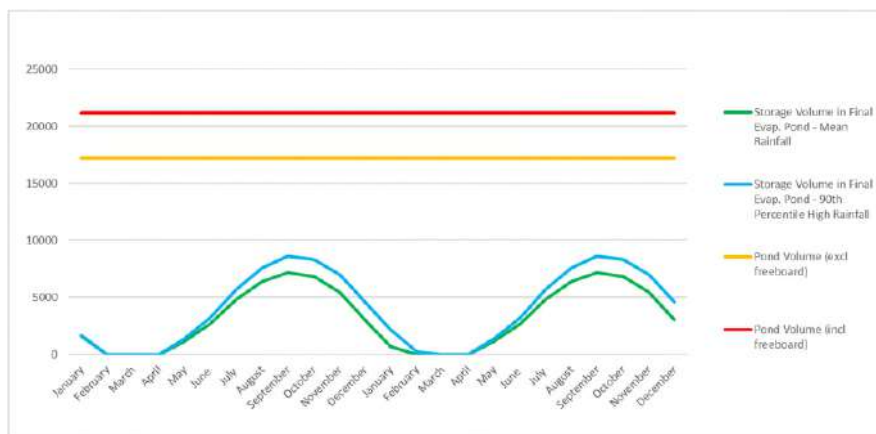


Figure 4. Evaporation Pond 2 Storage Volume – Monthly Model

## 2.2 Mindarra 4

The construction of an anaerobic digester at the Mindarra 4 site is proposed in accordance with the site layout should in Figure 5, with details of the ponds included in the water balance provided in Table 4. Only one of the three existing anaerobic ponds is included in the water balance. Two of the ponds have been excluded to demonstrate that the wastewater treatment system can successfully continue operating in the event that either one or two anaerobic ponds are taken offline for periods to allow for desludging. The system currently uses irrigation to manage wastewater in accordance with their current licence. Westpork are keen to construct sufficient evaporation ponds to remove the need for irrigation in all but highly extreme (ie greater than 1 in 10 year) weather conditions.





Figure 5. Mindarra 4 Wastewater Treatment System

Table 4: Mindarra 4 Proposed Wastewater Treatment System Components

Component	Description	Freeboard	Capacity excl. freeboard
Anaerobic Digester (new)	150m by 85m wide by 8m deep	1m	59,173 m <sup>3</sup>
Anaerobic 1b (existing)	120m by 45m by 7.5m deep	0.5m	29,122m <sup>3</sup>
Reactor Lagoon (existing)	41m by 47m by 7m deep	0.5m	5,774 m <sup>3</sup>
Facultative Pond (existing)	150m by 66m by 4.5m deep	0.5m	34,524 m <sup>3</sup>
Evaporation Pond 1 (existing)	150m by 125m wide by 2m deep	0.5m	34,283 m <sup>3</sup>
Evaporation Pond 3 (existing)	Surface Area 59,500m <sup>2</sup> by 2m deep	0.5m	84,258 m <sup>3</sup>
Evaporation Pond 4 (new)	Surface Area 54,00m <sup>2</sup> by 2m deep	0.5m	71,667 m <sup>3</sup>

The overall Mindarra site water balance determined that the expected effluent volume generated from the Min 4 operations at a production level of 65,000 pigs onsite (71,700 SPU) is 314 ML/year or 860 kL/day, with 140 ML/year or 383 kL/day extracted from the Reactor Lagoon for reuse.

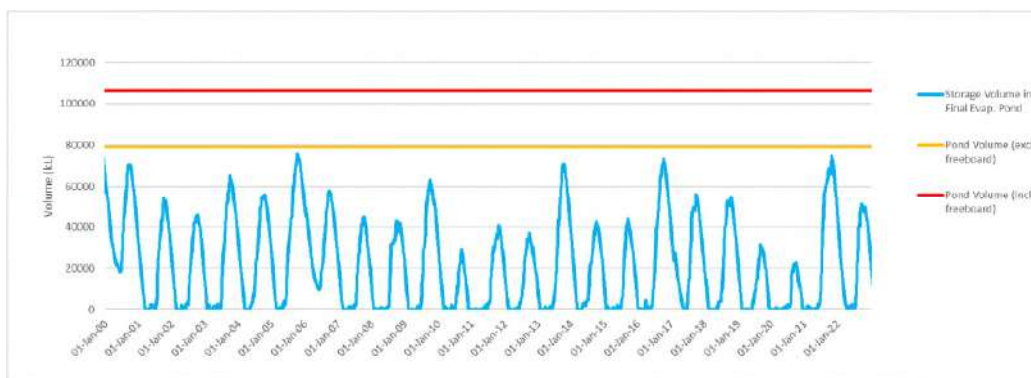
### ***WatBal***

Due to the large number of ponds at Mindarra 4, and the limitation of WatBal model to modelling a maximum of two treatment ponds, WatBal modelling was not considered a useful tool for this scenario.

### ***Integrity Ag Water Balance Model***

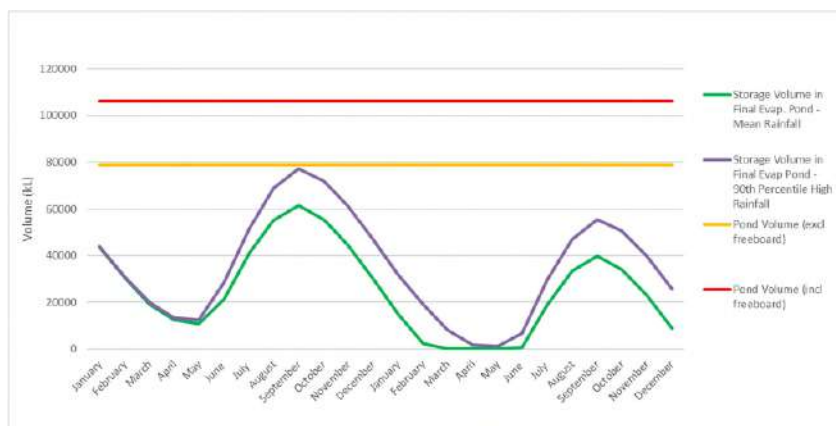
The proposed pond system was modelled using the daily and the monthly meteorological data. Outcomes of the modelling determined that a new pond is required to manage the expected effluent volumes through evaporation in a closed system. Outcomes of the modelling with the inclusion of the new evaporation pond, with a surface area of 54,000m<sup>2</sup> are presented below.

Figure 6 shows the water level in the final evaporation pond over the period 1 January 2000 to 20 July 2023, and demonstrates that at no time over the 23 year period is the storage volume in the final pond modelled as encroaching on the 0.5m pond freeboard. Full details of the modelling are provided in Attachment D.



*Figure 6. Evaporation Pond 4 Storage Volume – Daily Timestep Model*

Water levels in the final evaporation pond for the mean rainfall, and the 90<sup>th</sup> percentile annually adjusted rainfall scenarios are shown in Figure 7. Details of the modelling are included in Attachment D.



*Figure 7. Evaporation Pond 4 Storage Volume – Monthly Model*

### **3. Conclusions**

Water balance modelling for Mindarra 3 and 4 has been undertaken based on the best available information. Improvements in the accuracy of water volumes used through each part of the operation would improve the accuracy of the water balance, and potentially allow for a reduction in the proposed evaporation pond sizes if found that the effluent generation rates are lower using in the modelling input.

Outcomes of the investigation conclude:

- The existing Mindarra 3 wastewater system is suitable to manage wastewater associated with the site upgrade which may result in the anaerobic pond being taken offline.
- Mindarra 4 requires the construction of a new evaporation pond to successfully integrate the operation of an anaerobic digester into the treatment system to manage the effluent associated with a total site capacity of 65,000 animals (71,700 SPU) without the need for discharge to land through irrigation. The required evaporation pond has a surface area of 5.4ha and is 2.0m deep with a 0.5m freeboard and is to be constructed in accordance with specification consistent with current regulatory requirements.

Changes to onsite practices may potentially have a positive impact on the water balance, including an increase in the rates of reuse, improved estimates of cooling water volumes and the use of equipment to improve evaporation rates.

#### **Attachments:**

Attachment A: FY22 Water Usage Data for Mindarra

Attachment B: Min 3 WatBal Input and Results

Attachment C: Min 3 Integrity Ag Water Balance Input and Results

Attachment D: Min 4 Integrity Ag Water Balance Input and Results

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 14.3.1

Appendix A: Mindarra Site Water Balance

	Progeny Slaughtered No	Pigs Housed No	Sows No	Total SPU	Housing Conv DL	Clean Water Drinking ML	Wasteage ML	Flushing ML	Hosing ML	Cooling ML	Recycled Flushing ML	Water Use Total ML	Water Use Fresh ML	Water Usage Total L/SPU.day	Water Usage Fresh L/SPU.day	Effluent Vol Out ML	Conventional Production %	SPU %
Min 1			1150	2442	100%	4.5	1.1	1.1		0.4	10	17.2	7.2	19.3	8.1	15.7	2%	4%
Min 2	28000			11127	100%	19.9	5.0	0	0	3.4	0	28.2	28	6.9	6.9	0.0		
Min 3	5500		1200	7381	See note Min 3	13.3	3.3	2.9		1.9	26.0	47.4	21	17.6	8.0	39.2	6%	11%
Min 4	148500	53350		58842	100%	105	26.25	29.2	34.58	116.8	140	451.6	311.8	21.0	14.5	294.5	92%	86%
Total				79792		142.7	35.7	33.2	34.6	122.5	175.8	544.4	369	18.7	12.7	349.4		

### Site Average

Total Water Usage (L/SPU.day) 18.7  
Clean Water Usage (L/SPU.day) 12.7

### Water Use (excl cooling)

246.1

Total BORE Water Usage (ML) - \* Bore 369  
Actual Fresh Water Usage (L/SPU.day) 12.7  
Difference (ML) 0.4  
Allocation to Min 4 Hosing (ML/yr) - A 33.0  
Allocation to Min 4 Cooling (ML/yr) 98.9

### ASSUMPTIONS

#### General

Drinker Wastage 25%  
Cooling Hours 1120 approx 9 hours per day for 4 months

#### Min 1

Cleaning and fushing volume included in flushing  
% Cleaning (flushing and hosing) from recycle 90%

#### Min 2

All deep litter

#### Min 3

Min 3 - 10 of 22 weeks for grower on straw - assumed weaner/porker  
Cleaning and fushing volume included in flushing  
% Cleaning (flushing and hosing) from recycle 90%

#### Min 4

148,500 progeny slughter pigs based on 156,000 weaners in  
Flushing Volume for Min 4 (800,00 kL per day) 0.383 ML/day  
% Flushing Watar from Recycle  
Hosing - based on 2 pressure washers @ 20L/minute for 16 hours per week 0.0947 ML/day  
All hosing water 100% fresh water  
% Total Cleaning (Hosing and Flushing) water recycled 61%

**MINUTES  
ORDINARY COUNCIL MEETING  
21 MAY 2024**

**APPENDIX 14.3.1**

	Progeny Slaughtered	Pigs Housed	Pigs	Effluent Discharged			TS	VS	N	P	K
	No	No	SPU	ML/yr	ML/day	L/SPU.day	kg/day	kg/day	kg/day	kg/day	kg/day
Min 1	28000		2442	15.70	0.04	17.61	860	692	70	18	18
Min 2			11127	Nil			2.00%	1.61%	0.16%	0.04%	0.04%
Min 3	5500		7381	39.2	0.11	14.54	2,147	1,771	171	43	42
Min 4	148500	53350	58842	294.5	0.81	13.71	2.00%	1.65%	0.16%	0.04%	0.04%
							2.18%	1.78%	0.20%	0.05%	0.05%
<b>Total</b>			<b>79,792</b>	<b>349.4</b>	<b>0.957</b>		<b>20,619</b>	<b>16,812</b>	<b>1,884</b>	<b>449</b>	<b>448</b>

Shed losses

2%	3%	10%	0%	0%
----	----	-----	----	----

**Primary and Storage Pond design Min 3 (7381 SPUs) at Mindarra .** Growing Winter no till B (5ha) on Average sandy loam PAWC 80 at WANNAMAL (Generated: 10/10/2023 01:14 PM)



### 1. Analysis Setup

Name	Min 3	Farm	Mindarra
Setup	Primary & Storage	Location	WANNAMAL
Soil type	Average sandy loam PAWC 80	Crop type	Winter no till B
Years	1980 to present	Notes	

### 2. Pond Catchment

Concrete catchment	0 m2	Earth catchment	0 m2
Hard catchment	0 m2	Grass (veg) catchment	0 m2
Roof catchment	0 m2		

### 3. Flushing System

Flushing shed SPUs	7,381 SPU	Flushing interval	1 days/flush
Fresh water flushing vol	8,000 L/flush	Recycled effluent flushing vol	71,000 L/flush
Hosing interval	1 days	Hosing volume	0 L/hosing

### 4. Pull Plug

Pull plug shed SPUs	0 SPU	Release interval	14 days/release
Fresh water recharge vol	0 L/recharge	Recycled effluent recharge vol	0 L/recharge
Hosing interval	1 days	Hosing volume	0 L/hosing

### 5. Static Pit

Static pit shed SPUs	0 SPU	Release interval	28 days/release
Fresh water recharge vol	0 L/recharge	Recycled effluent recharge vol	0 L/recharge
Hosing interval	1 days	Hosing volume	0 L/hosing

### 6. Solids Management

Total solids (TS) from sheds	2,200 kg TS/day	Volatile solids (VS) from sheds	1,800 kg VS/day
Solids separation	None		

### 7a. Primary Pond

Pond design philosophy	Conventional 'large'	Desludging interval	1 years
Total pond volume	9,800 m3	Pond storage depth	1.5 m
Batter - lengthwise	1 (V) : 2(H)	Batter - breadthwise	1 (V) : 2(H)
Length (at embankment crest)	62 m	Freeboard	0.5 m
Cover anchorage allowance	1 m	Dam factor (kdam = Pond evap / ETo)	1

### 7b. Storage Pond

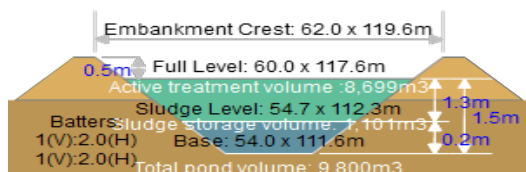
Total storage capacity	17,200 m3	Total storage depth	2.5 m
Residual storage depth	0 m	Length (at embankment crest)	90 m
Batter - lengthwise	1 (V) : 2(H)	Batter - breadthwise	1 (V) : 2(H)
Freeboard	0.5 m		

### 8. Effluent Irrigation

Irrig method	Surface	Effluent irrig area	5 ha
Pump capacity	0.4 ML/day	Rain to cancel irrig	10 mm
Effluent dilution (shandyng)	100 %	Irrigation triggers	0 mm

Warning: Primary pond size of 9800m<sup>3</sup> is less than the recommended size of 21,406m<sup>3</sup>.

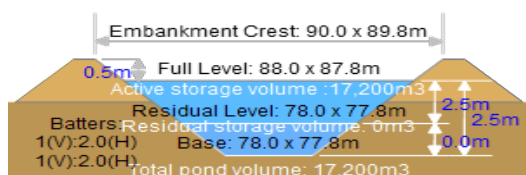
### Primary Pond



### Primary pond active volume

Anaerobic pond activity ratio, $k$	= 0.8865
Min recommended volume	= 21,406 m <sup>3</sup>
Min anaerobic pond VS loading rate	= 0.184 kg VS / m <sup>3</sup> ...
Max anaerobic pond VS loading rate	= 0.207 kg VS / m <sup>3</sup> ...
Min hydraulic retention time (HRT)	= 83 days
Max hydraulic retention time (HRT)	= 93 days

### Storage Pond



### Storage Pond active volume

Max daily spill volume	= 0 m <sup>3</sup> /day
Average daily spill volume	= 0 m <sup>3</sup> /day
Average annual spill volume	= 0 m <sup>3</sup> /yr
Average spill recurrence interval	= ∞ yrs
No of spill significant events	= 0 spills

### Storage Pond Water balance

Output	m <sup>3</sup> /yr
Inflow from Primary Pond	30,748
Inflow from Pond Rainfall	4,405
Outflow from Recycling	24,415
Outflow from Irrigation	0
Outflow from Pond Evaporation	10,890
Outflow from Overtopping	0

### Irrigation

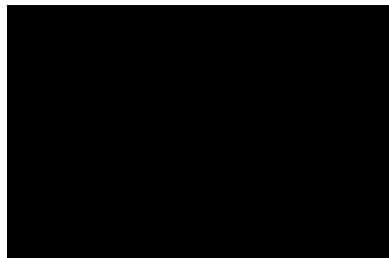
Total irrigation volume	= 0 m <sup>3</sup>
Effluent irrigation volume	= 0 m <sup>3</sup>
External irrigation volume	= 0 m <sup>3</sup>



☒ Storage (ML) ☐ Overflow (ML) ☐ Soilwater (mm) ☐ Rainfall (mm) ☐ Irrigation (mm)

### Paddock Summary

#### Paddock water-balance



#### Key time-series outputs

Output	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Irrig(Total)	0	0	0	0	0	0	0	0	0	0	0	0
Irrig(Pond)	0	0	0	0	0	0	0	0	0	0	0	0
Irrig(Clean)	0	0	0	0	0	0	0	0	0	0	0	0
Rainfall	17	17	17	24	72	89	107	87	56	28	20	11
Runoff	1	0	0	0	1	0	1	0	0	0	0	3
ET	9	10	11	16	34	44	51	64	82	33	16	10



Irrigation	Rainfall	Runoff	ET	Drainage	Output	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
					Drainage	2	3	2	2	24	39	53	31	5	1	0	2	1

## Farm Detailed Outputs

### Pig Population

Pig population ⓘ	7381 SPU
------------------	----------

### Drinking water calculations

Live weight / SPU ⓘ	40 kg/SPU
Feed ingested	2 kg/SPU/day
Wf ⓘ	2.5
Tf ⓘ	1.2
Water intake	5 L/SPU/day
Piggery drinking water intake	35,480 L/day
Drinking water wastage ⓘ	25 %
Drinking water wastage (total)	8,870 L/day
Drinking water wastage	3,239,806 L/yr

### Manure production

Total solids (TS) from sheds ⓘ	2,200 kg TS/day
Volatile solids (VS) from sheds ⓘ	1,800 kg VS/day
Standard NEGP estimate of TS discharged from sheds ⓘ	2,182 kg TS/day
Standard NEGP estimate of VS discharged from sheds ⓘ	1,819 kg VS/day
Adopted TS discharged from sheds ⓘ	2,200 kg TS/day
Adopted VS discharged from sheds ⓘ	1,800 kg VS/day
Manure (faeces + urine) moisture content ⓘ	87 %
Estimated total manure production	16,923 kg/day
Total manure density ⓘ	990 kg/m3
Raw manure volume collected in effluent system	17,094 L/day
Raw manure volume collected in effluent system	6,244 m3/yr

### Drinking water wastage

Estimated water intake ⓘ	35,480 L/day
Typical drinking water wastage rate ⓘ	25 %
Estimated drinking water wastage volume	8,870 L/day
Total drinking water supplied per day	44,351 L/day
Total drinking water supplied per year	16 ML/yr

### Shed effluent management system

Flushing shed SPUs ⓘ	7381 SPU
Pull plug shed SPUs ⓘ	0 SPU
Static pit shed SPUs ⓘ	0 SPU
Total SPUs (Total)	7,381 SPU
Flushing interval ⓘ	1.0 days/flush
Release interval ⓘ	14 days/release
Release interval ⓘ	28 days/release
Fresh water flushing vol ⓘ	8,000.0 L/flush
Recycled effluent flushing vol ⓘ	71,000 L/flush

Fresh water recharge vol ⓘ	0 L/recharge
Fresh water recharge vol ⓘ	0 L/recharge
Recycled effluent recharge vol ⓘ	0 L/recharge
Recycled effluent recharge vol ⓘ	0 L/recharge
Total max recycled effluent use per day (flushing sheds) (Flushing)	71,000 L/day
Total max recycled effluent use per day (pull plug) (Pull Plug)	0 L/day
Total max recycled effluent use per day (static pit sheds) (Static pit)	0 L/day
Total max recycled effluent use per day (total) (Total)	71,000 L/day
Raw manure volume per flush/release (flushing sheds) (Flushing)	17,094 L/flush-release
Raw manure volume per flush/release (pull plug sheds) (Pull Plug)	0 L/flush-release
Raw manure volume per flush/release (static pit sheds) (Static pit)	0 L/flush-release
Raw manure volume (flushing sheds) (Flushing)	17,094 L/day
Raw manure volume (pull plug sheds) (Pull Plug)	0 L/day
Raw manure volume (static pit sheds) (Static pit)	0 L/day
Raw manure volume (total) (Total)	17,094 L/day
Flush/recharge volume per day (flushing sheds) (Flushing)	79,000 L/day
Flush/recharge volume per day (pull plug sheds) (Pull Plug)	0 L/day
Flush/recharge volume per day (static pit sheds) (Static pit)	0 L/day
Hosing interval ⓘ	1 days
Hosing interval ⓘ	1 days
Hosing interval ⓘ	1 days
Hosing volume ⓘ	0 L/hosing
Hosing volume ⓘ	0 L/hosing
Hosing volume ⓘ	0 L/hosing
Hosing volume per day (flushing sheds) (Flushing)	0 L/day
Hosing volume per day (pull plug sheds) (Pull Plug)	0 L/day
Hosing volume per day (static pit sheds) (Static pit)	0 L/day
Hosing volume per day (total) (Total)	0 L/day
Drinking water wastage (flushing sheds) (Flushing)	8,870 L/day
Drinking water wastage (pull plug sheds) (Pull Plug)	0 L/day
Drinking water wastage (static pit sheds) (Static pit)	0 L/day
Drinking water wastage (Total)	8,870 L/day
Total shed effluent per day (flushing sheds) (Flushing)	104,964 L/day
Total shed effluent per day (pull plug sheds) (Pull Plug)	0 L/day
Total shed effluent per day (static pit sheds) (Static pit)	0 L/day
Total shed effluent per day (total) (Total)	104,964 L/day
Total shed effluent per year (flushing sheds) (Flushing)	38,338 m3/yr
Total shed effluent per year (pull plug sheds) (Pull Plug)	0 m3/yr
Total shed effluent per year (static pit sheds) (Static pit)	0 m3/yr
Total shed effluent per year (total) (Total)	38,338 L/day
TS concentration (flushing sheds) (Flushing)	2 %
TS concentration (pull plug sheds) (Pull Plug)	NaN %
TS concentration (static pit sheds) (Static pit)	NaN %
TS concentration (total) (Total)	2 %
<b>Runoff into effluent system</b>	
Concrete catchment ⓘ	0 m2
Earth catchment ⓘ	0 m2

Hard catchment ⓘ	0 m2
Grass (veg) catchment ⓘ	0 m2
Roof catchment ⓘ	0 m2
USDA NCRS runoff model CN - ARC I (Concrete) ⓘ	98
USDA NCRS runoff model CN - ARC II (Concrete) ⓘ	98
USDA NCRS runoff model CN - ARC III (Concrete) ⓘ	98
USDA NCRS runoff model CN - ARC I (Earth) ⓘ	92
USDA NCRS runoff model CN - ARC II (Earth) ⓘ	93
USDA NCRS runoff model CN - ARC III (Earth) ⓘ	95
USDA NCRS runoff model CN - ARC I (Hard) ⓘ	96
USDA NCRS runoff model CN - ARC II (Hard) ⓘ	96
USDA NCRS runoff model CN - ARC III (Hard) ⓘ	96
USDA NCRS runoff model CN - ARC I (Grass) ⓘ	58
USDA NCRS runoff model CN - ARC II (Grass) ⓘ	76
USDA NCRS runoff model CN - ARC III (Grass) ⓘ	89
USDA NCRS runoff model CN - ARC I (Roof) ⓘ	98
USDA NCRS runoff model CN - ARC II (Roof) ⓘ	98
USDA NCRS runoff model CN - ARC III (Roof) ⓘ	98
Av annual runoff (concrete) (Concrete) ⓘ	0 m3/yr
Av annual runoff (concrete) (Concrete) ⓘ	0 mm/yr
% rainfall yield from concrete catchment (Concrete) ⓘ	0 %
Av annual runoff (earth) (Earth) ⓘ	0 m3/yr
Av annual runoff (earth) (Earth) ⓘ	0 mm/yr
% rainfall yield from earth catchment (Earth) ⓘ	0 %
Av annual runoff (hard) (Hard) ⓘ	0 m3/yr
Av annual runoff (hard) (Hard) ⓘ	0 mm/yr
% rainfall yield from hard catchment (Hard) ⓘ	0 %
Av annual runoff (grass) (Grass) ⓘ	0 m3/yr
Av annual runoff (grass) (Grass) ⓘ	0 mm/yr
% rainfall yield from grass catchment (Grass) ⓘ	0 %
Av annual runoff (roof) (Roof) ⓘ	0 m3/yr
Av annual runoff (roof) (Roof) ⓘ	0 mm/yr
% rainfall yield from roof catchment (Roof) ⓘ	0 %

**Effluent pre-treatment / solids separation**

Solids separation ⓘ	None
Total Solids (TS) removal	0 %
Volatile Solids (VS) removal	0 %
TS removal (Other) ⓘ	25 %
VS removal (Other) ⓘ	25 %

**Primary Pond Detailed Outputs**

Pond loading	
Total Solids (TS) pond loading ⓘ	2,200 kg TS/day
Volatile Solids (VS) pond loading ⓘ	1,800 kg VS/day

**Anaerobic treatment pond**

Anaerobic pond activity ratio, k ⓘ	0.8865
Pond design philosophy ⓘ	Conventional 'large'
Suggested max baseline VS loading rate	0.100 kg VS / m <sup>3</sup> / day
Suggested adjusted max VS loading rate	0.089 kg VS / m <sup>3</sup> / day
Min active treatment vol (VS loading) ⓘ	20,306 m <sup>3</sup>
Suggested minimum hydraulic retention time (HRT)	30 days
Effluent volume discharged to pond	105 m <sup>3</sup> /day
Min active treatment vol (HRT) ⓘ	3,149 m <sup>3</sup>
Min active treatment vol (VS and HRT) ⓘ	20,306 m <sup>3</sup>

#### Sludge storage

Sludge accumulation rate ⓘ	
Desludging interval ⓘ	1.0 years
Sludge storage volume ⓘ	1,101 m <sup>3</sup>
Suggested total pond vol ⓘ	21,406 m <sup>3</sup>
Total pond volume ⓘ	9,800 m <sup>3</sup>
Active treatment volume	8,699 m <sup>3</sup>
Min anaerobic pond VS loading rate	0.184 kg VS / m <sup>3</sup> / day
Max anaerobic pond VS loading rate	0.207 kg VS / m <sup>3</sup> / day
Min hydraulic retention time (HRT)	83 days
Max hydraulic retention time (HRT)	93 days

#### Pond dimensions

Pond storage depth ⓘ	1.50 m
Batter - lengthwise ⓘ	1 (V) : 2(H)
Batter - breadthwise ⓘ	1 (V) : 2(H)
Freeboard ⓘ	0.50 m
Length (at embankment crest) ⓘ	62.0 m
Length (at full storage level)	60 m
Breadth (at full storage level)	118 m
Breadth (at embankment crest)	120 m
Length (at base)	54 m
Breadth (at base)	112 m
Sludge Depth Cubic Param A	5
Sludge Depth Cubic Param B	331
Sludge Depth Cubic Param C	6,025
Sludge Depth Cubic Param D	-1,101
Max sludge depth	0 m
Length (at max sludge depth)	55 m
Breadth (at max sludge depth)	112 m
Min depth to top of sludge - below full storage level	1 m
Cover anchorage allowance ⓘ	1.0 m
Cover length	64 m
Cover breadth	122 m
Cover area - trenched into bank	7,824 m <sup>2</sup>
Max baseline VS loading rate before crusting ⓘ	0.400 kg VS/m <sup>3</sup> /day
Dam factor (kdam = Pond evap / ETo) ⓘ	1.00

**Average annual primary pond water balance (m<sup>3</sup>/yr)**

Inflow Runoff	0 m3/yr
Inflow Manure	6,244 m3/yr
Inflow Hosing/Flushing	32,095 m3/yr
Rainfall	4,041 m3/yr
Evaporation	11,631 m3/yr
Outflows	30,748 m3/yr
Average annual inflow volume	42,379 m3/yr
Max daily outflow volume	692 m3/day
Min daily outflow volume	0 m3/day
Average daily outflow volume	84 m3/day
Average annual outflow volume	30,748 m3/yr

### Storage Pond Detailed Outputs

Pond dimensions	
Total storage capacity ⓘ	17,200 m3
Initial volume ⓘ	8,600 ML
Total storage depth ⓘ	2.5 m
Residual storage depth ⓘ	0.00 m
Batter - lengthwise ⓘ	1 (V) : 2(H)
Batter - breadthwise ⓘ	1 (V) : 2(H)
Freeboard ⓘ	0.50 m
Length (at embankment crest) ⓘ	90 m
Full storage level (Length)	88 m
Full storage level (Breadth)	88 m
Embankment crest (Breadth)	90 m
Base (Length)	78 m
Base (Breadth)	78 m
Top of residual storage (Length)	78 m
Top of residual storage (Breadth)	78 m
Active storage volume, Va	17,200 ML
Residual storage volume, Vr	0 ML
Dam factor (kdam = Pond evap / ETo) ⓘ	1

Effluent dilution (shandying)	
Effluent dilution (shandying) ⓘ	100 %

Pond spills (overflow elements)	
Max daily spill volume	0 m3/day
Min daily spill volume	0 m3/day
Average daily spill volume	0 m3/day
Average annual spill volume	0 m3/yr
Total number of spill days	0 days
Average spill days per year	0 days/yr
No of spill significant events	0 spills
Average spill recurrence interval	∞ yrs

Average annual storage pond water balance (m3/yr)	
Inflows	30,748 m3/yr

Rainfall	4,405 m3/yr
Evaporation	10,890 m3/yr
Recycling	24,415 m3/yr
Irrigation	0 m3/yr
Outflows	0 m3/yr

**Top Spill Events**

<b>Period</b>	<b>Amount (m3)</b>	<b>Length (days)</b>
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# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 14.3.1

### INPUT DATA

Project Name Mindana 3 Wastewater Investigation  
Client Westpak Pty Ltd  
Project Numb 1538  
Date Jun-23

Rough Calc  
Direct Rainfall 8414 47414  
Eff In 39000  
Evap 26920 52835  
Reuse 25915  
Diff -5421

### Centralised data input sheet

### Treatment System Dimensions

Daily Effluent Discharge to Pon 107 (from PigBai or other source)  
39 ML/year

Pond Number	Name	Length (m)	Width (m)	Sideslope	Depth to MWL	Freeboard	Total Depth	Wastewater Extracted (ML/day)	Wastewater Extracted (ML/year)	% Depth at Timeseries	Pond Volume to MWL (m3)	Max SA (m2)
1	Evap Pond 1	82	120	2	1.5	0.5	2	0	0	100	9837	7086
2	Evap Pond 2	90	90	2	2.5	0.5	3	71	25,915	50	17243	7744
3								0	0	100	0	0
4								0	0	75	0	0
5								0	0	75	0	0
6								0	0	75	0	0
7								0	0	50	0	0
8								0	0			
											27080	14824

Notes:

MWL - maximum water level

\*Current reuse 540ML/day

### Evaporation Data

	Days/Month	Monthly Evap mm	Daily Evap mm
Jan		272	8.81
Feb		245	8.75
Mar		214	6.90
Apr		129	4.10
May		79	2.55
Jun		54	1.80
Jul		52	1.68
Aug		75	2.42
Sep		94	3.13
Oct		143	4.61
Nov		198	6.60
Dec		266	8.58
Total	365	1816	

Evap Calculator (MR)	Dept Ag - Gering mm
272	272
245	245
214	214
129	129
79	79
54	54
52	52
99.7	75
128.9	94
185.2	143
229	198
279.5	266
2140.1	1816

### Rainfall Data

BOM Station #5248

BOM Station #Moondah Brook

Data Period Nov 2000 to present

### Assumptions

- Assumes infiltration through base is negligible
- Assumes all water exceeding the defined freeboard level overflows immediately to next pond
- Assumes all solids retained in pond as sludge

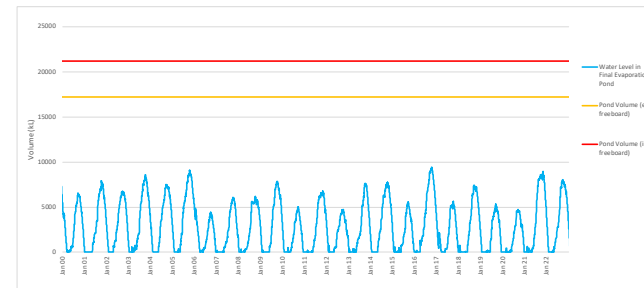
### Data Used in Water Balance

	Days/Month	Monthly Rainfall mm
Jan	31	19.44
Feb	28	22.86
Mar	31	24.82
Apr	30	34.48
May	31	84.60
Jun	30	97.82
Jul	31	132.03
Aug	31	116.02
Sep	30	84.11
Oct	31	41.20
Nov	30	28.00
Dec	31	13.33
Total	365	698.8

### All Data - 2000 to 2017

	Days/Month	Monthly Rainfall 90%ile	Monthly Rainfall 95%ile	Monthly Rainfall 99%ile
Jan	31	15.90	19.44	19.44
Feb	28	18.70	22.86	22.86
Mar	31	20.30	24.82	24.82
Apr	30	28.20	34.48	34.48
May	31	69.20	84.60	84.60
Jun	30	80.10	97.82	97.82
Jul	31	108.00	132.03	132.03
Aug	31	94.90	116.02	116.02
Sep	30	68.80	84.11	84.11
Oct	31	33.70	41.20	41.20
Nov	30	22.90	28.00	28.00
Dec	31	10.90	13.33	13.33
Total	365	567.60	698.80	698.80

date	jday	tmax	tmin	rain	evap	rad	vp
1/01/1980	1	36.3	23.7	0	9.9	19.7	9.7
2/01/1980	2	32.5	19.9	0	10.4	26.2	17.9
3/01/1980	3	33.1	16.9	0	12.6	31.1	14.5
4/01/1980	4	37.2	17.8	0	12	29.1	14.7
5/01/1980	5	38.5	22.1	0	11.7	26.6	15.2
6/01/1980	6	37	20.2	0	11.1	28.5	20.4
7/01/1980	7	29.2	18.8	0	11.1	28.4	19.1
8/01/1980	8	27.4	14.6	0	9	28.5	15.3
9/01/1980	9	24.2	17.4	0	8.7	26.1	14.1
10/01/1980	10	27	12.3	0	12	31.6	8.9
11/01/1980	11	34.5	15.8	0	12.7	30.9	9
12/01/1980	12	36.2	22.5	0	9.7	21.2	8.4
13/01/1980	13	27.4	19.9	0	9.9	28	19.6
14/01/1980	14	34.2	16.1	0	11.4	30.1	13.7
15/01/1980	15	32.1	19.5	0	11.4	29.1	22.3
16/01/1980	16	27.9	17.7	0	9.5	26.3	17
17/01/1980	17	28.9	15.2	0	10	26.8	12.8
18/01/1980	18	32.5	15.2	0	10.3	29.8	14.9
19/01/1980	19	36.8	18.2	0	10.9	30.3	17.3





# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 14.3.1

### INPUT DATA

Project Name Mindana 3 Wastewater Investigation  
Client Westpak Pty Ltd  
Project Number 1538  
Date Jun-23

Centralised data input sheet

### Treatment System Dimensions

Daily Effluent Discharge to Pond 107 (from PigBai or other source, allowance made for solids removed in pretreatment)  
39 ML/year

Pond Number	Name	Length (m)	Width (m)	Sideslope	Depth to MWL	Freeboard	Total Depth	Wastewater Extracted (ML/day)	Wastewater Extracted (ML/year)	% Depth at Timeseries	Pond Volume to MWL (m <sup>3</sup> )	Max SA (m <sup>2</sup> )
1	Evap Pond 1	80	120	2	1.5	0.5	2	0	0	100	9837	7085
2	Evap Pond 2	90	90	2	2.5	0.5	3	71	25,915	25	17243	7744
3								0	0	50	17243	7744
4								0	0		0	0
5								0	0		0	0
6								0	0		0	0
7								0	0		0	0
8								0	0		0	0
											64324	22568

Notes:  
MWL - maximum water level

### Evaporation Data

	Days/Month	Monthly Evap mm	Daily Evap mm
Jan	31	270	8.81
Feb	28	245	8.75
Mar	31	214	6.90
Apr	30	123	4.10
May	31	79	2.55
Jun	30	54	1.80
Jul	31	52	1.68
Aug	31	75	2.42
Sep	30	94	3.13
Oct	31	143	4.61
Nov	30	198	6.60
Dec	31	266	8.58
Total	365	1816	

Evap Calculator (MR)	Dept Ag - Gingin mm
302.7	270
262.6	245
238.2	214
158.3	123
104.7	79
73.7	54
77.6	52
99.7	75
128.9	94
185.2	143
229	198
279.5	266
2140.1	1816

### Rainfall Data

BOM Station 15248  
BOM Station 1 Moondah Brook  
Data Period Nov 2000 to present

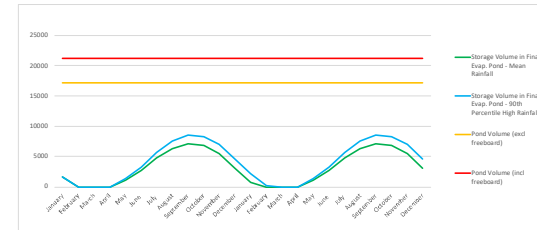
Data Used in Water Balance		
	Days/Month	Monthly Rainfall mm
Jan	31	15.90
Feb	28	18.70
Mar	31	20.30
Apr	30	28.20
May	31	69.20
Jun	30	80.10
Jul	31	108.00
Aug	31	94.90
Sep	30	68.80
Oct	31	33.70
Nov	30	22.90
Dec	31	10.90
Total	365	571.6

### All Data - 2000 to 2017

	Days/Month	Monthly Rainfall mean	Monthly Rainfall 90%ile	Percentile High Rainfall AA 90%ile
Jan	31	15.90		19.44
Feb	28	18.70		22.86
Mar	31	20.30		24.82
Apr	30	28.20		34.48
May	31	69.20		84.60
Jun	30	80.10		97.60
Jul	31	108.00		132.03
Aug	31	94.90		116.02
Sep	30	68.80		84.11
Oct	31	33.70		41.20
Nov	30	22.90		28.00
Dec	31	10.90		13.30
Total	365	567.60	658.80	698.80

### Assumptions

- Assumes infiltration through base is negligible
- Assumes all water exceeding the defined freeboard level overflows immediately to next pond
- Assumes all solids retained in pond as sludge



# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 14.3.1

**Project Name** Mindarra 4 Wastewater Investigation  
**Client** Westpork Pty Ltd  
**Project Number** 1538  
**Date** Jun-23

**Centralised data input sheet**

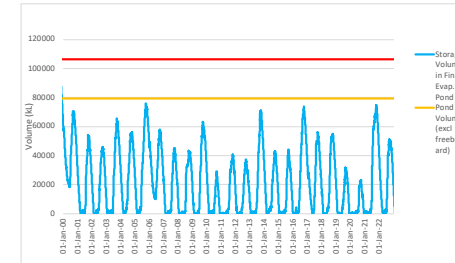
**Rough Calc**  
**Direct Rainfall** 84147 398147  
**Eff In** 314000  
**Evap** 269224 409384  
**Reuse** 140160  
**Diff** -11237

**Treatment System Dimensions**  
**Daily Effluent Discharge to Pond** 860 (from PigBal or other source)  
314 ML/year

Pond Number	Name	Length (m)	Width (m)	Sideslope	Depth to MWL	Freeboard	Total Depth	Wastewater Extracted (kL/day)	Wastewater Extracted (ML/year)	% Depth at Start of Timeseries	Pond Volume to MWL (kL)	Max SA (m2)
1	CAL	150	88	2.5	7	1	8	0	0	100	59173	12035
2	Anaerobic Pond	120	45	1	7	0.5	7.5	0	0	100	29122	5236
3	Reactor Lagoon	41	47	2	6.5	0.5	7	384	140	100	5774	1755
4	Facultative	150	66	2	4.5	0.5	5	0	0	75	34524	9472
5	Evaporative Pond	150	125	2	2	0.5	2.5	0	0	75	34283	18204
6	Evaporative Pond	242	250	2	1.5	0.5	2	0	0	75	87102	59520
7	Evaporative Pond	220	250	2	1.5	0.5	2	0	0	50	79017	54064
8												
											328996	148251

**Notes:**  
MWL - maximum water level

\*Current reuse 540kL/day



### Evaporation Data

	Days/Month	Monthly Evap mm	Daily Evap mm
Jan		273	8.81
Feb		245	8.75
Mar		214	6.90
Apr		123	4.10
May		79	2.55
Jun		54	1.80
Jul		52	1.68
Aug		75	2.42
Sep		94	3.13
Oct		143	4.61
Nov		198	6.60
Dec		266	8.58
Total	365	1816	

Evap Calculator (MR) mm	Dept Ag - Gingin mm
302.7	273
262.6	245
238.2	214
158.3	123
104.7	79
73.7	54
77.6	52
99.7	75
128.9	94
185.2	143
229	198
279.5	266
2140.1	1816

### Rainfall Data

**BOM Station** 9248  
**BOM Station** Moondah Brook  
**Data Period** Nov 2000 to present

### Assumptions

- Assumes infiltration through base is negligible
- Assumes all water exceeding the defined freeboard level overflows immediately to next pond
- Assumes all solids retained in pond as sludge

### Data Used in Water Balance

	Days/Month	Monthly Rainfall mm
Jan	31	19.44
Feb	28	22.86
Mar	31	24.82
Apr	30	34.48
May	31	84.60
Jun	30	97.92
Jul	31	132.03
Aug	31	116.02
Sep	30	84.11
Oct	31	41.20
Nov	30	28.00
Dec	31	13.33
Total	365	698.8

### All Data - 2000 to 2017

	Days/Month	Monthly Rainfall mean	90%ile Rainfall	90%ile High Rainfall
Jan	31	15.90		19.44
Feb	28	18.70		22.86
Mar	31	20.30		24.82
Apr	30	28.20		34.48
May	31	69.20		84.60
Jun	30	80.10		97.92
Jul	31	108.00		132.03
Aug	31	94.90		116.02
Sep	30	68.80		84.11
Oct	31	33.70		41.20
Nov	30	22.90		28.00
Dec	31	10.90		13.33
Total	365	567.60	698.80	698.80

# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 14.3.1

### INPUT DATA

Project Name Mindara 4 Wastewater Investigation  
Client Westpak Pty Ltd  
Project Numb 1538  
Date Jun-23

Rough Calc  
Direct Rainfall 84147 398147  
Eff In 314000  
Evap 269224 408019  
Reuse 139795  
Diff -10872

### Centralised data input sheet

### Treatment System Dimensions

Daily Effluent Discharge to Pon 860 (from PigBai or other source)  
314 ML/year

Pond Number	Name	Length (m)	Width (m)	Sideslope	Depth to MWL	Freeboard	Total Depth	Wastewater Extracted (ML/day)	Wastewater Extracted (ML/year)	% Depth at Timeseries	Pond Volume to MWL (m3)	Max SA (m2)
1	CAL	150	88	2.5	7	1	8	0	0	100	59573	12035
2	Anaerobic Pond	120	45	1	7	0.5	7.5	0	0	100	29122	5236
3	Reactor Lagoon	41	47	2	6.5	0.5	7	383	139795	100	5774	1756
4	Facultative	150	66	2	4.5	0.5	5	0	0	100	34524	9472
5	Evaporative Pon	150	125	2	2	0.5	2.5	0	0	100	34283	18204
6	Evaporative Pon	242	250	2	1.5	0.5	2	0	0	100	87182	58520
7	Evaporative Pon	220	250	2	1.5	0.5	2	0	0	75	79017	54064
8								0	0		828996	148251

Notes:

MWL - maximum water level

\*Current reuse 540ML/day

3

### Evaporation Data

	Days/Month	Monthly Evap mm	Daily Evap mm
Jan	31	362.7	8.81
Feb	28	262.6	8.75
Mar	31	238.2	6.90
Apr	30	158.3	4.10
May	31	104.7	2.55
Jun	30	73.7	1.80
Jul	31	77.6	1.68
Aug	31	99.7	2.42
Sep	30	128.9	3.13
Oct	31	185.2	4.61
Nov	30	229	6.60
Dec	31	279.5	8.58
Total	365	2140.1	

Evap Calculator (MR)	Dept Ag - Gingin mm
362.7	272
262.6	245
238.2	214
158.3	123
104.7	79
73.7	54
77.6	52
99.7	75
128.9	94
185.2	143
229	198
279.5	266
2140.1	1816

### Rainfall Data

BOM Station F5248

BOM Station F Moondah Brook

Data Period Nov 2000 to present

### All Data - 2000 to 2017

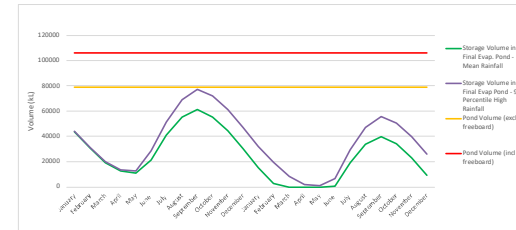
#### Data Used in Water Balance

	Days/Month	Monthly Rainfall mm
Jan	31	15.90
Feb	28	18.70
Mar	31	20.30
Apr	30	28.20
May	31	69.20
Jun	30	80.10
Jul	31	108.00
Aug	31	94.90
Sep	30	68.80
Oct	31	33.70
Nov	30	22.90
Dec	31	10.90
Total	365	571.6

	Days/Month	Monthly Rainfall mean	Monthly Rainfall 90%ile	Monthly Rainfall 95%ile
Jan	31	15.90	19.44	19.44
Feb	28	18.70	22.86	22.86
Mar	31	20.30	24.82	24.82
Apr	30	28.20	34.48	34.48
May	31	69.20	84.60	84.60
Jun	30	80.10	97.60	97.60
Jul	31	108.00	132.03	132.03
Aug	31	94.90	116.02	116.02
Sep	30	68.80	84.11	84.11
Oct	31	33.70	41.20	41.20
Nov	30	22.90	28.00	28.00
Dec	31	10.90	13.35	13.35
Total	365	567.60	698.80	698.80

### Assumptions

- Assumes infiltration through base is negligible
- Assumes all water exceeding the defined freeboard level overflows immediately to next pond
- Assumes all solids retained in pond as sludge



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WA

**10 ATTACHMENT 8B ODOUR SCREENING ANALYSIS**

Works Approval Application Supporting Information Mindarra Farm Piggery 1340 Wannamal Road West, Boonanarring WA

## SCREENING ANALYSIS

INSTRUCTIONS
<p>Applicants undertake a screening analysis, to assess whether further detailed analysis of odour emissions and impacts is required.</p> <p>The analysis primarily involves comparison of the <b>screening distance</b> (<i>Appendix 2</i>), with the <b>sensitive receptor distance</b> (<i>Appendix 3</i>), together with consideration of other information.</p> <p>Screening distances are not provided for some activities. In these instances, applicants are generally required to undertake a detailed analysis.</p> <p>Applicants are required to provide sufficient information with their application, to enable the Department to substantiate the screening analysis.</p> <p>Separate screening procedures are provided for applications for new or existing premises.</p> <p>The Screening analysis comprises three steps:</p> <p><b>Step 1:</b> Complete the questionnaire relevant to the application (for new or existing premises).</p> <p><b>Step 2:</b> Use the flowchart and questionnaire responses to determine whether a 'Detailed Analysis' is required.</p> <p><b>Step 3:</b> Compile information to support the Screening Analysis. This can include maps of sources and receptors, topographical maps, specifications for proposed emissions controls, and details of <b>screening distance</b> calculations.</p> <p>If an industry category is not listed in <i>Appendix 2</i> and the odour risk is considered to be low by the applicant, an exemption from the requirement for 'Detailed Analysis' may be granted by the Department. In these cases, the Department can be contacted before commencing preparation of an application.</p> <p>Questionnaires and flowcharts for new or existing premises are shown below.</p> <p>An electronic version of the questionnaire for new or existing premises is available on the Department website.</p>

### 10.1 SCREENING ANALYSIS FOR EXISTING PREMISES

#### STEP 1: QUESTIONNAIRE

Q1. DESCRIPTION OF ODOUR EMISSIONS	
Use the table below to provide brief information about activities and sources that emit odour.	
Activity / Odour Source	Description, including proposed controls New source? (Yes or No)
Construction of new CAPs / commissioning of CAPs by filling with effluent.	<p>This is a new odour source but the addition of a cover on the anaerobic pond will reduce the overall Site operational odours once installed.</p> <p>In order to install the cover for the anaerobic ponds at Mindarra 4, it is necessary to fill the lined anaerobic pond with effluent, so that the cap can be floated while it is welded to the liner.</p> <p>These additional controls for the CAPs will be implemented:</p>

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	<ul style="list-style-type: none"> <li>• Designing the CAPs such that they are adequate for the capacity of the wastewater volume produced by Mindarra 4.</li> <li>• Monitoring salinity and pH of the CAPs, to ensure pond chemistry is suitable for treatment microorganisms. Dilute CAPs with freshwater if necessary.</li> </ul> <p>Given there are no residences within 1km of the piggery and no odour complaints have been received regarding existing operations, no impacts to amenity are expected.</p>
Flaring of biogas at Mindarra 4.	This is a new odour source that is an essential safety feature, so excess gas can be safely burnt, in the event of emergencies to prevent explosion.
Construction of new anaerobic pond at Mindarra 3.	This is a new odour source, that will replace the current anaerobic pond. The new pond is approximately half the surface area of the current pond and therefore, a smaller odour source. Ultimately there will only be one operating anaerobic pond, therefore only one smaller odour source. The new anaerobic pond will be appropriately sized for the volume of effluent to be received (refer to the Water Balance for further details).
De-sludging of ponds at Mindarra 4 and Mindarra 3.	<p>This is not a new odour source.</p> <p>De-sludging will be undertaken in a staged approach, as detailed in Section 4.</p> <p>Given there are no residences within 1km of the piggery and no odour complaints have been received regarding existing operations, no impacts to amenity are expected.</p>
Odour from settlement trenches, facultative ponds, and piggery sheds.	<p>This is not a new odour source.</p> <p>Current odour controls implemented are:</p> <ul style="list-style-type: none"> <li>• Keeping the pigs clean and dry. Maintaining pig health to minimise loose stools and providing clean and hygienic conditions within the sheds.</li> <li>• Frequently and regularly clean flooring and other dirty and dusty surfaces.</li> <li>• Regularly flushing sheds. Use of sufficient water to clean pits and remove manure solids.</li> <li>• Collecting mortalities, afterbirth, and foreign materials promptly.</li> <li>• Facultative and evaporation ponds are adequately sized, to avoid overloading and generation of odours.</li> </ul> <p>Given there are no residences within 1km of the piggery and no odour complaints have been received regarding existing operations, no impacts to amenity are expected.</p>

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Q2. IDENTIFICATION OF CURRENT ODOUR IMPACTS	
<p>Have odour impacts occurred as a result of the current operational configuration and / or practices? Please tick all applicable boxes:</p> <p><input type="checkbox"/> Complaints.</p> <p><input type="checkbox"/> Odour diaries.</p> <p><input type="checkbox"/> Field odour assessments.</p> <p><input type="checkbox"/> Community feedback.</p> <p><input type="checkbox"/> Other. _____</p>	<p><input type="checkbox"/> <b>YES</b> or <b>Can't determine</b>: Go to flowchart.</p> <p><input checked="" type="checkbox"/> <b>NO</b>: Go to Question 3.</p>

Q3. CHANGES TO EMISSIONS	
<p>Are there proposed changes to the existing premises that are likely to increase the odour emissions, or change the configuration of any source in the facility?</p>	<p><input checked="" type="checkbox"/> <b>YES</b> or <b>Can't determine</b>: Go to Question 4.</p> <p><input type="checkbox"/> <b>NO</b>: Go to flowchart.</p>



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Q4. SCREENING DISTANCES	
<p><b>Screening distances</b> for categories of odour-generating activities are identified in <i>Appendix 2</i>. Select the appropriate option from the list below.</p>	
<p><b>Option 1:</b> The <b>screening distance</b> is listed in <i>Appendix 2</i> for this industry category and throughput level. <b>Screening distance (A)</b> = ____m <b>Sensitive receptor distance (B)</b> = ____m</p> <p><b>OR</b></p> <p><b>Option 2:</b> The <b>screening distance</b> for this industry category and throughput level is specified as 'case-by-case' in <i>Appendix 2</i>.</p> <p><b>OR</b></p> <p><b>Option 3:</b> There is no entry for this industry category in <i>Appendix 2</i>.</p>	<p><input type="checkbox"/> <b>B &lt; A:</b> Go to flowchart.</p> <p><input type="checkbox"/> <b>B ≥ A:</b> Go to Question 5.</p> <p><input checked="" type="checkbox"/> <b>Case-by-case:</b> Go to flowchart.</p> <p><input type="checkbox"/> <b>Industry category not listed:</b> Go to flowchart.</p>
Q5. SPECIAL CASE FACTORS	
<p>Are there special case factors that might increase odour impacts beyond the <b>screening distance</b> shown in Question 4?</p> <p>Please tick all applicable special case factors:</p> <p><input type="checkbox"/> Odour impacts from other nearby sources.</p> <p><input type="checkbox"/> Presence of an existing elevated odour background.</p> <p><input type="checkbox"/> Complex terrain (<i>Glossary</i>).</p> <p><input type="checkbox"/> Unusually large and/or complex facility when compared with other Australian operations.</p> <p><input type="checkbox"/> Unusual configuration of odour sources compared with other Australian operations.</p> <p><input type="checkbox"/> The premises is located in a Strategic Industrial Area (SIA).</p> <p><input type="checkbox"/> Multiple industry categories which emit odour are present on the same Site.</p>	<p><input type="checkbox"/> <b>YES or Can't determine:</b> Go to flowchart.</p> <p><b>OR</b></p> <p><input checked="" type="checkbox"/> <b>NO:</b> Go to flowchart.</p> <p>Justification should be provided to support a 'No' response.</p>

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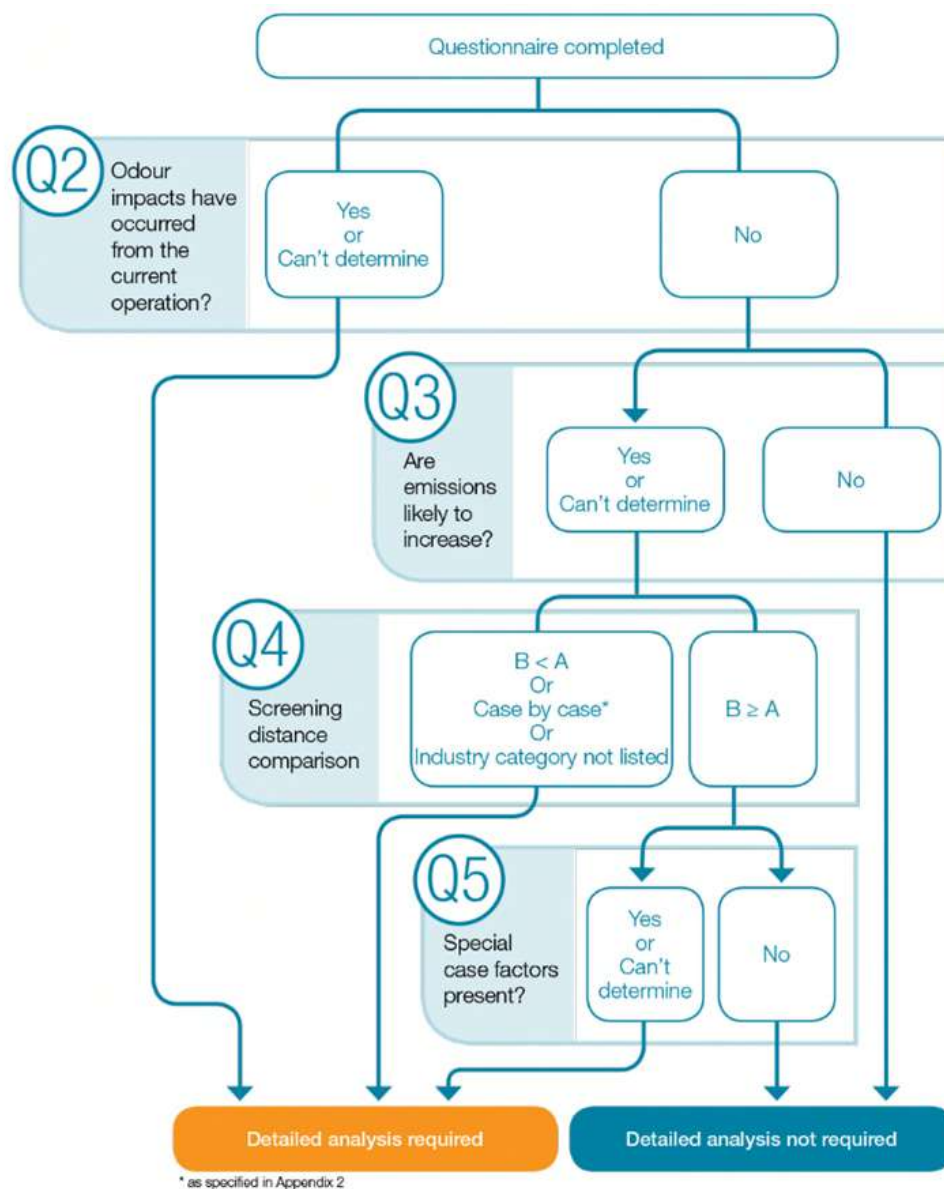
**Special case factors – justification for 'NO' response.**

**Additional Comments.**

Works Approval Application Supporting Information Mindarra Farm Piggery 1340 Wannamal Road West, Boonanarring WA

**STEP 2: FLOWCHART - EXISTING PREMISES**

The Screening analysis result is determined using the flowchart below and responses to the questionnaire overleaf.



(Screening analysis for existing premises)

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## 10.2 METHODOLOGY

An Odour Screening Analysis has been prepared following Appendix 1 of the DWER's Odour Emissions Guideline (DWER, 2019). A summary of the analysis is described below:

### 10.2.1 Step 1 Questionnaire

**Question 1 (Description of odour emissions):** Identified three new odour sources (Mindarra 3 anaerobic pond, Mindarra 4 CAPs, and flare) and existing sources.

**Question 2 (Identification of current odour impacts):** No odour impacts have occurred from the current operational configuration and / or practices. The piggery has been operating since 2012. Go to Question 3.

**Question 3 (Changes to emissions):** Yes – Go to Question 4. The Mindarra 3 anaerobic pond is smaller in terms of surface area than the existing anaerobic pond and therefore, a larger source is being replaced by a smaller source. At Mindarra 4 the three existing anaerobic ponds are uncovered, and these will be replaced by installing two new CAPs. The CAPs will eliminate odour, as gas is captured under the cover. Flaring is a new source of odour emissions. Therefore, odour emissions are likely to reduce on the Site.

**Question 4 (Screening Distances):** Option 2 – Case by case. Go to flowchart.

In accordance with Table 2 of DWER (2019) (Figure C) for a 'Category 2 Intensive Piggery', the case-by-case screening distance is determined by the S-Factor equations, referred to as a 'Level 1 Assessment' in the *National Environmental Guidelines for Indoor Piggeries* (APL, 2018).

### FIGURE C: EXTRACT FROM THE DWER'S ODOUR EMISSIONS GUIDELINE

*Table 2: Odour screening distances*

Category number and description <sup>1</sup>	Screening distance (metres)
<b>1. Cattle feedlot (500 animals or more)</b> <i>Premises on which the watering and feeding of cattle occurs, being premises:</i> <i>(a) situated less than 100m from a watercourse;</i> <i>and</i> <i>(b) on which the number of cattle per hectare exceeds 50.</i>	S-factor equations  Refer to <i>National guidelines for beef cattle feedlots in Australia</i> (Meat & Livestock Australia 2012) for S-factor approach
<b>2. Intensive piggery (1,000 animals or more)</b> <i>Premises on which pigs are fed, watered and housed in pens.</i>	S-factor equations  Refer to <b>Level 1 only</b> of the <i>National Environmental Guidelines for Indoor Piggeries</i> (Australian Pork Limited 2018)

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The Level 1 Assessment is described further in Section A5 (page 117) of APL (2018). The method used to conduct the Level 1 assessment is the calculation method (Section A5.2 on page 116).

The calculation method uses the formula:

Separation distance (D) =  $N^{0.55} \times S1 \times S2 \times S3$

N = Number of SPU.

0.55= Piggery size exponent determined using the results of modelling.

S1= Piggery design factor for estimating the relative odour potential for the piggery design selected for a particular site (S1 = effluent removal factor, S1R x effluent treatment factor, S1T).

S2 = Piggery siting factor for estimating the relative odour dispersion potential for the selected piggery site (S2 = receptor type factor, S2R x surface roughness factor, S2S).

S3 = Terrain weighting factor for estimating the potential changes to odour dispersion, in situations where meteorological conditions may be influenced by local terrain influences.

Aurora has calculated the required separation distance for Mindarra 4 and Mindarra 3 (Table L).

**TABLE L: LEVEL 1 CALCULATION FOR MINDARRA 3 AND 4**

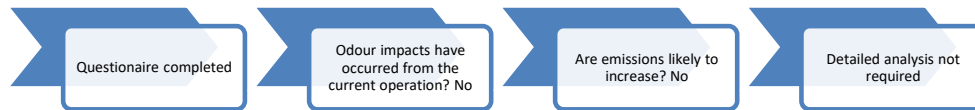
S FACTOR	MINDARRA 3	MINDARRA 4
N (SPU)	6,053	70,500
S1 Factor (effluent removal system x effluent treatment)	1 (conventional sheds) x 1 (Pond with <25% separation of VS before pond) = 1	1 (conventional sheds) x 0.5 (impermeable pond cover) = 0.5
S2 Factor (receptor type x surface roughness features)	15 (rural residential) x 0.70 (woodlands) = 10.5	15 (rural residential) x 0.70 (woodlands) = 10.5
S3 Factor (terrain weighing)	0.7 (significant hills and valleys)	0.7 (significant hills and valleys)
Separation Distance (D)	884 m or 0.88 km	1705 m or 1.71 km
Distance to nearest rural residence from closest point of piggery unit	4792m or 4.7 km	3448m or 3.4 km
Compliance with separation distance	Compliant	Compliant

Based on the calculations in Table L, Westpork will be compliant with the separation distance required to the nearest rural residence to mitigate odour impacts.

**Question 5 (Special case factors):** No. Go to flowchart.

Works Approval Application Supporting Information Mindarra Farm Piggery 1340 Wannamal Road West, Boonanarring WA

**10.2.2 Step 2 Flowchart – Existing Premises**



Works Approval Application Supporting Information Mindarra Farm Piggery 1340 Wannamal Road West, Boonanarring  
WA

**11 ATTACHMENT 8C DANDJOO DATABASE EXTRACT**

Record_ID	Latitude (d	Longitude (d	Date (dwc: Recorded r	Accepted name (d	Data provic	Dataset (dc	Count (dwc	Rights hold	Method/pr	Conservati	Identificati	Field identi	Date identi	Identificati	Identificati	Scientific n	Taxon rank	Organism r	Presence/A	Preparatio	Genomic s	Life stage (i	Reproducti	Native/intr	Geographic Area/locali	Habitat (dwc:habitat)
2022LOE8F	-31.1699	115.9151	1995-09-14	Pimelea flo	Pimelea floribunda	WA Herbar	WA Herbarium Specimen Database				PreservedS	Pimelea floribunda	Me verified			Erect open shrub 30 cm x 30 cm, flowers whit	present								16 km W of Grey sand. Open woodland.	



Works Approval Application Supporting Information Mindarra Farm Piggery 1340 Wannamal Road West, Boonanarring  
WA

**12 ATTACHMENT 8D PROTECTED MATTERS SEARCH REPORT**



Australian Government

Department of Climate Change, Energy,  
the Environment and Water

# EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected. Please see the caveat for interpretation of information provided here.

Report created: 26-Jun-2023

[Summary](#)

[Details](#)

[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

[Caveat](#)

[Acknowledgements](#)

## Summary

### Matters of National Environment Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the [Administrative Guidelines on Significance](#).

<a href="#">World Heritage Properties:</a>	None
<a href="#">National Heritage Places:</a>	None
<a href="#">Wetlands of International Importance (Ramsar)</a>	None
<a href="#">Great Barrier Reef Marine Park:</a>	None
<a href="#">Commonwealth Marine Area:</a>	None
<a href="#">Listed Threatened Ecological Communities:</a>	1
<a href="#">Listed Threatened Species:</a>	21
<a href="#">Listed Migratory Species:</a>	7

### Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at <https://www.dcceew.gov.au/parks-heritage/heritage>

A [permit](#) may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

<a href="#">Commonwealth Lands:</a>	None
<a href="#">Commonwealth Heritage Places:</a>	None
<a href="#">Listed Marine Species:</a>	12
<a href="#">Whales and Other Cetaceans:</a>	None
<a href="#">Critical Habitats:</a>	None
<a href="#">Commonwealth Reserves Terrestrial:</a>	None
<a href="#">Australian Marine Parks:</a>	None
<a href="#">Habitat Critical to the Survival of Marine Turtles:</a>	None

### Extra Information

This part of the report provides information that may also be relevant to the area you have

<a href="#">State and Territory Reserves:</a>	1
<a href="#">Regional Forest Agreements:</a>	None
<a href="#">Nationally Important Wetlands:</a>	None
<a href="#">EPBC Act Referrals:</a>	1
<a href="#">Key Ecological Features (Marine):</a>	None
<a href="#">Biologically Important Areas:</a>	None
<a href="#">Bioregional Assessments:</a>	None
<a href="#">Geological and Bioregional Assessments:</a>	None

Details

Matters of National Environmental Significance

Listed Threatened Ecological Communities [ Resource Information ]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.  
Status of Vulnerable, Disallowed and Ineligible are not MNES under the EPBC Act.

Community Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Banksia Woodlands of the Swan Coastal Plain ecological community</a>	Endangered	Community likely to occur within area	In feature area

Listed Threatened Species [ Resource Information ]

Status of Conservation Dependent and Extinct are not MNES under the EPBC Act.  
Number is the current name ID.

Scientific Name	Threatened Category	Presence Text	Buffer Status
BIRD			
<a href="#">Aphelocephala leucopsis</a> Southern Whiteface [529]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Leipoa ocellata</a> Malleefowl [934]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Rostratula australis</a> Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area	In feature area
<a href="#">Zanda latirostris listed as Calyptorhynchus latirostris</a> Carnaby's Black Cockatoo, Short-billed Black-cockatoo [87737]	Endangered	Species or species habitat known to occur within area	In feature area
MAMMAL			

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Dasyurus geoffroi</a> Chuditch, Western Quoll [330]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Macroderma gigas</a> Ghost Bat [174]	Vulnerable	Species or species habitat may occur within area	In feature area
PLANT			
<a href="#">Andersonia gracilis</a> Slender Andersonia [14470]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Banksia mimica</a> Summer Honeypot [82765]	Endangered	Species or species habitat known to occur within area	In feature area
<a href="#">Caleana dixonii listed as Paracaleana dixonii</a> Sandplain Duck Orchid [87944]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Chamelaucium lullfitzii listed as Chamelaucium sp. Gingin (N.G.Marchant 6)</a> Gingin Wax [92777]	Endangered (listed as Chamelaucium sp. Gingin)	Species or species habitat may occur within area	In feature area
<a href="#">Conospermum densiflorum subsp. unicephalum</a> One-headed Smokebush [64871]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Eleocharis keigheryi</a> Keighery's Eleocharis [64893]	Vulnerable	Species or species habitat likely to occur within area	In feature area
<a href="#">Eucalyptus leprophloia</a> Scaly Butt Mallee, Scaly-butt Mallee [56712]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Goodenia arthrotricha</a> [12448]	Endangered	Species or species habitat likely to occur within area	In buffer area only
<a href="#">Grevillea curviloba subsp. incurva</a> Narrow curved-leaf Grevillea [64909]	Endangered	Species or species habitat may occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Macarthuria keigheryi</a> Keighery's Macarthuria [64930]	Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Ptychosema pusillum</a> Dwarf Pea [11268]	Vulnerable	Species or species habitat may occur within area	In feature area
<a href="#">Thelymitra dedmaniarum</a> Cinnamon Sun Orchid [65105]	Endangered	Species or species habitat likely to occur within area	In feature area
<a href="#">Thelymitra stellata</a> Star Sun-orchid [7060]	Endangered	Species or species habitat may occur within area	In feature area

Listed Migratory Species		[ Resource Information ]	
Scientific Name	Threatened Category	Presence Text	Buffer Status
Migratory Marine Birds			
<a href="#">Apus pacificus</a> Fork-tailed Swift [678]		Species or species habitat likely to occur within area	In feature area
Migratory Terrestrial Species			
<a href="#">Motacilla cinerea</a> Grey Wagtail [642]		Species or species habitat may occur within area	In feature area
Migratory Wetlands Species			
<a href="#">Actitis hypoleucos</a> Common Sandpiper [59309]		Species or species habitat may occur within area	In feature area
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area	In feature area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat may occur within area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area	In feature area

Other Matters Protected by the EPBC Act

Listed Marine Species			[ Resource Information ]
Scientific Name	Threatened Category	Presence Text	Buffer Status
Bird			
<a href="#">Actitis hypoleucos</a> Common Sandpiper [59309]		Species or species habitat may occur within area	In feature area
<a href="#">Apus pacificus</a> Fork-tailed Swift [678]		Species or species habitat likely to occur within area overfly marine area	In feature area
<a href="#">Bubulcus ibis as Ardea ibis</a> Cattle Egret [66521]		Species or species habitat may occur within area overfly marine area	In feature area
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area	In feature area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat may occur within area overfly marine area	In feature area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat may occur within area overfly marine area	In feature area

Scientific Name	Threatened Category	Presence Text	Buffer Status
<a href="#">Chalcites osculans as Chrysococcyx osculans</a> Black-eared Cuckoo [83425]		Species or species habitat likely to occur within area overfly marine area	In feature area
<a href="#">Haliaeetus leucogaster</a> White-bellied Sea-Eagle [943]		Species or species habitat may occur within area	In feature area
<a href="#">Merops ornatus</a> Rainbow Bee-eater [670]		Species or species habitat may occur within area overfly marine area	In feature area
<a href="#">Motacilla cinerea</a> Grey Wagtail [642]		Species or species habitat may occur within area overfly marine area	In feature area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area	In feature area
<a href="#">Rostratula australis as Rostratula benghalensis (sensu lato)</a> Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area overfly marine area	In feature area

Extra Information

State and Territory Reserves			<a href="#">[ Resource Information ]</a>	
Protected Area Name	Reserve Type	State	Buffer Status	
Boonanarring	Nature Reserve	WA	In feature area	
EPBC Act Referrals			<a href="#">[ Resource Information ]</a>	
Title of referral	Reference	Referral Outcome	Assessment Status	Buffer Status
Controlled action				
<a href="#">Gingin Landfill Facility Access Road</a>	2020/8774	Controlled Action	Referral Decision	In feature area



# Caveat

## 1 PURPOSE

This report is designed to assist in identifying the location of matters of national environmental significance (MNES) and other matters protected by the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) which may be relevant in determining obligations and requirements under the EPBC Act.

The report contains the mapped locations of:

- World and National Heritage properties;
- Wetlands of International and National Importance;
- Commonwealth and State/Territory reserves;
- distribution of listed threatened, migratory and marine species;
- listed threatened ecological communities; and
- other information that may be useful as an indicator of potential habitat value.

## 2 DISCLAIMER

This report is not intended to be exhaustive and should only be relied upon as a general guide as mapped data is not available for all species or ecological communities listed under the EPBC Act (see below). Persons seeking to use the information contained in this report to inform the referral of a proposed action under the EPBC Act should consider the limitations noted below and whether additional information is required to determine the existence and location of MNES and other protected matters.

Where data are available to inform the mapping of protected species, the presence type (e.g. known, likely or may occur) that can be determined from the data is indicated in general terms. It is the responsibility of any person using or relying on the information in this report to ensure that it is suitable for the circumstances of any proposed use. The Commonwealth cannot accept responsibility for the consequences of any use of the report or any part thereof. To the maximum extent allowed under governing law, the Commonwealth will not be liable for any loss or damage that may be occasioned directly or indirectly through the use of, or reliance

## 3 DATA SOURCES

Threatened ecological communities

For threatened ecological communities where the distribution is well known, maps are generated based on information contained in recovery plans, State vegetation maps and remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species

Threatened, migratory and marine species distributions have been discerned through a variety of methods. Where distributions are well known and if time permits, distributions are inferred from either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc.) together with point locations and described habitat; or modelled (MAXENT or BIOCLIM habitat modelling) using

Where little information is available for a species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc.).

In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More detailed distribution mapping methods are used to update these distributions

## 4 LIMITATIONS

The following species and ecological communities have not been mapped and do not appear in this report:

- threatened species listed as extinct or considered vagrants;
- some recently listed species and ecological communities;
- some listed migratory and listed marine species, which are not listed as threatened species; and
- migratory species that are very widespread, vagrant, or only occur in Australia in small numbers.

The following groups have been mapped, but may not cover the complete distribution of the species:

- listed migratory and/or listed marine seabirds, which are not listed as threatened, have only been mapped for recorded
- seals which have only been mapped for breeding sites near the Australian continent

The breeding sites may be important for the protection of the Commonwealth Marine environment.

Refer to the metadata for the feature group (using the Resource Information link) for the currency of the information.

## Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

- [-Office of Environment and Heritage, New South Wales](#)
- [-Department of Environment and Primary Industries, Victoria](#)
- [-Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [-Department of Environment, Water and Natural Resources, South Australia](#)
- [-Department of Land and Resource Management, Northern Territory](#)
- [-Department of Environmental and Heritage Protection, Queensland](#)
- [-Department of Parks and Wildlife, Western Australia](#)
- [-Environment and Planning Directorate, ACT](#)
- [-Birdlife Australia](#)
- [-Australian Bird and Bat Banding Scheme](#)
- [-Australian National Wildlife Collection](#)
- [-Natural history museums of Australia](#)
- [-Museum Victoria](#)
- [-Australian Museum](#)
- [-South Australian Museum](#)
- [-Queensland Museum](#)
- [-Online Zoological Collections of Australian Museums](#)
- [-Queensland Herbarium](#)
- [-National Herbarium of NSW](#)
- [-Royal Botanic Gardens and National Herbarium of Victoria](#)
- [-Tasmanian Herbarium](#)
- [-State Herbarium of South Australia](#)
- [-Northern Territory Herbarium](#)
- [-Western Australian Herbarium](#)
- [-Australian National Herbarium, Canberra](#)
- [-University of New England](#)
- [-Ocean Biogeographic Information System](#)
- [-Australian Government, Department of Defence](#)
- [Forestry Corporation, NSW](#)
- [-Geoscience Australia](#)
- [-CSIRO](#)
- [-Australian Tropical Herbarium, Cairns](#)
- [-eBird Australia](#)
- [-Australian Government – Australian Antarctic Data Centre](#)
- [-Museum and Art Gallery of the Northern Territory](#)
- [-Australian Government National Environmental Science Program](#)
- [-Australian Institute of Marine Science](#)
- [-Reef Life Survey Australia](#)
- [-American Museum of Natural History](#)
- [-Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [-Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- [-Other groups and individuals](#)

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

Please feel free to provide feedback via the [Contact us](#) page.

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Works Approval Application Supporting Information Mindarra Farm Piggery 1340 Wannamal Road West, Boonanarring WA

### 13 ATTACHMENT 10 COSTS

Fees relate to the cost of the works, including all capital costs (inclusive of GST) associated with the construction and establishment of the works proposed under the works approval application. This includes, for example, costs associated with earthworks, hard stand, drainage, plant hire, equipment, processing plant, relocation of equipment and labour hire. The estimated costs are listed in Table M.

Costs exclude:

- The cost of land.
- The cost of buildings to be used for purposes unrelated to the purposes in respect of which the premises are, or will become, prescribed premises.
- Costs for buildings unrelated to the prescribed premises activity or activities consultancy fees relating to the works.

**TABLE M: BREAKDOWN OF COSTS**

ELEMENT	EARTHWORKS	PLANT AND EQUIPMENT	COMMISSIONING
Construction of new CAPs at Mindarra 4.	\$75,000	\$650,000	Included in equipment quote.
Construction of a new evaporation pond at Mindarra 4.	\$100,000	\$400,000	
Construction of an anaerobic pond at Mindarra 3.	\$50,000	\$40,000	\$10,000
<b>TOTAL</b>		<b>\$1,325,000</b>	

Using the DWER Works Approval and Licence Amendment Fee Calculator the fee is \$1,360 (extract below).

Amendment application fee calculator (effective as of 1 July 2022)		Instrument No.	
		Unit value (\$)	15.60
Categories	Units	Fee	
2 - Intensive Piggery: More than 5 000 animals	100	\$1,360.00	
	0	\$0.00	
	0	\$0.00	
	0	\$0.00	
	0	\$0.00	
	0	\$0.00	
	0	\$0.00	
	0	\$0.00	
Note: Amendment fee is determined by the category with the largest fee units		<b>Fee Payable</b>	<b>\$1,360.00</b>

Works Approval Application Supporting Information Mindarra Farm Piggery 1340 Wannamal Road West, Boonanarring WA

## **14 REFERENCES**

**Australian Pork Limited (2018)** National Environmental Guidelines for Indoor Piggeries, available at: [https://australianpork.com.au/environmental-practices/environmental-guidelines#guidelines\\_for\\_indoor\\_and\\_outdoor\\_piggeries](https://australianpork.com.au/environmental-practices/environmental-guidelines#guidelines_for_indoor_and_outdoor_piggeries).

**Briese, E.H. (1979)** The geology and hydrogeology of the Moora Borehole Line, available at: <https://dmpbookshop.eruditetechnologies.com.au/product/the-geology-and-hydrogeology-of-the-moora-borehole-line.do>.

**Bureau of Meteorology (BOM) (2023)** Climate Data Online, viewed 10 February 2023 <http://www.bom.gov.au/climate/data>

**Department of Planning, Lands and Heritage (DPLH) (2023)** Aboriginal Heritage Enquiry System, viewed 13 February 2023. <https://espatial.dplh.wa.gov.au/AHIS/index.html?viewer=AHIS>

**Department of Primary Industries and Regional Development (DPIRD) (2023)** Natural Resource Information (WA), viewed 13 February 2023 <https://www.agric.wa.gov.au/resource-assessment/nrinfo-natural-resource-information-western-australia>

**Department of Water (DoW) (2017)** Northern Perth Basin - Geology, hydrogeology and groundwater resources. Hydrogeological bulletin series, report no. HB1, Department of Water, Government of Western Australia, Perth.

**Department of Water (DoW) (2015)** Gingin groundwater allocation plan. Water resource allocation and planning report series. Report no. 53.

**Department of Water and Environmental Regulation (DWER) (2023)** Water Information Reporting, viewed 13 February 2013 <http://wir.water.wa.gov.au/Pages/Water-Information-Reporting.aspx>

**Department of Water and Environmental Regulation (DWER) (2019)** Odour Emissions Guideline, available at: <https://www.der.wa.gov.au/our-work/licences-and-works-approvals/541-guideline-odour-emissions>

**Department of Water and Environmental Regulation (DWER) (2017)** Guidance Statement: Risk Assessments, available at: <https://www.der.wa.gov.au/component/k2/item/6566-guidance-statement-risk-assessments>.

**Desmond, A. (2001)** Swan Coastal Plain 1 (SWA1 – Dandaragan Plateau subregion), In: A Biodiversity Audit of Western Australia's 53 Biogeographical Subregions in 2002, Department of Conservation and Land Management, Perth.

**Integrity Ag & Environment (2023)** Mindarra 3 and 4 – Water Balance Modelling. Unpublished report prepared for Westpork.

**Integrity Ag & Environment (2022)** Pork Producer Lifecycle Assessment FY20 Preliminary Results. Unpublished report prepared for Westpork.

**Landgate (2023)** Map Viewer Plus, viewed 10 February 2023 <https://map-viewer-plus.app.landgate.wa.gov.au/index.html>

**14.4 DEVELOPMENT APPLICATION - TRANSPORT DEPOT - LOT 29 (94) BELL ROAD, COONABIDGEE**

File	BLD/47
Applicant	Ivers & Vine Investments Pty Ltd
Location	Lot 28 (94) Bell Road, Coonabidgee
Owner	Rhylie Raymond-Vine
Zoning	Rural Industry
WAPC No	N/A
Author	Ross Harper – Planning Officer James Bayliss – Manager Planning and Building
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	Nil
Appendices	<ol style="list-style-type: none"> <li>1. Aerial plan Lot 28 (94) Bell Road Coonabidgee [14.4.1 - 1 page]</li> <li>2. Location plan Lot 28 (94) Bell Road Coonabidgee [14.4.2 - 1 page]</li> <li>3. Applicant's Proposal [14.4.3 - 27 pages]</li> </ol>

**DISCLOSURES OF INTEREST**

Nil

**PURPOSE**

To consider an Application for Development Approval for a Transport Depot on Lot 28 (94) Bell Road, Coonabidgee.

**BACKGROUND**

The subject lot is 2.37 hectares in area with a pocket of vegetation screening the development from Bell Road. The subject lot contains a single house, sheds, and water tank.

The proposal includes a storage shed 18 metres in length and 30 metres in width, which equates to an area of 540m<sup>2</sup>. The storage shed has a wall height of 5.6m and an overall height of 7.1m metres. The outbuilding is set back 20 metres from the side (eastern) boundary and 68 metres from the front (northern) boundary.

The Storage Shed will be used to store earth moving machinery and trucks, including two semi-trailers and various truck trailers.

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

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

## **COMMENT**

### Stakeholder Consultation

The application was advertised to adjoining landowners for a period of 28 days in accordance with Clause 64 of the *Planning and Development (Local Planning Scheme) Regulation 2015*. One expression of support for the proposal was received.

## **PLANNING FRAMEWORK**

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

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

- a) *Provide for a range of industrial land uses on rural-living sized lots where people work and live on the same property.*

The use is generally consistent with the above objective. However, it should be noted that the objective specifically references an ability for people to live within Gingin Industrial Area (Frogmore). Whilst this must be balanced with an understanding that occupants will be exposed to levels of noise associated with industrial land uses, operating hours should nevertheless consider a level of residential amenity for occupants.

A 'Transport Depot' is defined under LPS No. 9 as follows:

*means land and buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one such motor vehicle to another of such motor vehicles and includes maintenance, management and repair of the vehicles used, but not of other vehicles.*

The use class Transport Depot is listed as an 'A' use under the Scheme which means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 64 of the Deemed Provisions. As outlined above, relevant advertising has been undertaken.



### Setbacks

An extract from the applicable development standards outlined in *Table 2 – Site Requirements* for Rural Industry zoned land is provided below, with the proposed dimensions indicated:

<b>Table 2 – Site Requirements</b>						
<b>Zone</b>	<b>Minimum Setback</b>			<b>Maximum Plot Ratio</b>	<b>Maximum Site Coverage</b>	<b>Minimum Landscaping</b>
	<b>Front</b>	<b>Side</b>	<b>Rear</b>			
Rural Industry	Permitted: 20m	Permitted: 20m	Permitted: 20m	Permitted: 0.5	Permitted: 50%	5% of site area – screening of non-residential uses from street is required.  Provided: Natural Vegetation to front boundary
	Provided: 76m	Provided: 20m	Provided: 74m	Provided: <0.5	Provided: <50%	
	Complies	Complies	Complies	Complies	Complies	

The development standards that apply to the Rural Industry zone are outlined below:

#### *4.8.4 Rural Industry Zone*

*4.8.4.1 Lot sizes shall be between 1 and 4 hectares.*

*4.8.4.2 – Local government may, at its discretion, consider permitting the land use “single house”. In doing so, local government will be guided by the development standards in clause 4.8.9, excepting clauses 4.8.9.4 and 4.8.9.5.*

### Officer Comment

The above clauses are not applicable.

*4.8.4.3 Refuse Storage Areas – All developments shall provide at least one refuse storage area readily accessible to service vehicles and screened from view from a public street by a close fence, wall, or screen landscaping no less than 1.8 metres in height.*



Officer Comment

At the front of the lot pockets of natural vegetation screen the development from Bell Road.

*4.8.4.4 Storage Yards – A person shall not use land for open storage purposes unless it is screened from public view by a fence or wall to the satisfaction of the local government.*

Officer Comment

As outlined above the subject lot is screened from Bell Road and is unlikely to create any amenity issues.

Parking

'Table 3 – Parking Requirements' under LPS 9 designates the amount of parking required for the proposed land use based on the gross leasable area of the development. In this instance the land use is not listed, however the site has ample room to provide for the proposed number of employees, being two.

Clause 4.7.2.1 provides for provisions for parking and access for loading and unloading of vehicles, with an extract of the applicable points outlined below:

- (a) No land or buildings shall be developed unless provision is made for an area clear of the street for the purpose of loading or unloading goods or materials.*
- (b) The local government will seek to ensure that the majority of servicing vehicles will be able to leave and enter the street in a forward direction.*
- (c) Parking, loading and unloading and access, complete with necessary drainage, signs and marking as required by the local government, shall be provided prior to any occupation of the development or at such time as may be agreed.*
- (d) External servicing areas shall be established and maintained to the satisfaction of the local government.*

The property is sufficiently large to enable vehicles to enter and exit the site in a forward gear and manoeuvre around the buildings. Loading/unloading activities will occur adjacent to the proposed storage shed.

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

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

- (s) *The adequacy of –
  - (i) *The proposed means of access to and egress from the site; and*
  - (ii) *Arrangements for the loading, unloading, maneuvering and parking of vehicles;**
- (t) *The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*

Officer Comment:

The development comprises of one heavy vehicle used by a sole operator. The vehicle movements are anticipated to be one per day (i.e. leaving and entering) with the truck being unloaded.

The officer is of the view that the relevant crossover type that applies to the development is Specification Drawing Number 'SoG/STD-01 Type A' dated January 2021 (**see appendices**).

Summary

In view of the above assessment, the office supports the development subject to conditions.

**STATUTORY/LOCAL LAW IMPLICATIONS**

*Planning and Development Act 2005*

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

*Local Planning Scheme No 9*

**POLICY IMPLICATIONS**

Nil

**BUDGET IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

<b>Aspiration</b>	3. Planning & Sustainability - Plan for Future Generations
<b>Strategic Objective</b>	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

## VOTING REQUIREMENTS - SIMPLE MAJORITY

### COUNCIL RESOLUTION/OFFICER RECOMMENDATION

**MOVED:** Councillor Peczka

**SECONDED:** Councillor Balcombe

That Council grant Development Approval for a Transport Depot at Lot 29 (94) Bell Road, Coondabidgee subject to the following conditions:

1. The land use and development shall be in accordance with the approved plans (including any amendments marked in red) and accompanying documentation unless otherwise conditioned by this approval;
2. This approval is for a Transport Depot and associated Storage Shed only;
3. The finished floor level of the Storage Shed must be set at the existing average natural ground level to the satisfaction of the Shire of Gingin;
4. The Storage Shed shall not be used for human habitation or any other industrial or commercial use other than that approved as part of this application;
5. The Storage Shed shall be constructed using new materials and be of a consistent colour scheme;
6. Stormwater from all roofed and hardstand areas shall be collected and contained onsite to the satisfaction of the Shire of Gingin; and
7. Prior to commencement of the approved use, the development shall be serviced by a new crossover from Bell Road which is to be designed and constructed to the satisfaction of the Shire of Gingin at the landowner's cost. The landowner/applicant shall maintain the crossover in good condition thereafter.

#### Advice Notes:

- Note 1:** If you are aggrieved by the conditions of this approval you have the right to request that the State Administrative Tribunal (SAT) review the decision, under Part 14 of the *Planning and Development Act 2005*.
- Note 2:** If the development subject to this approval is not substantially commenced within a period of 2 years, the approval shall lapse and have no further effect.
- Note 3:** Where an approval has so lapsed, no development may be carried out without further approval of the local government having first been sought and obtained.

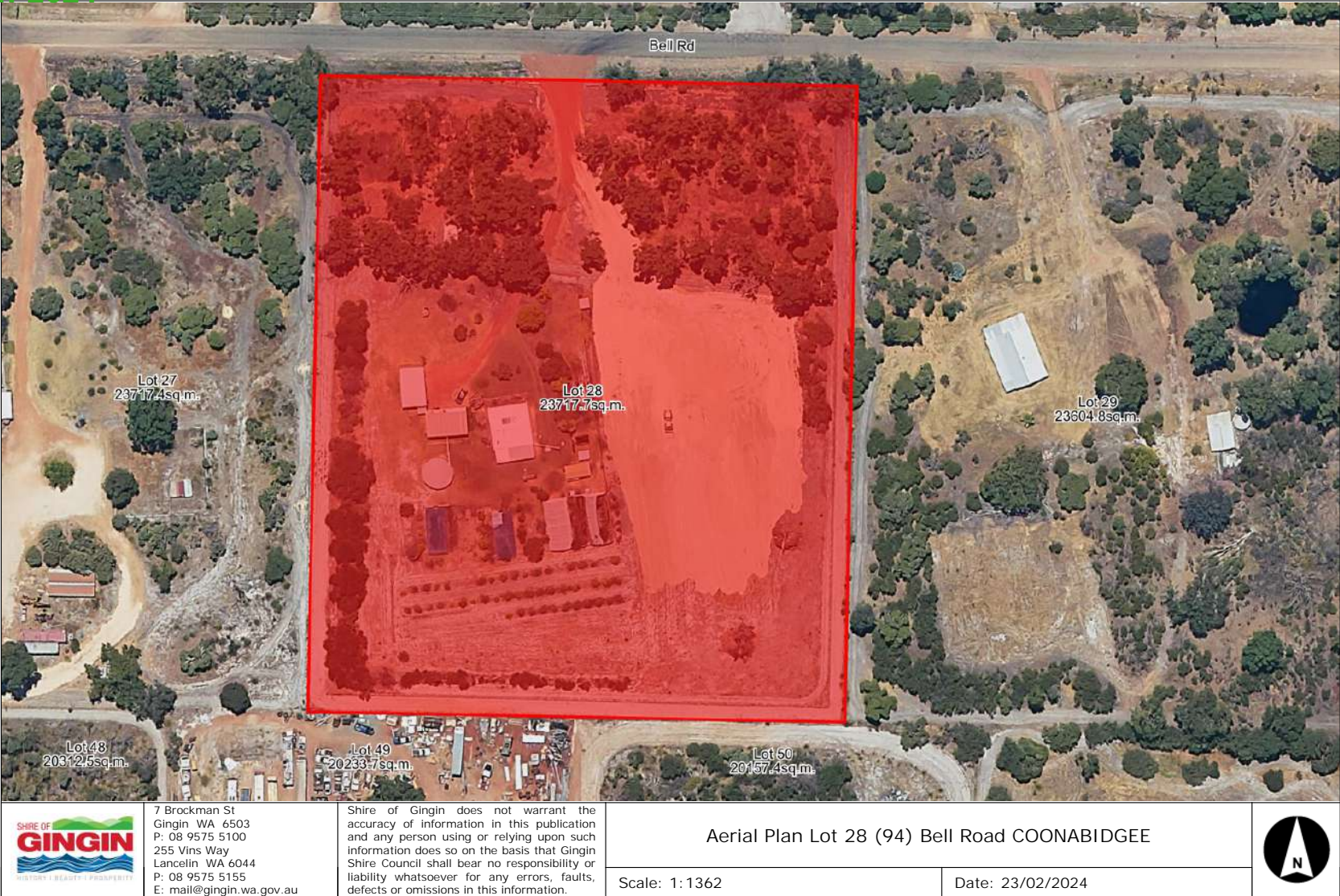
- Note 4: Further to this approval, the applicant is required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011* and *Health Act 2016*, which are to be approved by the Shire of Gingin
- Note 5: This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should you wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, you must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*;
- Note 6: The operation will be required to comply with the *Environmental Protection (Noise) Regulations 1997*;
- Note 7: In relation to the crossover installation, please be advised that the Shire's Crossover Specification Drawing Number 'SoG/STD-01 Type A' dated January 2021 is the applicable standard.
- Note 8: In relation to the crossover installation, a crossover application form is to be submitted to the Shire's Operations and Assets Department. The form can be found on the Shire's website at the following link:  
<https://www.gingin.wa.gov.au/services/operations.aspx>
- Note 9: It is recommended that cadastral lot boundaries be established by a suitably qualified land surveyor to ensure that all development is carried out within the subject allotment.

CARRIED UNANIMOUSLY  
7 / 0

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

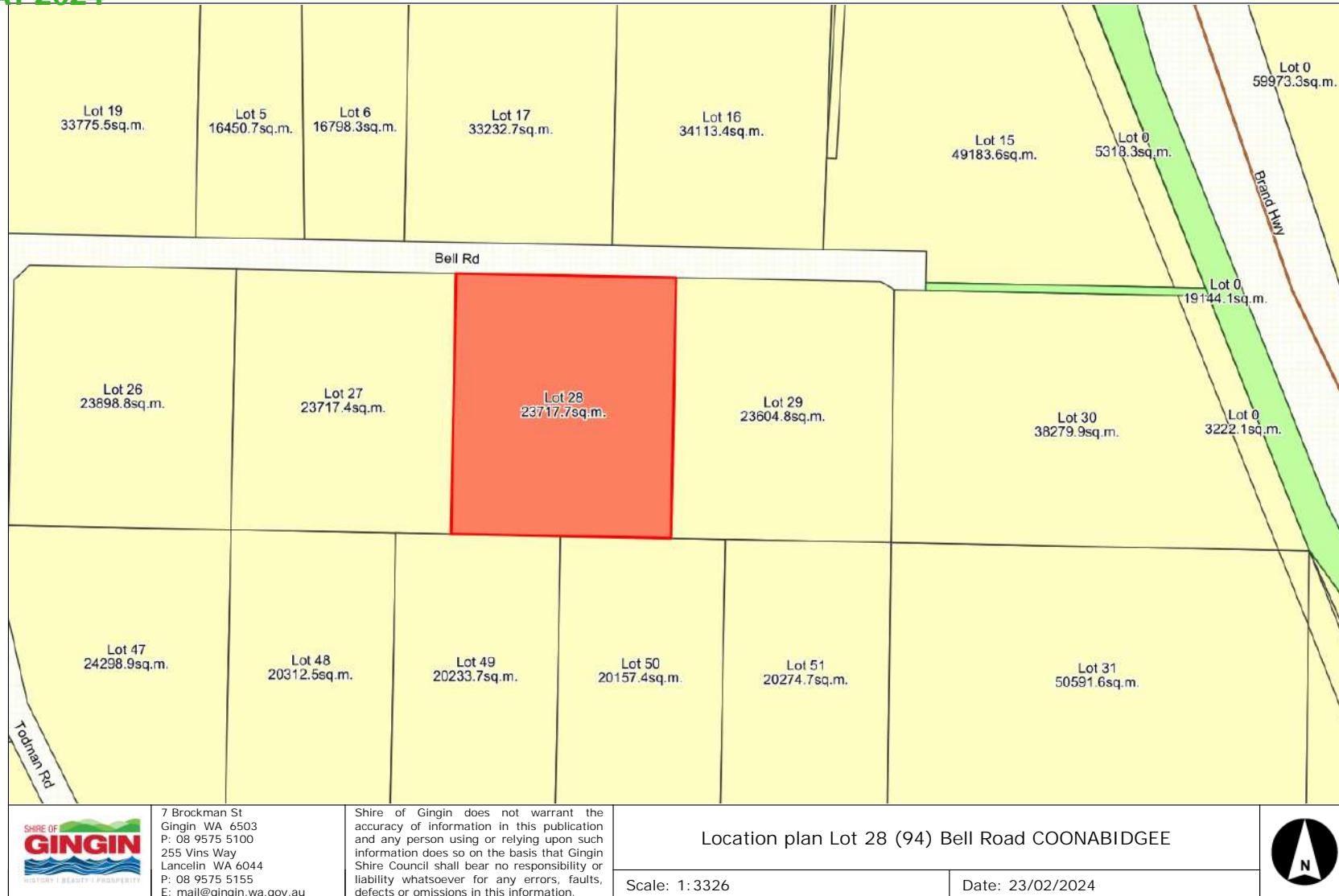
AGAINST: *Nil*





# MINUTES ORDINARY COUNCIL MEETING 21 MAY 2024

## APPENDIX 14.4.2







Statutory Planning

**Application for Development Approval –  
Local Planning Scheme No.9 (LPS 9)**

Please ensure that you complete and submit a development application checklist in conjunction with this form. Please ensure you complete **ALL** sections of this application form.

**Property Details**

<b>Lot No:</b>	28	<b>House/Street No:</b>	94
<b>Location No:</b>		<b>Diagram/Plan No:</b>	16154
<b>Certificate of Title Vol No:</b>	1812	<b>Certificate of Title Folio:</b>	93
<b>Title encumbrances (e.g. Easements/Restrictive Covenants):</b>			
<b>Street Name:</b>	BELL ROAD	<b>Suburb:</b>	COONABIDGEE
<b>Nearest street intersection:</b>	TODMAN ROAD		

**Proposed Development**

<b>Nature of Development:</b>	<input type="checkbox"/> Works	<input type="checkbox"/> Use	<input checked="" type="checkbox"/> Works and Use
<b>Is an exemption from development approval claimed for part of the development?</b>	<input type="checkbox"/> Yes <i>If yes, the exemption is for:</i>		<input type="checkbox"/> No
	<input type="checkbox"/> Works	<input type="checkbox"/> Use	
<b>Has the development already commenced?</b> <i>(if yes, retrospective fees will apply)</i>	<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No
<b>Description of proposed works and/or land use:</b>	Building of a shed for earthmoving company storage of machines and transport depot		
<b>Nature of any existing buildings and/or land use on the property:</b>	Existing 2 bedroom house used for residential purposes. Also shaded vegetable tunnels used for residential use		
<b>Estimated cost of development:</b> (excluding GST)			
<b>Approximate time of completion:</b>	6 months		

**Office Use Only**

<b>Acceptance officer initials:</b>		<b>Date Received:</b>		<b>BLD &amp; P No:</b>	
<b>Receipt No:</b>					



Statutory Planning

**Application for Development Approval –  
Local Planning Scheme No.9 (LPS 9)**

**Landowner/s Details**

<b>Company Name: (if applicable)</b>		IVERS AND VINE INVESTMENTS PTY LTD ATF IVERS AND VINE PROPERTY TRUST	
<b>Owners Name(s):</b>	RHYLLIE RAYMOND-VINE	<b>Owner(s) Name:</b>	
<b>Position Title: (when signing on behalf of a company)</b>	DIRECTOR	<b>Position Title: (when signing on behalf of a company)</b>	
<b>Signature:</b>		<b>Signature:</b>	
<b>Date:</b>	16/02/24	<b>Date:</b>	
<b>Postal Address:</b>		<b>Post Code:</b>	6503
<b>Contact Person:</b>	RHYLLIE RAYMOND-VINE	<b>Contact No:</b>	
<b>Email Address:</b>			

**Note:** The application will not proceed without the signature of all landowners. For the purposes of signing this application form an owner includes the persons referred to in the Planning and Development (Local Planning Scheme) Regulations 2015 - Schedule 2 - Clause 62(2).

**Applicant Details (if different from landowner details)**

<b>Company Name: (if applicable)</b>			
<b>Contact Person:</b>		<b>Contact No:</b>	
<b>Postal Address:</b>		<b>Post Code:</b>	
<b>Email Address:</b>			

I advise that I have reviewed the plans and provided all of the required information, including a cover letter summarising the proposed development. If sufficient information is not provided, the application may be returned or placed on hold until all information is received. Failure to provide a completed development application form, completed checklist, cover letter, insufficient plans or incorrect cost of development/fees, may result in my application not being accepted.

I understand that the information provided including plans and supporting information forming part of the development application may be made available to the public for advertising purposes and may form part of a Council agenda.

<b>Applicant Name:</b>	RHYLLIE RAYMOND-VINE	<b>Date:</b>	16/02/24
<b>Applicant Signature:</b>			





16/02/2024

Ivers and Vine Investments Pty Ltd  
Rhyllie Raymond-Vine  
Director

PO Box 28 GINGIN WA 6503

To assist in the development planning approval please find the following information for clarity into the development of property 94 Bell Road, Coonabidgee.

Our request is to build a shed for the future use of our business operations. Including the storage of heavy machinery, repairs and maintenance and as a transport depot for our Western Australian main roads accredited haulage.

We currently have two Semi truck and two trailers accredited and hope to have a shed to use for the servicing out of the Gingin weather elements for the enhancement of safety and working conditions of our employees. We expect once we have a shed for maintenance there will be not more than 2-3 employees onsite at any given time.

We imagine minimal staff and traffic with operation seeing our truck leave and return from our currently leased site 1-2 times a week. Most of our earthmoving machines are only returned to the yard once a year for storage and maintenance as most maintenance is undertaking onsite in the field. We do not expect more than 2-3 machines in the depot at any given time. Our staff currently use a separate leased yard for the storage of personal light vehicles when they are FIFO or DIDO to sites further away.

Any storage of Machines/Equipment will be behind proposed shed as to be "out of view from a public street" as a requirement outlined in clause 4.8.4.4 of local planning scheme No. 9.

As previously discussed with Gingin shire planning department, the crossover from our property into the front street may be something that may need enhancing. We are willing to discuss this further.

Expected depot hours are 6am-7pm.

Please let me know if you need any information further to the above.

Kind regards,

**Rhyllie Raymond-Vine**  
**Director**  
Ivers and Vine Investments Pty Ltd



## Statutory Planning

# Application for Development Approval - Checklist

This checklist is to assist applicants to prepare and complete an Application for Development Approval for outbuildings.

Applicants must ensure all required information is provided at the time of lodgement. A complete development application that contains all necessary information in accordance with this checklist, will enable the Shire to undertake a full planning assessment and avoid unnecessary delays occurring in the processing of your application.

## Lodging Your Application

Your application can be lodged:

- Via email to [mail@gingin.wa.gov.au](mailto:mail@gingin.wa.gov.au). All supporting information is to be attached as pdf documents.
- In person by visiting the Shire of Gingin Administration Building, 7 Brockman Street, Gingin.
- In person by visiting the Lancelin Administration Building, 255 Vins Way, Lancelin; or
- Via post to the Shire of Gingin - 7 Brockman Street, Gingin WA 6503.

## Application Requirements

- ☒ A completed copy of this checklist confirming the application is complete.
- ☒ A completed Application for Development Approval Form – All section to be completed.
- ☒ Cost of development - The estimated cost of your proposal must be provided and should be as accurate as possible.
- ☒ Certificate of Title – A copy can be obtained from Landgate at the following link:  
<https://www0.landgate.wa.gov.au/titles-and-surveys/certificate-of-title>
- ☐ Development application fee (refer to the Shire's Planning Fees and Charges). ?
- ☒ Cover Letter - This is to provide details and written justification addressing any aspects of the outbuilding that requires the Shire to undertake an assessment against the design principles of the Residential Design Codes Volume 1 or Local Planning Policy 2.1 – Residential Outbuildings.

## Development plans (refer to information development plans information sheet)




- ☒ Site plan
- ☒ Floor plan
- ☒ Elevation drawings



Statutory Planning

Application for Development Approval - Checklist

Documentation	Required Information	Provided	
		Yes	N/A
Site Plan	Street name, lot number and property address	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Site dimensions, north point and drawn to scale (e.g. 1:100, 1:200, 1:500)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Location and finished levels of the proposed development	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Setback distance(s) of the proposed development from the lot boundary.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Position and finished levels of any existing structures onsite that may impact on the application	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Structures and/or trees to be demolished or removed	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Areas to be landscaped	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	The street verge, including footpaths, street trees, crossovers, truncations, power poles, any services and the location of any access restrictions such as drainage pits	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	The location of any easement or piped services traversing the site and any sewer or sewer connection point servicing the site	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Floor Plans	Street name, lot number and property address	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	North point and scale	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Outbuilding layout including location of walls, doors and windows.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Finished levels of the floor(s) of the building, relative to the natural ground levels of the site	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Elevation Drawing	Street name(s), lot number, and scale	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	View of every face of the proposed building(s), incorporating the existing building(s) where applicable	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Indicate wall height and overall height	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Proposed and existing colours and materials.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Height, extent, and materials of any proposed retaining and fencing	<input checked="" type="checkbox"/>	<input type="checkbox"/>

 <b>COMPLIANCE CERTIFICATE FOR BUILDING DESIGN</b>																																																							
<b>Property Description</b> Street Address to include number, street, suburb, locality, postcode	Part Open Sided Steel Clad & Framed Shed 18.0m span by 30.0m long, 5.6m eave with Attached Awning 6.0m Wide to Part Both Sides 94 Bell Rd Coonabidgee WA 6503  <i>Design suitable for Wind Regions N1-N4            Certifier or Owner to confirm that the wind loadings for this design are true and correct for the address and location stated.</i>																																																						
<b>Description Components Certified</b> Clearly state the extent of work covered by this certificate	Steel Framing Frame connections Frame bracing Foundation piers only Steel cladding 0.42mm BMT Floor slab design by others																																																						
<b>Basis of Certification</b> Detail the basis for issuing the certificate & the extent to which tests, specifications, rules, standards, codes of practice and other publications are relied upon	<table border="0"> <tr> <td>AS4600-2018</td> <td>AS1170.0 - 2002</td> </tr> <tr> <td>AS4100-2020</td> <td>AS 1170.1 - 2002</td> </tr> <tr> <td>AS2870 - 2011</td> <td>AS1170.2 - 2021</td> </tr> <tr> <td>AS1562 - 2018</td> <td>AS1170.3 - 2003</td> </tr> <tr> <td>AS3600-2018</td> <td>AS1170.4 - 2007</td> </tr> <tr> <td>AS4678 - 2002</td> <td>AS4055-2021</td> </tr> <tr> <td>BCA / NCC 2022</td> <td>AS3623-2018</td> </tr> </table> <table border="0"> <tr> <td>Region AS1170.2</td> <td>A1</td> <td>Earthquake Reg Hazard Factor Z</td> <td>0.08</td> </tr> <tr> <td>Terrain Category for Design</td> <td>2</td> <td>NCC Equiv Wind Class</td> <td>N3</td> </tr> <tr> <td>BCA Importance Level</td> <td>2</td> <td>Design Roof Live Load kPa</td> <td>0.25</td> </tr> <tr> <td>Annual Prob Wind Exceedance</td> <td>1:500</td> <td>Ground Snow Loading Sg kPa</td> <td>0</td> </tr> <tr> <td>Reg 3 sec wind gust Vr m/sec</td> <td>45</td> <td>Roof Load Snow Load 1 in 150 kPa</td> <td>0</td> </tr> <tr> <td>Wind Dir Multiplier Md</td> <td>1.00</td> <td>Roof Panel Loading kPa</td> <td>0</td> </tr> <tr> <td>Height Multiplier (Mz,Cat)</td> <td>0.91</td> <td>Shielding Multiplier Ms</td> <td>1</td> </tr> <tr> <td>Topo Multiplier Mt</td> <td>1.00</td> <td>Site Wind Speed Vsite,B in m/sec</td> <td>41</td> </tr> <tr> <td>External Pressure Coefficients cpe</td> <td>-0.65 0.70</td> <td>Soil Classification to AS2870</td> <td>Cohesive Class S, M, H1</td> </tr> <tr> <td>Internal Pressure Coefficients cpi</td> <td>-0.3 0.70</td> <td>Safe Bearing Capacity Soil kPa</td> <td>100</td> </tr> </table>	AS4600-2018	AS1170.0 - 2002	AS4100-2020	AS 1170.1 - 2002	AS2870 - 2011	AS1170.2 - 2021	AS1562 - 2018	AS1170.3 - 2003	AS3600-2018	AS1170.4 - 2007	AS4678 - 2002	AS4055-2021	BCA / NCC 2022	AS3623-2018	Region AS1170.2	A1	Earthquake Reg Hazard Factor Z	0.08	Terrain Category for Design	2	NCC Equiv Wind Class	N3	BCA Importance Level	2	Design Roof Live Load kPa	0.25	Annual Prob Wind Exceedance	1:500	Ground Snow Loading Sg kPa	0	Reg 3 sec wind gust Vr m/sec	45	Roof Load Snow Load 1 in 150 kPa	0	Wind Dir Multiplier Md	1.00	Roof Panel Loading kPa	0	Height Multiplier (Mz,Cat)	0.91	Shielding Multiplier Ms	1	Topo Multiplier Mt	1.00	Site Wind Speed Vsite,B in m/sec	41	External Pressure Coefficients cpe	-0.65 0.70	Soil Classification to AS2870	Cohesive Class S, M, H1	Internal Pressure Coefficients cpi	-0.3 0.70	Safe Bearing Capacity Soil kPa	100
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<b>Signature of Competent Person</b>	I certify that the items described above, if installed or carried out in accordance the information contained in this certificate, including any referenced documentation, will comply with the National Construction Code (BCA) of Australia or International Standard.  Signature of Competent Person :  Date : 6-Sep-23																																																						

## GENERAL NOTES

G1. Do not scale drawings. Written dimensions shall have precedence over scaled drawings. Dimensions, conditions and levels to be verified on site report any discrepancies to the applicable building designer(s).

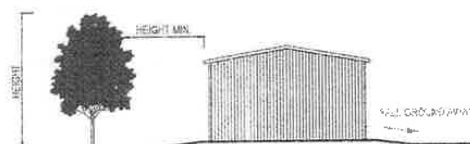
G2. All new construction work and the installation of services must comply with the Building Code of Australia, relevant Australian Standards, relevant codes and manuals, local municipal by-laws and requirements of the relevant authorities.

G3. This building design should be reviewed by an appropriately qualified person with regards to the relevant Occupations Health & Safety Act in your state.

G4. Moisture or Moisture Retaining materials should not be permitted to remain in intimate contact with Zincalume or Colorbond Steel (roof & wall sheeting). Such contact will ultimately result in perforation (rust) of the material.

G5. Clay soils will swell and shrink with variations in moisture content. This movement may cause damage to the building. In order to minimise the damage we recommend the following precautions are taken:

- Provide adequate site drainage to ensure water will not come against or near the building.
- Grade the site within 2.0m of the building away from building, to ensure that water will not pool near the building.
- Maintain sewerage, stormwater and other drainage systems so that leakage will not occur, if they do occur they should be repaired promptly.
- Trees and shrubs should not be planted or allowed to exist closer than 0.75 times their mature height to the building. Avoid establishing garden beds next to the building. Gardens and lawns should be watered adequately but not excessively. Uniform, consistent watering can be important to prevent damage to the foundations during dry spells or drought.



Registered Professional Engineer 326457

Mr George Zuev  
MIEAust CPEng



Signature

Date

06 SEP 2023

Registered on the NPER in the area of practice of  
Civil / Structural  
National Professional Engineers Register

107

George Zuev  
NER 326457

DEKLOW AL.

## CONCRETE

C1. All workmanship and materials shall be in accordance with AS 3600 current editions with amendments, except where varied by the contract documents.

C2. Concrete Characteristics.

ELEMENT	STRENGTH F <sub>ck</sub>	SUMP	MAX AGG. SIZE
Floors	25 MPa	80mm ± 15	20 mm
Footings	25 MPa	80mm ± 15	20 mm

C3. Cover to reinforcement shall be obtained by the use of approved bar chairs. All bar chairs to be spaced at 400mm maximum. Cover shall not be less than the size of the aggregate or the main bars.

Concrete Cover:

Floors	= 15mm U.N.O.
Footings	= 30mm U.N.O.
Strip Footings	= 30mm U.N.O.

C4. Seps of concrete elements do not include thickness of applied finish.

C5. No holes, chases or embedment of pipes other than those shown on the structural drawings shall be made in concrete members without the approval of the Engineer.

C6. Construction joints shall be properly formed and located only where shown or specifically approved by the Engineer.

C7. Reinforcement is represented diagrammatically, it is not necessarily shown in true projection.

C8. Splices in reinforcement shall be made only in the positions shown, unless the approval of the engineer is obtained for any other splice.

C9. Welding of reinforcement will not be permitted unless noted on the structural drawings.

C10. Pipes or conduits shall not be placed within the cover to reinforcement without the approval of the Engineer.

C11. Reinforcement is to be supplied and bent in accordance with AS 1302, AS 1303 & AS 1304 current editions and amendments. Reinforcement is denoted by the following symbols.

R	denotes structural grade round bars grade 250
N	denotes hot rolled deformed
SL	denotes hand drawn steel wire square fabric
RL	denotes hand drawn steel wire rectangular fabric
L	denotes hand drawn steel wire mesh

C12. All reinforcement for any one pour shall be completely placed and fixed prior to inspection. No concrete shall be poured until reinforcement has been inspected and approved.

C13. Foundations to be cast onto a naturally compacted subgrade or approved compacted fill, compaction to be to a minimum of 98% standard dry density to AS 1289.E1.1.

C14. All concrete shall be properly compacted by means of approved vibrators.

C15. Where walls are non-load bearing at either horizontal or vertical faces they shall be separated from concrete or brickwork by 10mm thick bituminous canite or similar.

C16. Concrete shall be separated from supporting masonry by two layers of suitable membrane or as directed by the Engineer. Vertical faces of concrete to be kept free by a 10mm thickness bituminous canite or similar.

## STRUCTURAL STEELWORK

S1. All workmanship and materials shall be in accordance with AS 4100.

S2. Unless noted otherwise all steel shall be in accordance with:

- AS 3678 and AS 3679 Grade 300 for rolled sections
- AS 1163 Grade 350 for square hollow sections
- AS 1974 Grade 200 for circular hollow sections
- AS 1337 Grade 450 for cold formed light gauge sections

S3. The contractor shall provide temporary bracing as necessary to stabilise the structure during erection and leave in place until permanent bracing elements are constructed.

S4. Welding if required shall be in accordance with AS 1554 and be performed by an experienced operator.

S5. Welds shall be 6mm continuous fillet unless noted otherwise.

S6. Girth welds are to be complete penetration butt welds as defined in AS 1554, EXXX electrodes will be used.

S7. Refer to structural drawings for purlin and girt sizes and spacings. Purlins and girts shall be installed in accordance with manufacturers directions. Use washers under bolt head and nut. Purlin bolts shall be:

- M12 4.6'S for sections up to 250mm deep
- M16 4.6'S for sections over 250mm deep

S8. Purlin cleats shall be 5mm thick, with 6mm clew, unless otherwise noted.

S9. Bolt type and procedure is as follows

4.6'S Refers to intermediate bolts of strength grade 4.6 conforming to AS 1111 and tightened using a standard wrench to a 'snug tight' condition.

8.8'S Refers to high strength bolts of strength grade 8.8 conforming to AS 1252 and tightened using a standard wrench to a 'snug tight' condition.

8.8TF Refers to high strength bolts of strength grade 8.8 conforming to AS 1252 and fully tensioned in a controlled manner to the requirements of AS 4100.

S10. All structural steelwork below ground to be encased by concrete 75mm min. all round.

S11. Concrete encased structural steel to be enclosed by SL41 mesh placed 25mm clear of steelwork. Encasing to provide 50mm min. cover, 75mm min. cover where exposed to earth. All steelwork to be given one shop coat of approved paint unless otherwise noted.

## BRICKWORK / BLOCKWORK

B1. All brickwork / blockwork shall comply with AS 3700.

B2. Mortar to brickwork / blockwork shall be 1:1:6 unless otherwise specified.

B3. Minimum compressive strength of brick to be 30MPa unless otherwise approved.

B4. Minimum compressive strength of concrete blocks to be 15MPa unless otherwise approved.

B5. All joints in brick and / or block work to be in accordance with the relevant codes and good trade practice.

B6. Cavity wall ties to be in accordance with current standards and requirements.

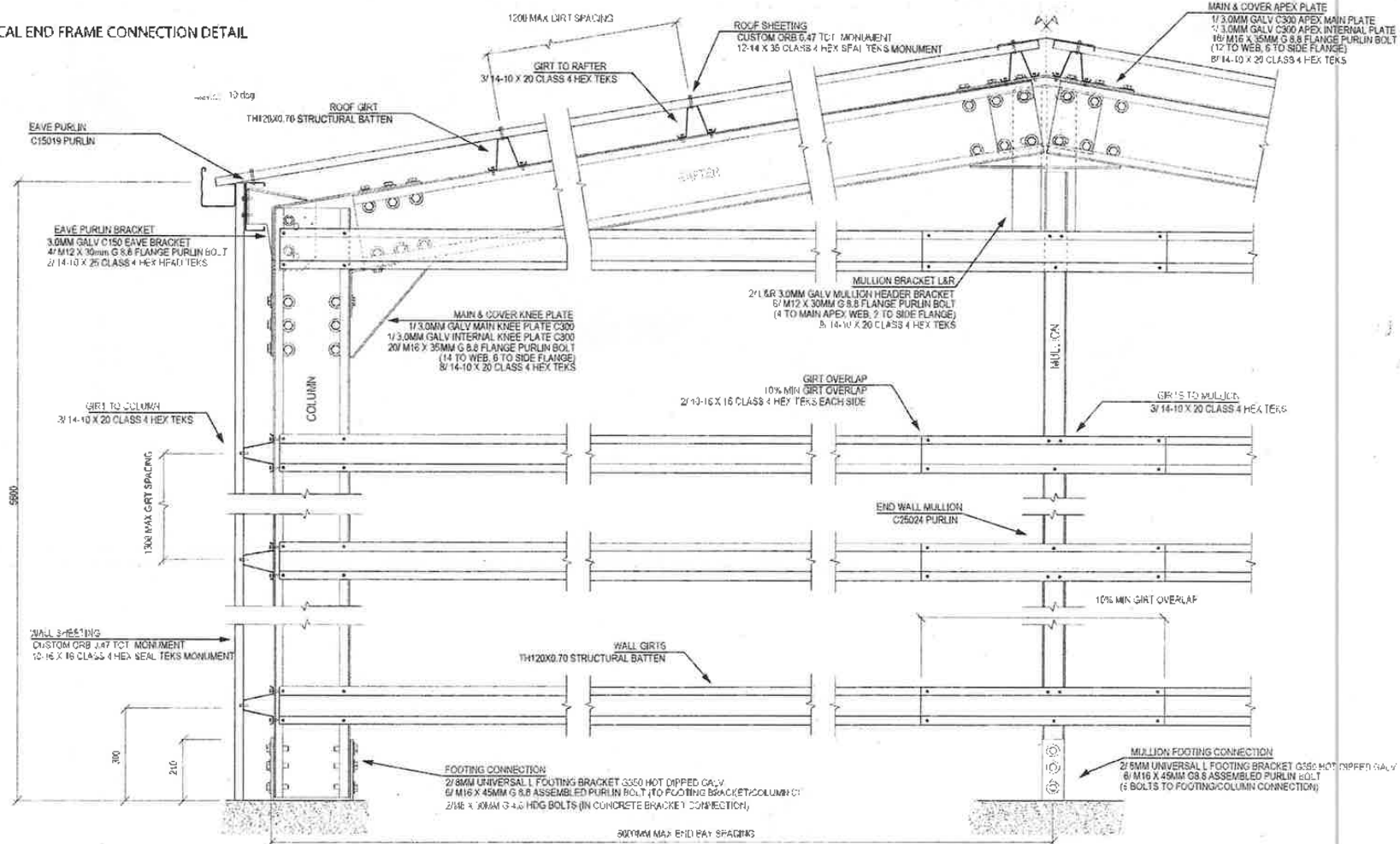
B7. All steel columns, mullions and horizontal supports, provide 3.2mm dia ties welded or fixed to steelwork in an approved manner at 600c/s.

B8. Provide articulation / expansion joints at 6.0m c/s. max.



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NER 326457

TYPICAL END FRAME CONNECTION DETAIL



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PROPOSED PROJECT VINE RHYTHM  
GOLDEN PLANT HIRE PTY LTD  
94 BELL RD  
COONABIDGER WA 6503

DESCRIPTION DETAIL END CONNECTIONS DETAIL

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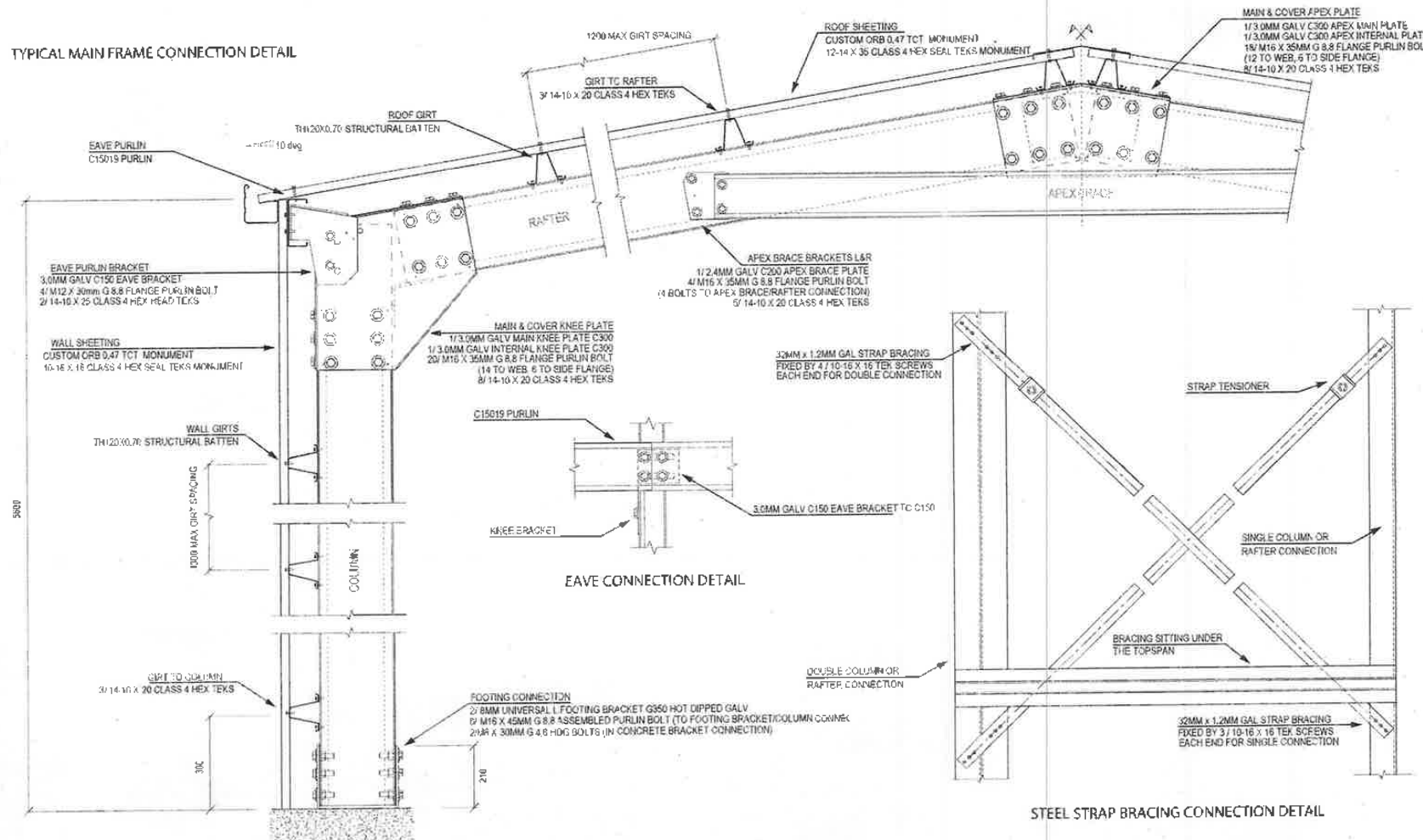
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Mobile 104794 938 301

Issue: 1	DESIGN: E.B.D.	DRAWN BY: N.J.W.
SCALE: N.T.S.	SIZE: A3	DATE: 31/08/2023
REGION: A	REGIONAL WIND SPEED 1/500: 45 M/S	TERRAIN CAT: 2
DRAWING NO.		VINE0035449 - 02

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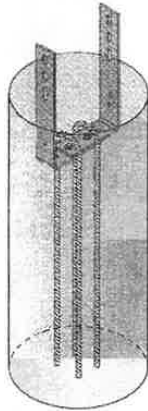
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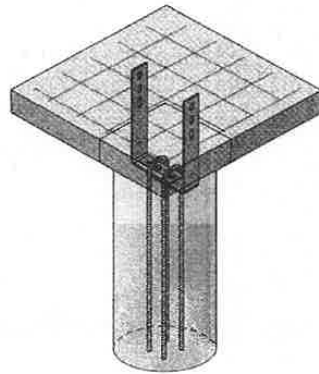


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NER 326457  
05 SEP 2023

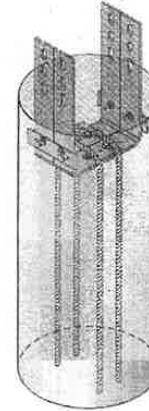
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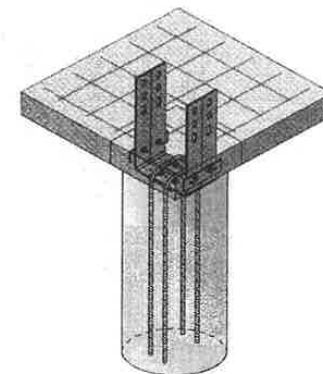
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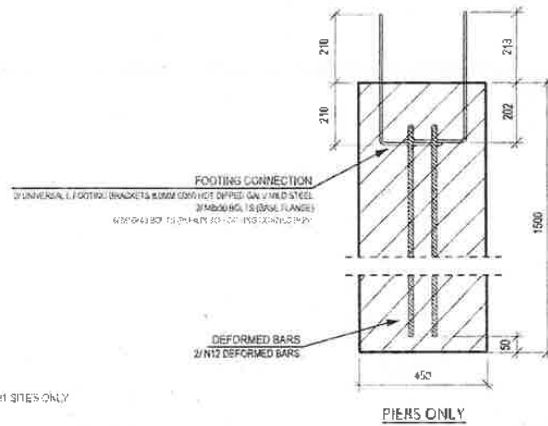
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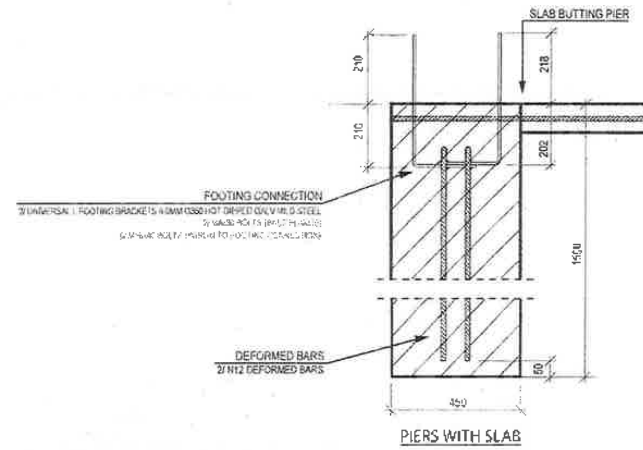
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FOR BTB COLUMN - PIER ONLY



FOOTING BRACKET  
FOR BTB COLUMN - WITH SLAB



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PROPOSED PROJECT  
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GOLDEN PLANT HIRE PTY LTD  
5/8 BELL RD  
COORABROO NSW 2533

DESCRIPTION  
DETAILED CONNECTIONS DETAIL

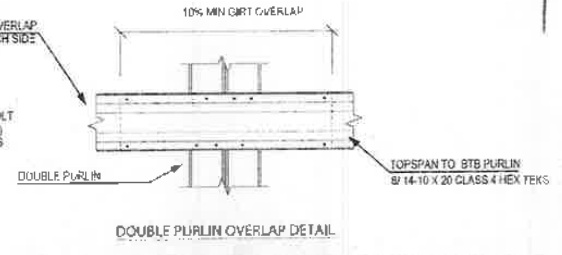
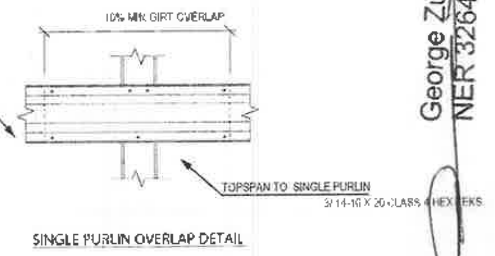
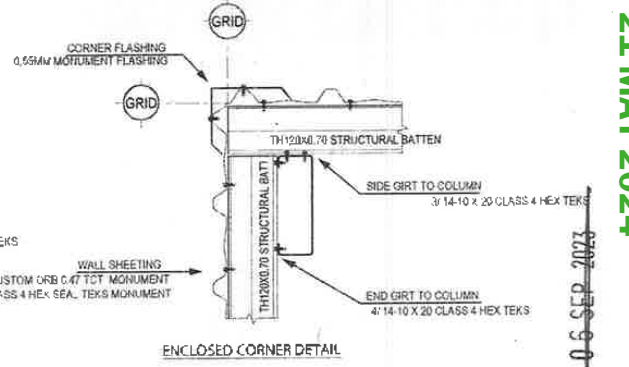
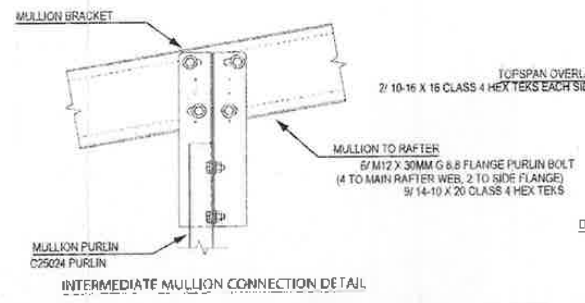
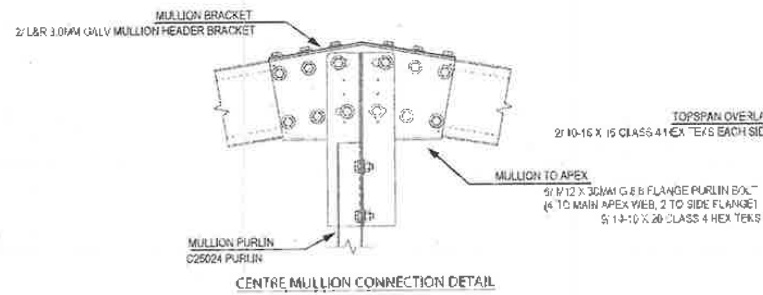
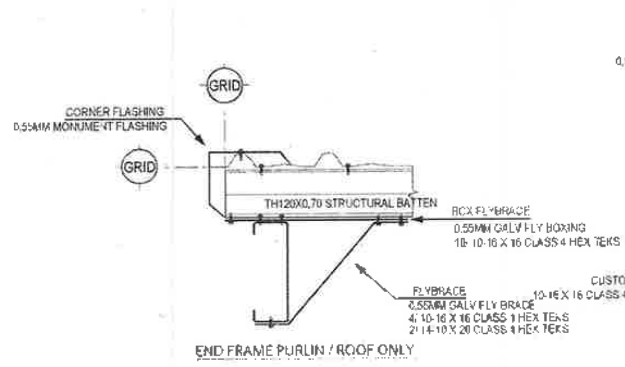
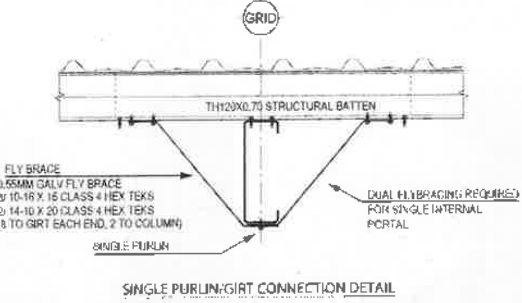
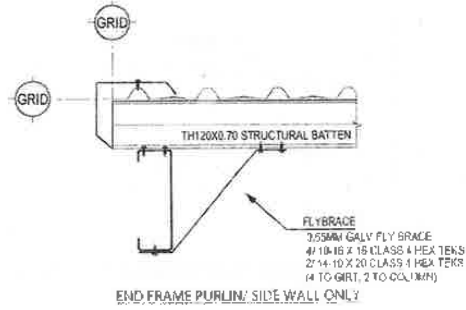
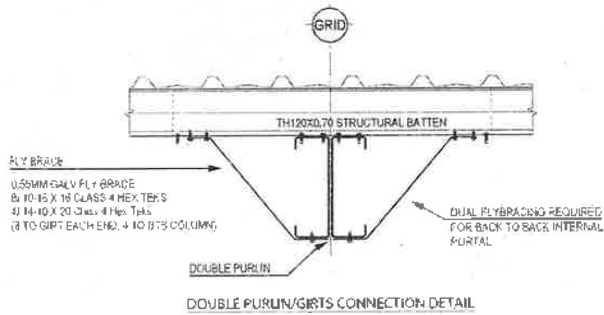
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Issue: B	DESIGN: E.B.D	DRAWN BY: N.J.W
SCALE: N.T.S	SIZE: A3	DATE: 31/08/2023
REGION: A	REGIONAL WIND SPEED V(500): 45 M/S	TERRAIN CAT: 2
DRAWING NO.	VINEC035449 - 04	

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DETAILED CONNECTIONS CONTINUED



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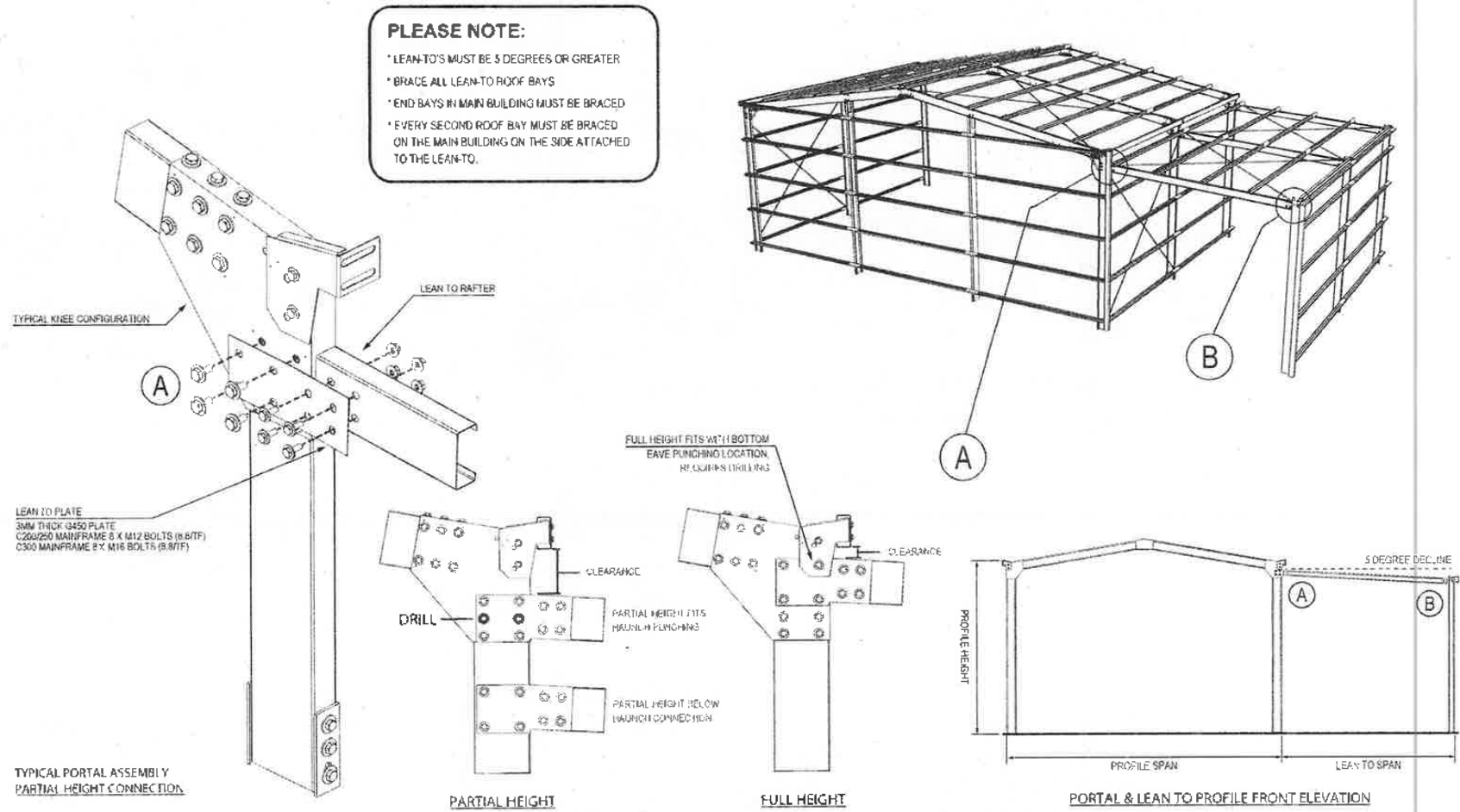
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GOLDEN PLANT HIRE PTY LTD  
94 RELL RD  
COMBABIDGE WA 6503  
DESCRIPTION DETAILED CONNECTIONS DETAIL

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Issue: 6	DESIGN: E.B.D	DRAWN BY: R.J.W
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REGION: A	REGIONAL WIND SPEED V(500): 45 M/S	TERRAIN CAT: 2
DRAWING NO:	VINE003544S - 05	

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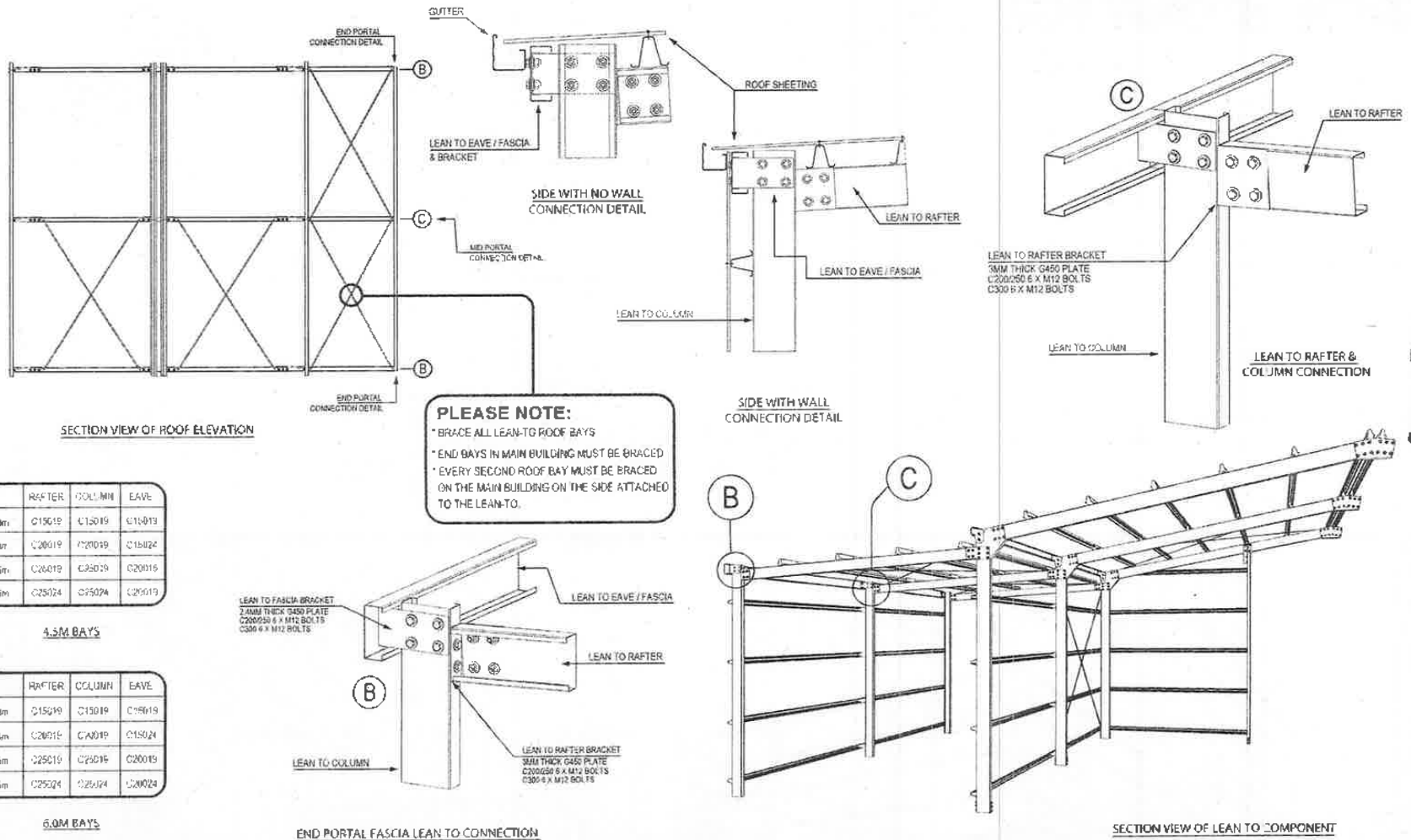
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C/O WABIDGE WA 6503

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DETAILED CONNECTIONS DETAIL

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Issue: B	DESIGN: E.B.D.	DRAWN BY: NJW
SCALE: NTS	SIZE: A3	DATE: 11/09/2023
REGION: A	REGIONAL WIND SPEED V(300): 45 M/S	TECHNICAL CAT: 2
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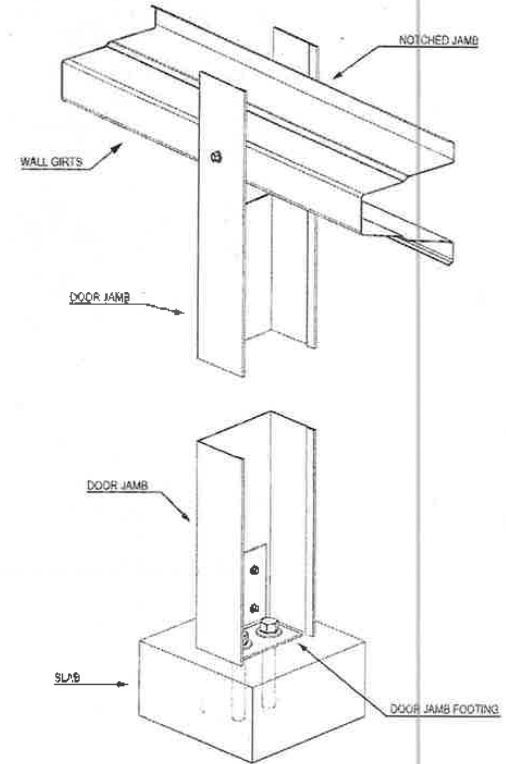
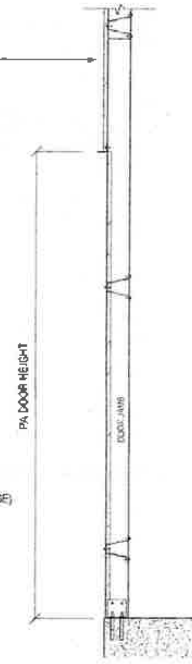
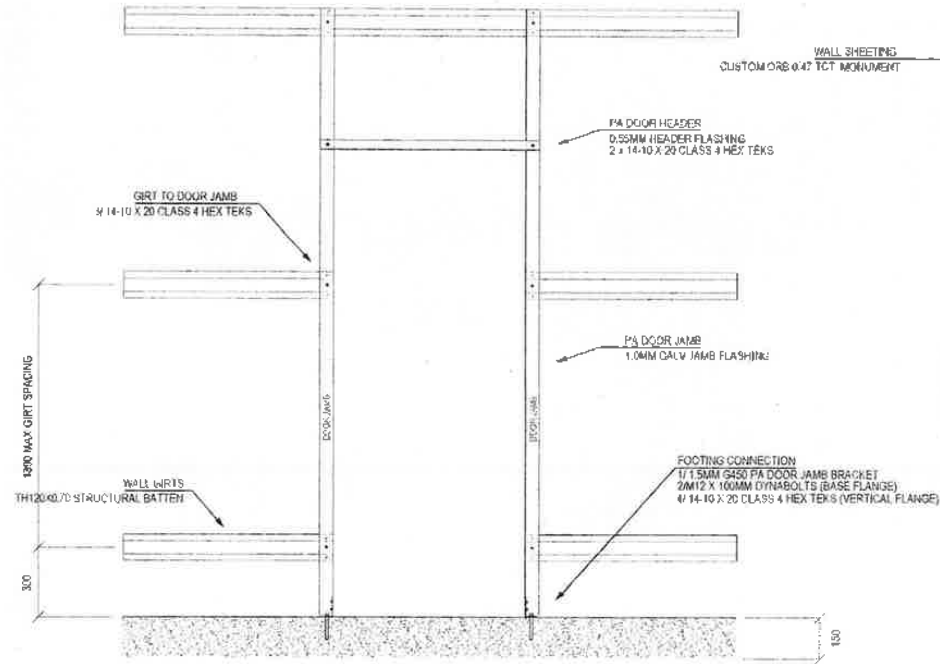
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SCALE: 1:5	SIZE: A3	DATE: 31/08/2023
REGION: A	REGIONAL WIND SPEED V(300): 45 M/S	TERRAIN CAT: 2
Drawn by: N.J.W	VINE0035449	

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15 SEP 2023  
32657

TYPICAL PA DOOR DETAILS



PA DOOR FRONT ELEVATION DETAIL

PA DOOR SIDE ELEVATION DETAIL

DOOR JAMB FOOTING DETAIL VIEW



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GOLDEN PLANT HIRE PTY LTD  
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COCKWILLIDGE WA 6503

DESCRIPTION DETAILED CONNECTIONS DETAIL

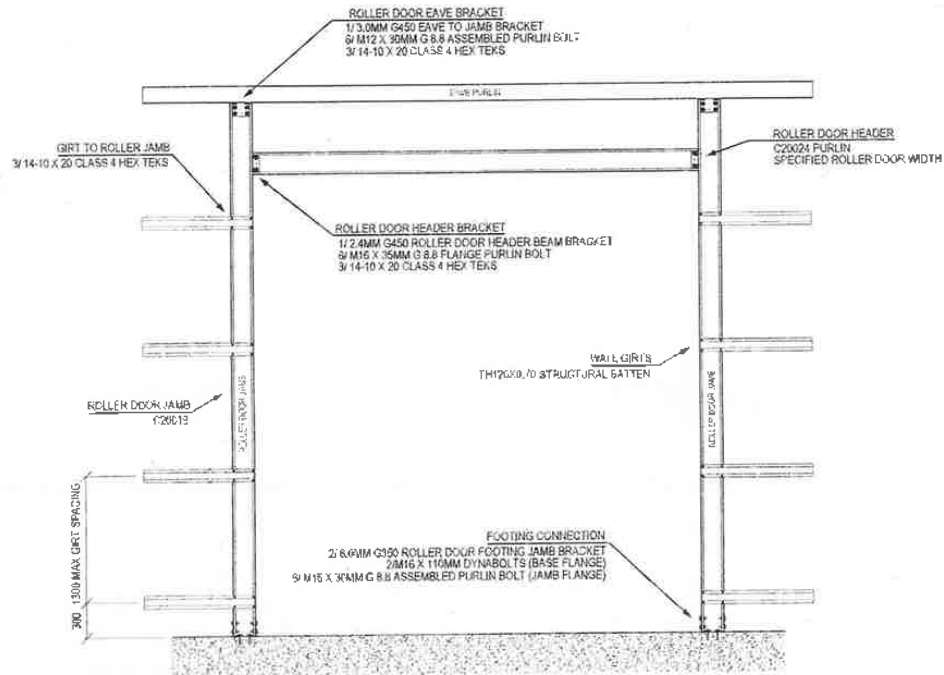
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60 Princes Highway, Cobargo NSW 2550  
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Mobile (0419) 938 301

Issue: 8	DESIGN: E.B.D.	DRAWN BY: N.J.W.
SCALE: N.T.S.	SIZE: A3	DATE: 31/08/2023
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DRAWING NO.:		VINE0035449

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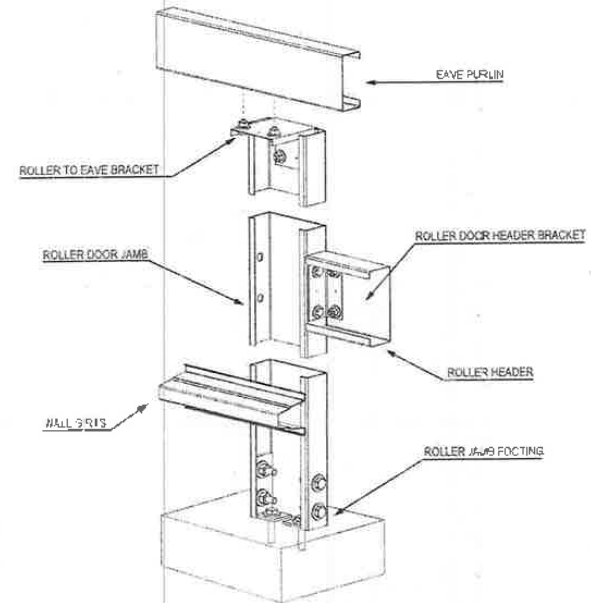
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MER 326457

TYPICAL ROLLER DOOR SIDE DETAILS



ROLLER DOOR FRONT ELEVATION DETAIL

Ultimate Wind Speed	3.2m Opening	4.3m Opening	5m Opening
45 m/s	C15015	C15015	C20015
57 m/s	C15015	C15019	C20019



ROLLER DOOR CONNECTION DETAILS



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PROPOSED PROJECT Vine Anylike  
GOLDEN PLANT (P/L) PTY LTD  
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COUNABINGEE, WA 6003

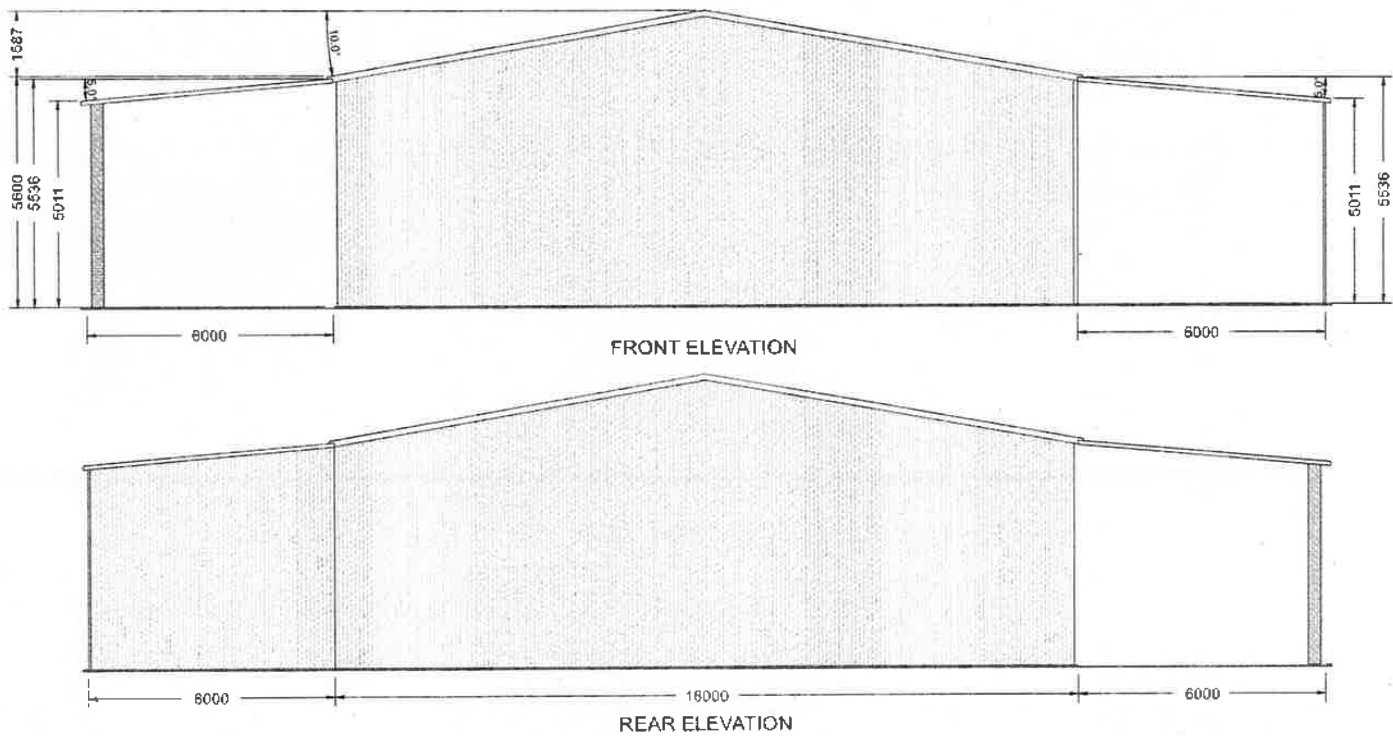
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STRUCTURAL AND CIVIL ENGINEERS  
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ABN 93 074 651 899  
40 Princes Highway, Cobaroo NSW 2550  
Telephone & Fax (02) 6 936 061  
Mobile 104 199 938 307

Issue: B	DESIGN: E.R.D	DRAWN BY: N.J.W
SCALE: N.T.S	SIZE: A3	DATE: 31/08/2023
REGION: A	REGIONAL WIND SPEED V2: 45 M/S	TERRAIN CAT: 2
DRAWING NO:		VINE0035449

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E [john@nowbuildings.com.au](mailto:john@nowbuildings.com.au)  
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JOB DETAILS

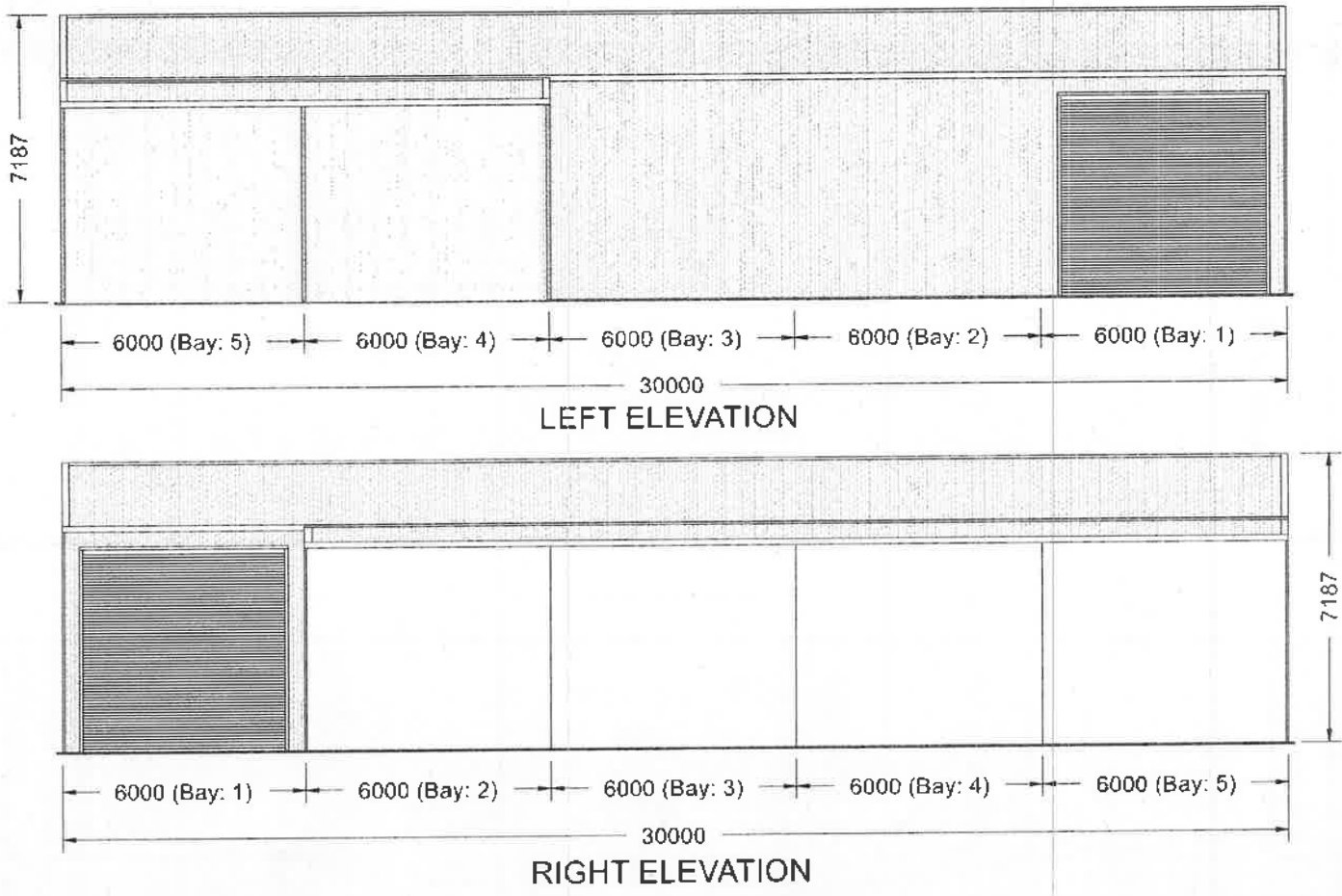
PROPOSED PROJECT: Vine0035449 | 10m x 30m x 6.6m - Enclosed Building  
CUSTOMER: Golden Plant Hire Pty Ltd, Rhyllie Vine  
SITE: 94 Bell Rd, Cootamundra, WA, 6503

DRAWING DETAILS

DRAWING NO : AP35449  
DRAWING TYPE: Architectural Drawings  
DRAWING SCALE: 1:100

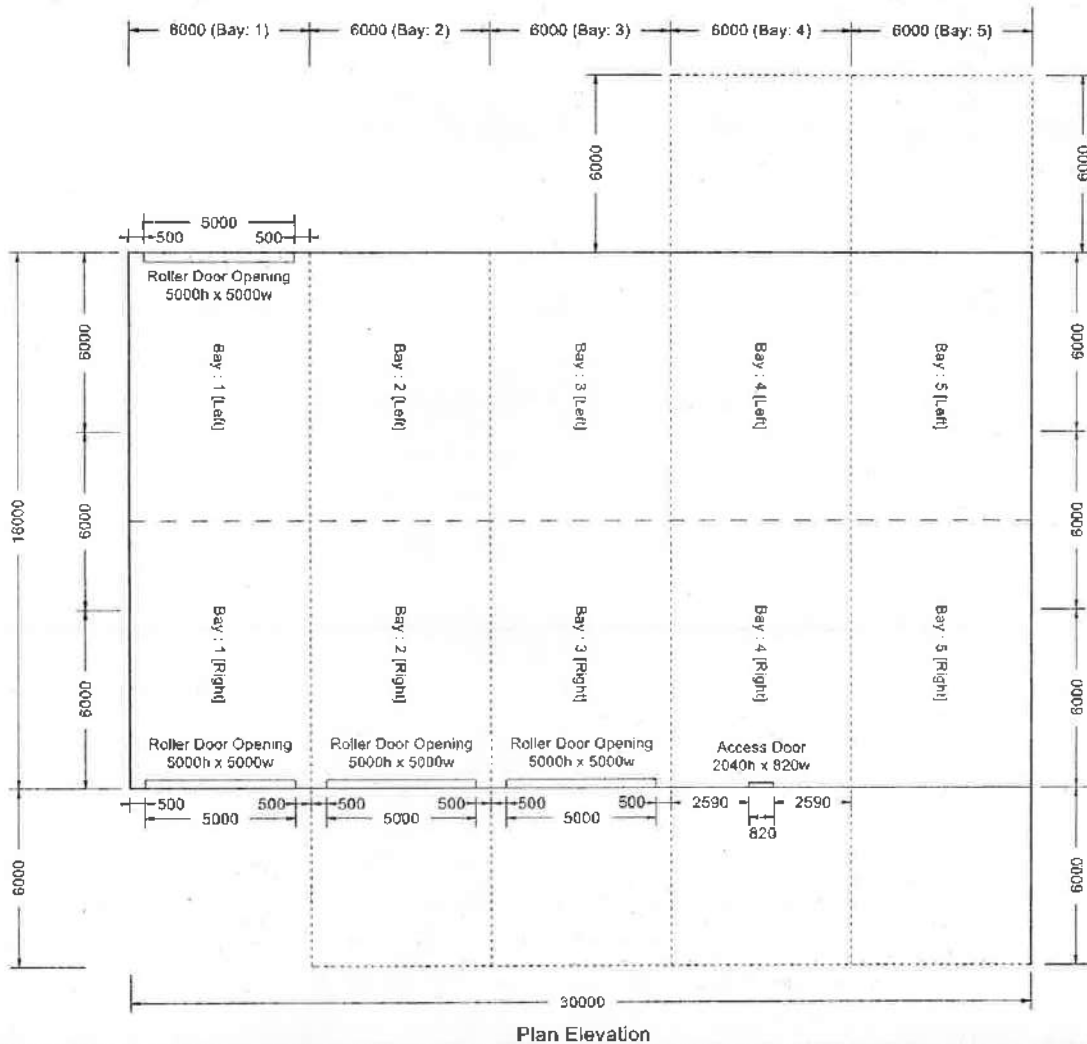


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<b>NOW BUILDINGS</b> P 1300 553 779 F 1300 554 882 E john@nowbuildings.com.au www.nowbuildings.com.au	<b>PROPOSED PROJECT:</b> Vamp095448   18m x 30m x 5.8m - Enclosed Building <b>CUSTOMER:</b> Golden Plant Hra Pty Ltd, Rhyllie Vine <b>SITE:</b> 94 Bull Rd, Coonabadgaa, WA, 6503	<b>DRAWING NO.:</b> AP35449 <b>DRAWING TYPE:</b> Architectural Drawings <b>DRAWING SCALE:</b> 1:97

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2024 SEP 9 0



Plan Elevation

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E jon@nowbuildings.com.au  
www.nowbuildings.com.au

JOB DETAILS

PROPOSED PROJECT: Vine0035448 | 18m x 30m x 5.6m - Enclosed Building

CUSTOMER: Golden Plant Hire Pty Ltd, Rhylie Vine

SITE: 94 Bell Rd, Coonabidge, WA, 6503

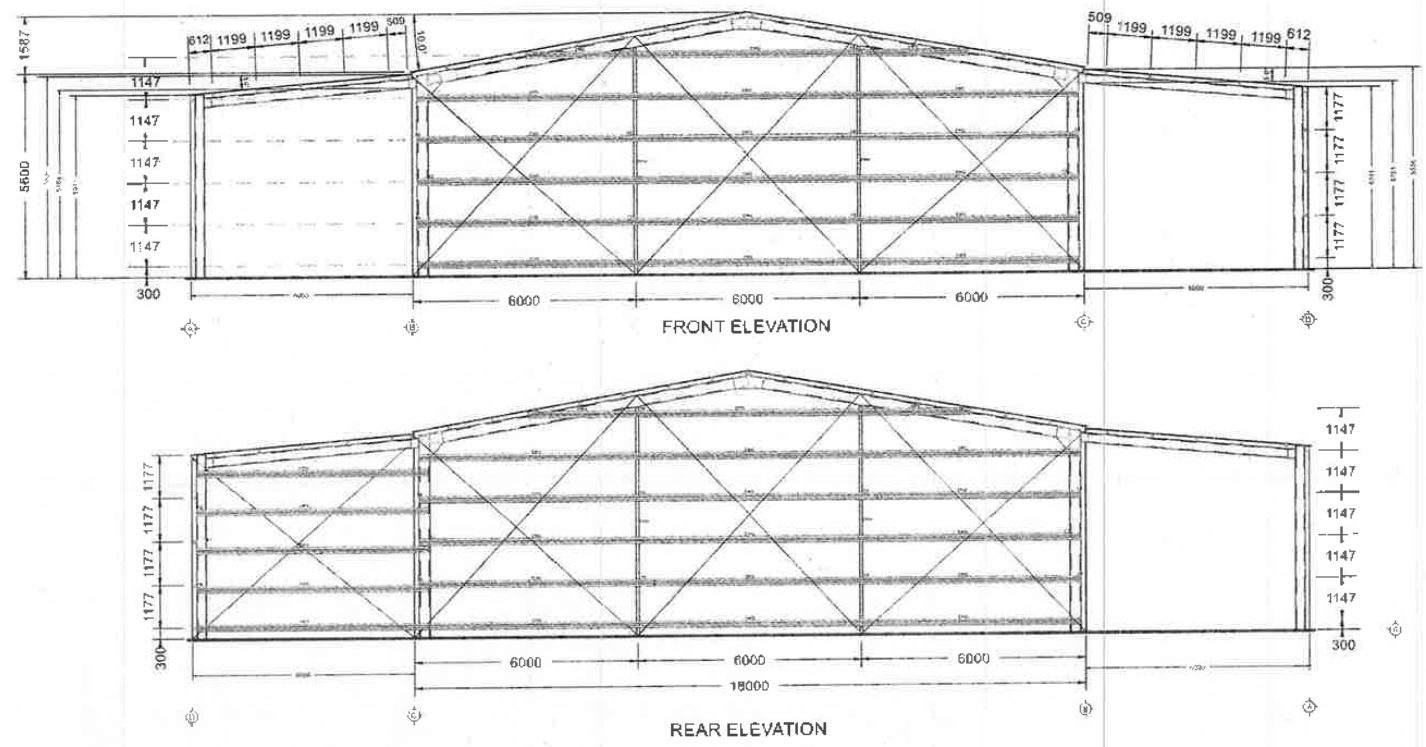
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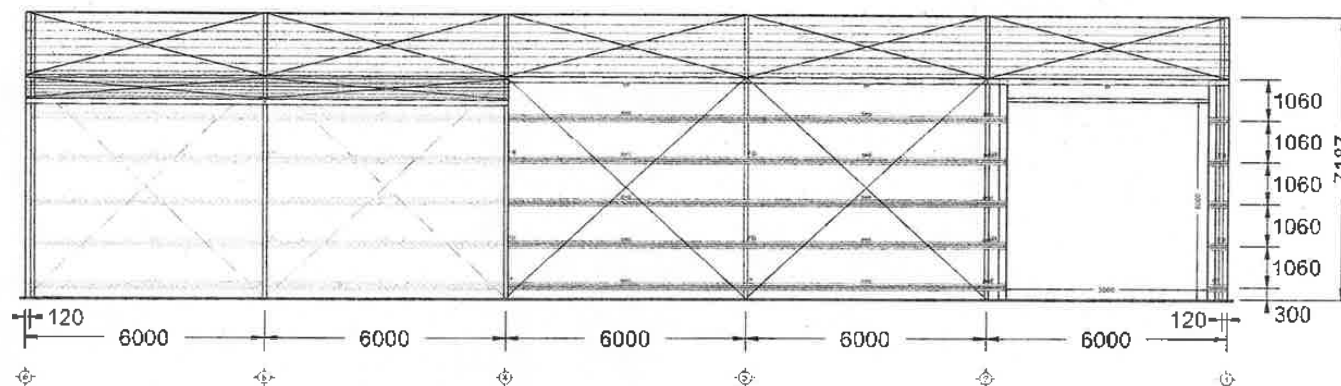


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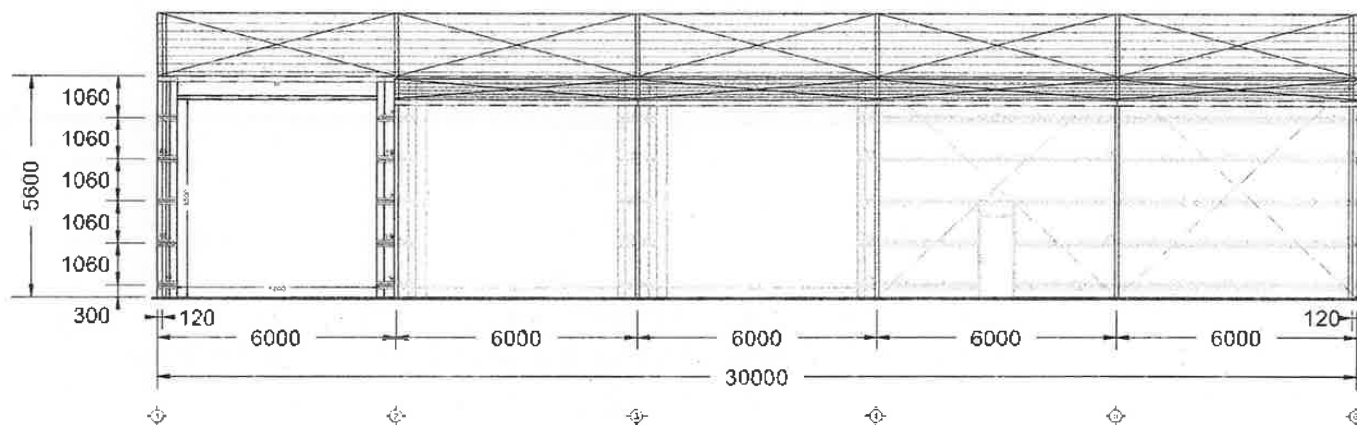
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PROPOSED PROJECT: Vme0035419 | 18m x 30m x 5.6m - Enclosed Building  
CUSTOMER: Golden Pearl Hire Pty Ltd, Rhyllia Vine  
SITE: 94 Bell Rd, Coochabidges, WA, 6503

DRAWING DETAILS  
DRAWING NO.: AP35449  
DRAWING TYPE: Engineering Drawing  
DRAWING SCALE: 1:111

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LEFT ELEVATION



RIGHT ELEVATION

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JOB DETAILS

PROPOSED PROJECT: Vina0035419 | 18m x 30m x 5.6m - Enclosed Building

CUSTOMER: Golden Point Hire Pty Ltd, Rhyllike Vine

SITE: 94 Bell Rd, Coorabidgea, WA, 6503

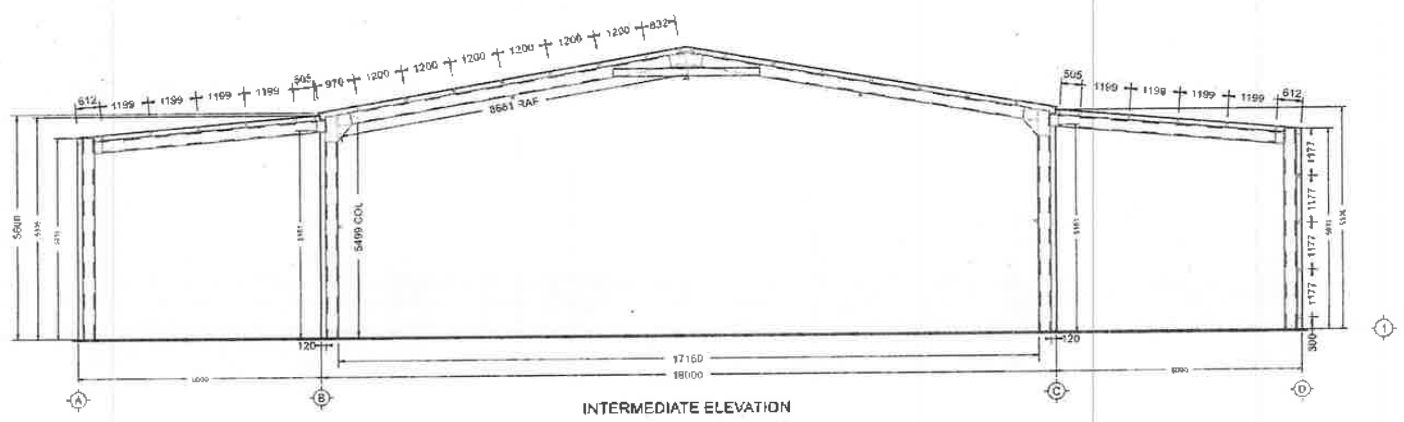
DRAWING DETAILS

DRAWING NO.: AP35449

DRAWING TYPE: Engineering Drawing

DRAWING SCALE: 1:100

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JOB DETAILS

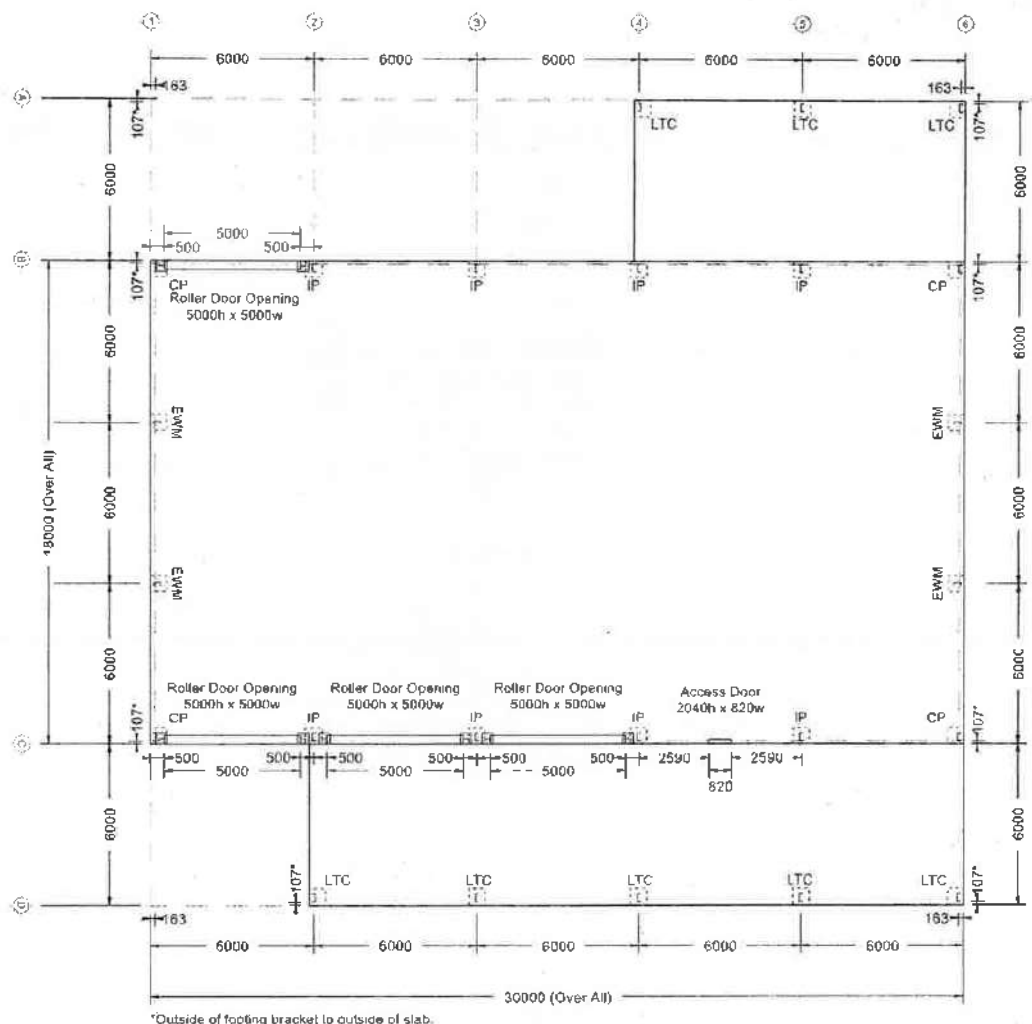
PROPOSED PROJECT: VineB035440 | 16m x 30m x 5.6m - Enclosed Building  
CUSTOMER: Golden Plant Hire Pty Ltd, Rhyllba Vine  
SITE: 94 Bell Rd, Coonabidgie, WA, 6503

DRAWING DETAILS

DRAWING NO.: AP35449  
DRAWING TYPE: Engineering Drawing  
DRAWING SCALE: 1:101



George Zuev  
NER 326457  
06 SEP 2023

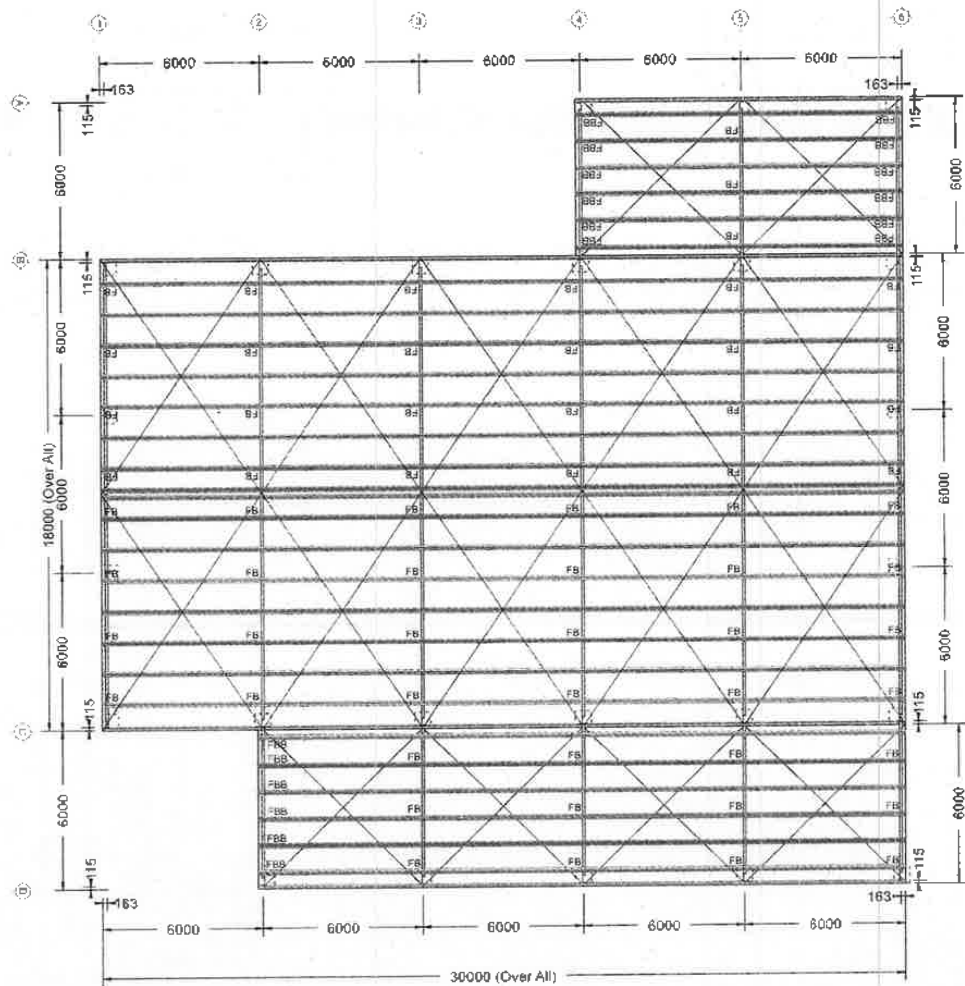


FLOOR PLAN

LTC
Col Size C25024
Req Size Ø 450 X 1500
EWM
Col Size C 25024
Pier Size Ø 450 X 1500
CP
Col Size C30039
Pier Size Ø 450 X 1500
IP
Col Size C30039
Pier Size Ø 450 X 1500

PLANS DRAWN BY	JOB DETAILS	DRAWING DETAILS
<b>NOW BUILDINGS</b> P 1300 553 778 F 1300 554 882 E john@nowbuildings.com.au www.nowbuildings.com.au	PROPOSED PROJECT: Vase0035449   18m x 30m x 5.6m - Enclosed Building CUSTOMER: Golden Plant Hire Pty Ltd, Rhyllie vine SITE: 94 Bek Rd, Coonabidgee, WA, 6503	DRAWING NO.: AP35449 DRAWING TYPE: Engineering Drawing DRAWING SCALE: 1:191

George Zuev 06 SEP 2023  
NER 326457



ROOF PLAN

PLANS DRAWN BY	JOB DETAILS	DRAWING DETAILS
<b>///NOW BUILDINGS</b> P 1300 553 779 F 1300 554 882 E john@nowbuildings.com.au www.nowbuildings.com.au	<b>PROPOSED PROJECT:</b> Vine0035449   15m x 30m x 5.5m - Enclosed Building <b>CUSTOMER:</b> Gulden Plant Hire Pty Ltd, Khyllie Vine <b>SITE:</b> 94 Bell Rd, Cocksbridge, WA, 6503	<b>DRAWING NO.:</b> AP35449 <b>DRAWING TYPE:</b> Engineering Drawing <b>DRAWING SCALE:</b> 1:191





## MEMBER SCHEDULE

### CLIENT DETAILS

<b>Customer Name</b>	Rhyllie Vine (Golden Plant Hire Pty Ltd)	<b>Job Number</b>	Vine0036449
<b>Site Address</b>	94 Bell Rd. Coonabidgee WA, 6503		

### BUILDING DETAILS

<b>Width</b>	18000 mm	<b>Length</b>	30000 mm	<b>Eave Height</b>	5600 mm	<b>Roof Pitch</b>	10 Degree
<b>Terrain Cat</b>	2	<b>Wind Region</b>	A	<b>Wind Velocity</b>	45 m/s m/s		
<b>Side Bay Qty</b>	5	<b>Side Bay Width</b>	6000 mm (Max)	<b>End Bay Qty</b>	3	<b>End Bay Width</b>	6000 mm (Max)

### INTERNAL PORTAL FRAME

<b>Internal Column (IC)</b>	C30030
<b>Internal Rafter (IR)</b>	C30030
<b>Knee Brace (KB)</b>	NA
<b>Knee Brace % Eave Height</b>	NA
<b>Apex Brace (AB)</b>	C20015
<b>Apex Brace % Width</b>	20.00%
<b>Open Bay Column</b>	NA

### END PORTAL FRAME

<b>End Column (EC)</b>	C30030
<b>End Rafter (ER)</b>	C30030
<b>Knee Brace (KB)</b>	NA
<b>Knee Brace % Eave Height</b>	NA
<b>Apex Brace (AB)</b>	NA
<b>Apex Brace % Width</b>	NA
<b>End Wall Mullion (EWM)</b>	C25024

### PURLINS AND GIRTS

<b>Eave purlin (EP)</b>	C15019				
<b>Side Wall Girts</b>	TH120070	<b>Max Spacing</b>	1300 mm	<b>% Girt Overlap</b>	11.00%
<b>Front End Wall Girts</b>	TH120070	<b>Max Spacing</b>	1300 mm	<b>% Girt Overlap</b>	11.00%
<b>Back End Wall Girts</b>	TH120070	<b>Max Spacing</b>	1300 mm	<b>% Girt Overlap</b>	11.00%
<b>Roof Purlin</b>	TH120070	<b>Max Spacing</b>	1200 mm	<b>% Purlin Overlap</b>	11.00%

### BRACING

<b>Side Wall Cross Bracing</b>	32mm x 1.2mm Steel Strapping	<b>No. of Bays Cross Braced</b>	4 bays
<b>Front End Wall Cross Bracing</b>	32mm x 1.2mm Steel Strapping	<b>No. of Bays Cross Braced</b>	3 bays
<b>Back End Wall Cross Bracing</b>	32mm x 1.2mm Steel Strapping	<b>No. of Bays Cross Braced</b>	3 bays
<b>Roof Cross Bracing</b>	32mm x 1.2mm Steel Strapping	<b>No. of Bays Cross Braced</b>	5 bays

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BRACING (continued)			
Side Wall Fly Bracing	120mm x 0.55mm G450 Bracket	No. of Fly Braces per Column	Every Alternate Row (minimum)
Front End Wall Fly Bracing	120mm x 0.55mm G450 Bracket	No. of Fly Braces per Mullion	Every Alternate Row (minimum)
Back End Wall Fly Bracing	120mm x 0.55mm G450 Bracket	No. of Fly Braces per Mullion	Every Alternate Row (minimum)
Roof Fly Bracing	120mm x 0.55mm G450 Bracket	No. of Fly Braces per Rafter	Every Alternate Row (minimum)

SHEETING & FLASHINGS			
Roof Cladding Type	Custom Orb 0.47 TCT	Roof Cladding Colour	Monument
Wall Cladding Type	Custom Orb 0.47 TCT	Wall Cladding Colour	Monument
Gutter Type	FasciaGutter	Gutter Colour	Monument
Barge Type	Barge	Barge Colour	Monument
Downpipe Type	PVC 90 Round Downpipe	Downpipe Colour	White

LEFT LEANTO PORTAL FRAME	
Internal Rafter	C25024
Internal Column	C25024
End Rafter	C25024
End Column	C25024
Eave Purlin	C20024

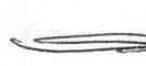
RIGHT LEANTO PORTAL FRAME	
Internal Rafter	C25024
Internal Column	C25024
End Rafter	C25024
End Column	C25024
Eave Purlin	C20024

BEAMOVER FRAME			
Beamover Beam (Internal)	NA	Beamover Beam (Outer)	NA
Beamover Rafter	NA	Beamover Rafter Apex Brace	NA

ROLLERDOOR			
Roller Door Width	Upto 3200 mm	Upto 4300 mm	Upto 6000 mm
Roller Door Header	C15015	C16015	C15015
Side Wall Roller Door Jamb	C20019	End Wall Roller Door Jamb	C20019

PERSONAL ACCESS DOOR			
Side PA Door Frame	1mm thick unliped C section 120 mm deep.	End PA Door Frame	1mm thick unliped C section 120 mm deep.

METAL SLIDING DOOR	
Metal Sliding Door Header	NA

 George Zuev  
NER 326457 06 SEP 2023

2 of 2

File No:  
DWERVT10938



Government of Western Australia  
Department of Water and Environmental Regulation

Instrument No. GWL156300(6)

## LICENCE TO TAKE WATER

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

Licensee(s)	Ivers & Vine Investments Pty Ltd		
Description of Water Resource	Gingin Perth - Superficial Swan	Annual Water Entitlement	9.450kL
Location of Water Source	Lot 28 On Plan 16154 Volume/Folio 1812/93 Lot 28 Bell Rd Coonabidgee		

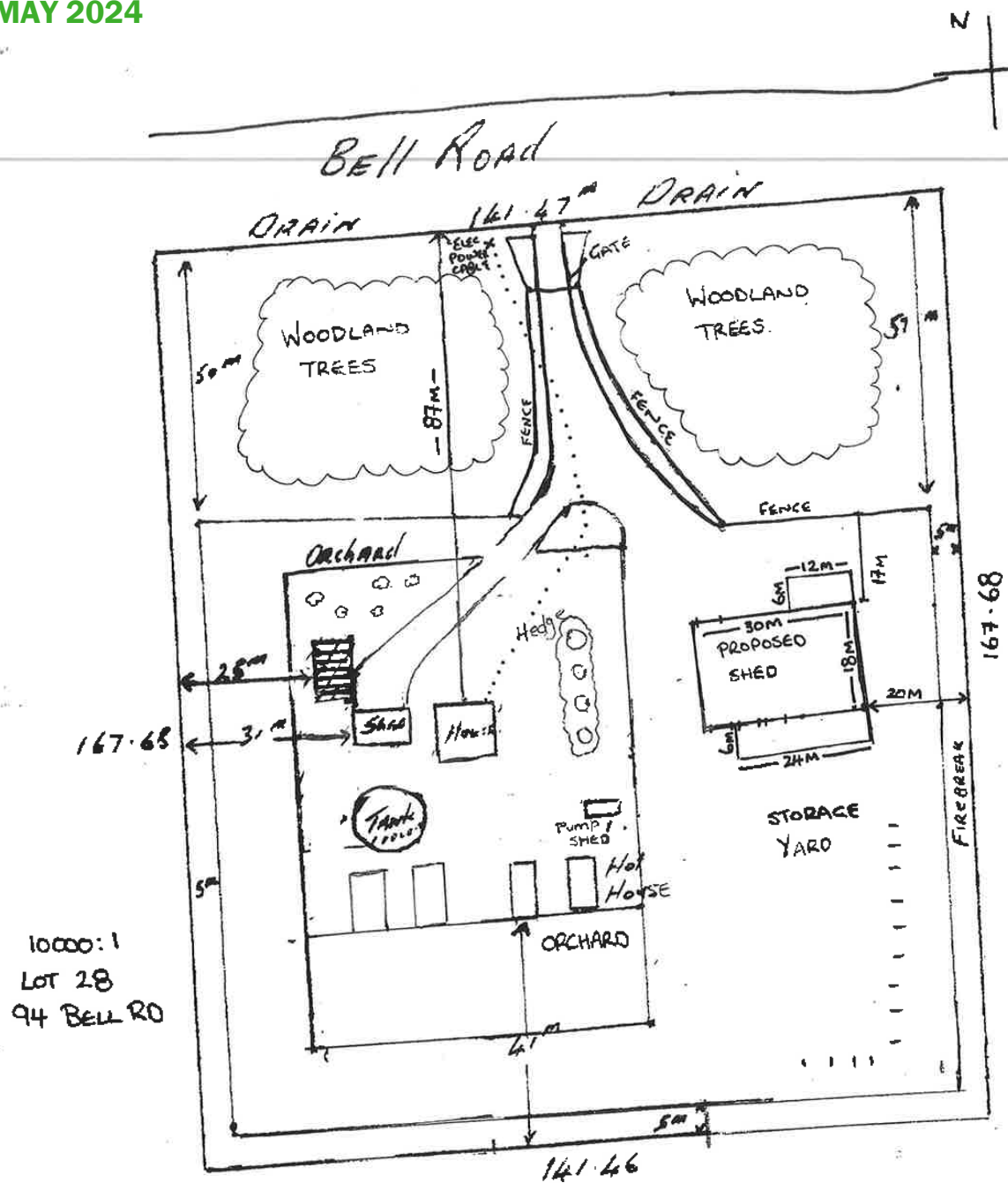
Authorised Activities	Taking of water for	Location of Activity
	Firefighting purposes	Lot 28 On Plan 16154 Volume/Folio 1812/93 Lot 28 Bell Rd Coonabidgee
	Irrigation of up to .45 ha of lawns and gardens	Lot 28 On Plan 16154 Volume/Folio 1812/93 Lot 28 Bell Rd Coonabidgee
	Irrigation of up to 0.4 ha of vegetables	Lot 28 On Plan 16154 Volume/Folio 1812/93 Lot 28 Bell Rd Coonabidgee
Duration of Licence	From 12 September 2022 to 11 September 2032	

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

1. The annual water year for water taken under this licence is defined as 1 May to 30 April.
2. The licensee shall not use water for sprinkler irrigation 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

granted subject to the Rights in Water and Irrigation Regulations 2000.





**14.5 APPLICATION FOR DEVELOPMENT APPROVAL - BED AND BREAKFAST - LOT 253 (8)  
CRUDEN PLACE, GINGIN**

File	BLD/6689
Applicant	Therese Christie Bell
Location	Lot 253 (8) Cruden Place, Gingin
Owner	Therese Christie Bell
Zoning	Residential R2.5
WAPC No	N/A
Author	Ross Harper – Planning Officer James Bayliss – Manager Building and Planning
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	Nil
Appendices	<ol style="list-style-type: none"> <li>1. Location Plan - Lot 253 (8) Cruden Place, Gingin [<b>14.5.1</b> - 1 page]</li> <li>2. Aerial Plan - Lot 253 (8) Cruden Place, Gingin [<b>14.5.2</b> - 1 page]</li> <li>3. Applicant's Proposal [<b>14.5.3</b> - 4 pages]</li> </ol>

**DISCLOSURES OF INTEREST**

Nil

**PURPOSE**

To consider an Application for Planning Approval for a Bed and Breakfast and Colourbond Fencing on Lot 253 (8) Cruden Place, Gingin.

**BACKGROUND**

The subject lot is 4119.8m<sup>2</sup> in size and is zoned Residential R2.5. A dwelling and outbuilding presently exist on the subject lot.

Bed and Breakfast

The applicant proposes to utilise two bedrooms of the existing dwelling as part of the proposed Bed and Breakfast establishment. The designated guest area is proposed to also include the activity area, bathroom, toilet and kitchenette.

Colourbond Fence

The applicant proposes to construct a colourbond fence of 1.8m in height on the rear and side boundaries of the subject lot.

A Location Plan and Aerial Image are provided (see appendices).

The Applicant's proposal is also provided (see appendices).

## **COMMENT**

### Stakeholder Consultation

The proposal was advertised to adjoining and adjacent landowners in accordance with Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of 21 days in accordance with Cl. 3.3.2.2 of Local Planning Policy No. 1.11 Bed and Breakfast Accommodation (LPP 1.11). No submissions were received.

## **PLANNING FRAMEWORK**

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

The subject lot is zoned Residential R2.5 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.*

Bed and Breakfast is defined under LPS 9 as follows:

*Means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast; for not more than four (4) adults or one family in an establishment containing a maximum of two (guest) bedrooms and one (1) guest bathroom, located under the main roof of the dwelling house.*

Bed and Breakfast is an 'A' use under LPS 9, which means that 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. As outlined above, the relevant consultation was completed.

Local Planning Policy Statement No – 1.11 Bed and Breakfast Accommodation (LPP1.11)

The purpose of LPP 1.11 is:

- a) *To provide assistance to landholders interested in establishing Bed and Breakfast accommodation, and to ensure that the standard of accommodation is attractive to visitors which will enhance the reputation of the Shire of Gingin as a Tourist venue;*
- b) *To provide guidelines for the establishment and conduct of Bed and Breakfast accommodation; and*
- c) *To ensure a satisfactory standard of management and service to ensure that the premises meet acceptable Planning, Health, Building and Fire Safety standards.*

Clause 3.2 – Dwelling Standards states:

- *A maximum of six guests, excluding the permanent occupiers of the Dwelling, are permitted at any one time.*
- *The use of the Bed and Breakfast accommodation shall be incidental to the predominant use and nature of the dwelling with guest rooms remaining in the Dwelling. The appearance of the Dwelling shall remain Residential and shall not impact adversely on surrounding properties.*
- *There shall be no more than four bedrooms of the dwelling dedicated for guests.*
- *Guest Rooms are to be kept clean at all times and supplied with clean linen.*
- *Guest Rooms to be supplied with a lockable door.*
- *The dedicated guest bedrooms are for guest purposes only.*
- *Bathrooms are to be either a shared facility for guests only, or a private ensuite facility off the guest bedrooms, or a combination of both. Where a bathroom is a shared facility, it must be equipped with a lockable door.*
- *For Bed and Breakfast accommodation located in areas not connected to a reticulated water supply, evidence of sufficient drinkable standard water storage facilities, including the provision of hot water, shall be provided at all times.*
- *Preparation of breakfast is to be the responsibility of the permanent occupiers of the Dwelling and self-service cooking by guests is not permitted. The preparation of tea and coffee and the like by guests is permitted.*
- *Councils preference is for the inclusion of a guest lounge room within the Dwelling.*
- *Communal areas shall be located in an area that does not directly abut neighbouring houses.*

LPP 1.11 outlines that one car parking bay is required for each bedroom. The applicant has advised that the subject lot can provide three additional car parking bays, two located to the side (western) boundary and one located to the front (southern) boundary. The proposal is therefore generally consistent with the abovementioned provisions.



### Colourbond Fence

The proposal seeks approval to install a solid 1.8m high Colourbond fence along the rear and side boundaries. The applicant advises that the lighting projecting from the Shire's Emergency Services Building creates a nuisance which would be alleviated by the installation of solid fencing (or the lighting being turned off at night).

Solid fencing is not common throughout Honeycomb Estate, as the Estate was developed and marketed on the basis of remaining 'rural' in nature, with all fencing reflecting a rural style fence. The Honeycomb Estate Outline Development Plan (ODP) specifies that fencing fronting Cockram and Honeycomb Roads should be of an open, rural style, but does not offer guidance on internal fencing.

The subject lot does not directly abut either Cockram Road or Honeycomb Road and therefore the requirement for open, rural style fencing does not directly apply in a statutory sense. The residential zoning of the subject lot does not prohibit a landowner from constructing a solid dividing fence.

Council should be aware that approval of solid fencing within the estate may gradually erode the rural setting that currently exists within Honeycomb Estate. There is a case that the fencing will be out of character and is inconsistent with the existing amenity of the locality. If Council is of the view that solid fencing should be prohibited, this can form part of the renewal process for the ODP, which expires in 2025.

### Summary

In summary, the officer is of the view that the proposed Bed and Breakfast establishment is considered appropriate development in a 'Residential Zone'. Council should limit the term of initial consent to one year to gauge community acceptance of the development.

The officer is of the view that the proposed internal fence should be supported.

### **STATUTORY/LOCAL LAW IMPLICATIONS**

Local Planning Scheme No 9

### **POLICY IMPLICATIONS**

Local Planning Policy Statement 1.11 – Bed and Breakfast Accommodation.

### **BUDGET IMPLICATIONS**

Nil

## STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

<b>Aspiration</b>	3. Planning & Sustainability - Plan for Future Generations
<b>Strategic Objective</b>	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

## VOTING REQUIREMENTS - SIMPLE MAJORITY

### SUBSTANTIVE MOTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe

SECONDED: Councillor Sorensen

That Council grant Development Approval for a Bed and Breakfast on Lot 253 (8) Cruden Place, Gingin, subject to the following conditions:

1. The land use and development shall be undertaken generally in accordance with the approved plans, unless conditioned otherwise in this approval.
2. This approval permits the use of 2 bedrooms of the dwelling for the purpose of Bed and Breakfast.
3. The Bed and Breakfast shall not accommodate more than six guests and one family (immediate) at any one time.
4. The term of this Planning Approval is for one year from the date of this notice (expiring on 21 May 2025).
5. The Bed and Breakfast shall not be used as a lodging house or for permanent accommodation.
6. Guest bedrooms and bathrooms are to be used by guests only.
7. Hot water shall be provided at all times.
8. Suitable facilities for the hygienic preparation, storage and cooling of food shall be provided to cater for the maximum number of guests to be accommodated.
9. Preparation of meals is the responsibility of the domestic residents and self-service cooking by guests is not permitted with the exception of tea and coffee preparation.
10. The Owner/Manager of the Bed and Breakfast is required to reside on-site.

11. Noise is to be limited to levels of volume and duration that are deemed reasonable and generally experienced in residential neighbourhoods.

**Advice Notes**

- Note 1: If you are aggrieved by the conditions of this approval you have the right to request that the State Administrative Tribunal (SAT) review the decision, under Part 14 of the *Planning and Development Act 2005*.
- Note 2: If the development subject to this approval is not substantially commenced within a period of 2 years, the approval shall lapse and have no further effect.
- Note 3: Where an approval has so lapsed, no development must be carried out without further approval of the local government having first been sought and obtained.
- Note 4: All signage shall be the subject of a separate application being lodged and approved by Council.
- Note 5: The Bed and Breakfast is to comply with requirements of the Building Code of Australia, in particular with respect to access for people with mobility and visual impairment.
- Note 6: Smoke alarms that are hard wired to mains power must be installed in the rooms and associated hallways and, if applicable, each floor level reached by stairs, in accordance with the Building Code of Australia.
- Note 7: Further to this approval, the applicant is required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011* and *Health Act 2016*, which are to be approved by the Shire of Gingin.
- Note 8: This planning approval shall not be construed as an approval under the *Dividing Fences Act. 1961*.

**AMENDMENT MOTION**

**MOVED:** Councillor Kestel

**SECONDED:** Councillor Weeks

That Council agree to amend the motion in Condition 4 by deleting the word "one" and inserting the word "two" and deleting the figure "2025" and inserting the figure "2026".

**CARRIED UNANIMOUSLY**

**7 / 0**

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

**AGAINST:** *Nil*

*The amendment was incorporated into the Substantive Motion, which was then put to the vote.*

#### **COUNCIL RESOLUTION**

**MOVED:** Councillor Balcombe

**SECONDED:** Councillor Sorensen

That Council grant Development Approval for a Bed and Breakfast on Lot 253 (8) Cruden Place, Gingin, subject to the following conditions:

1. The land use and development shall be undertaken generally in accordance with the approved plans, unless conditioned otherwise in this approval.
2. This approval permits the use of 2 bedrooms of the dwelling for the purpose of Bed and Breakfast.
3. The Bed and Breakfast shall not accommodate more than six guests and one family (immediate) at any one time.
4. The term of this Planning Approval is for two years from the date of this notice (expiring on 21 May 2026).
5. The Bed and Breakfast shall not be used as a lodging house or for permanent accommodation.
6. Guest bedrooms and bathrooms are to be used by guests only.
7. Hot water shall be provided at all times.
8. Suitable facilities for the hygienic preparation, storage and cooling of food shall be provided to cater for the maximum number of guests to be accommodated.
9. Preparation of meals is the responsibility of the domestic residents and self-service cooking by guests is not permitted with the exception of tea and coffee preparation.
10. The Owner/Manager of the Bed and Breakfast is required to reside on-site.
11. Noise is to be limited to levels of volume and duration that are deemed reasonable and generally experienced in residential neighbourhoods.

Advice Notes:

- Note 1: If you are aggrieved by the conditions of this approval you have the right to request that the State Administrative Tribunal (SAT) review the decision, under Part 14 of the *Planning and Development Act 2005*.
- Note 2: If the development subject to this approval is not substantially commenced within a period of 2 years, the approval shall lapse and have no further effect.
- Note 3: Where an approval has so lapsed, no development must be carried out without further approval of the local government having first been sought and obtained.
- Note 4: All signage shall be the subject of a separate application being lodged and approved by Council.
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- Note 6: Smoke alarms that are hard wired to mains power must be installed in the rooms and associated hallways and, if applicable, each floor level reached by stairs, in accordance with the Building Code of Australia.
- Note 7: Further to this approval, the applicant is required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011* and *Health Act 2016*, which are to be approved by the Shire of Gingin.
- Note 8: This planning approval shall not be construed as an approval under the *Dividing Fences Act. 1961*.

CARRIED UNANIMOUSLY  
7 / 0

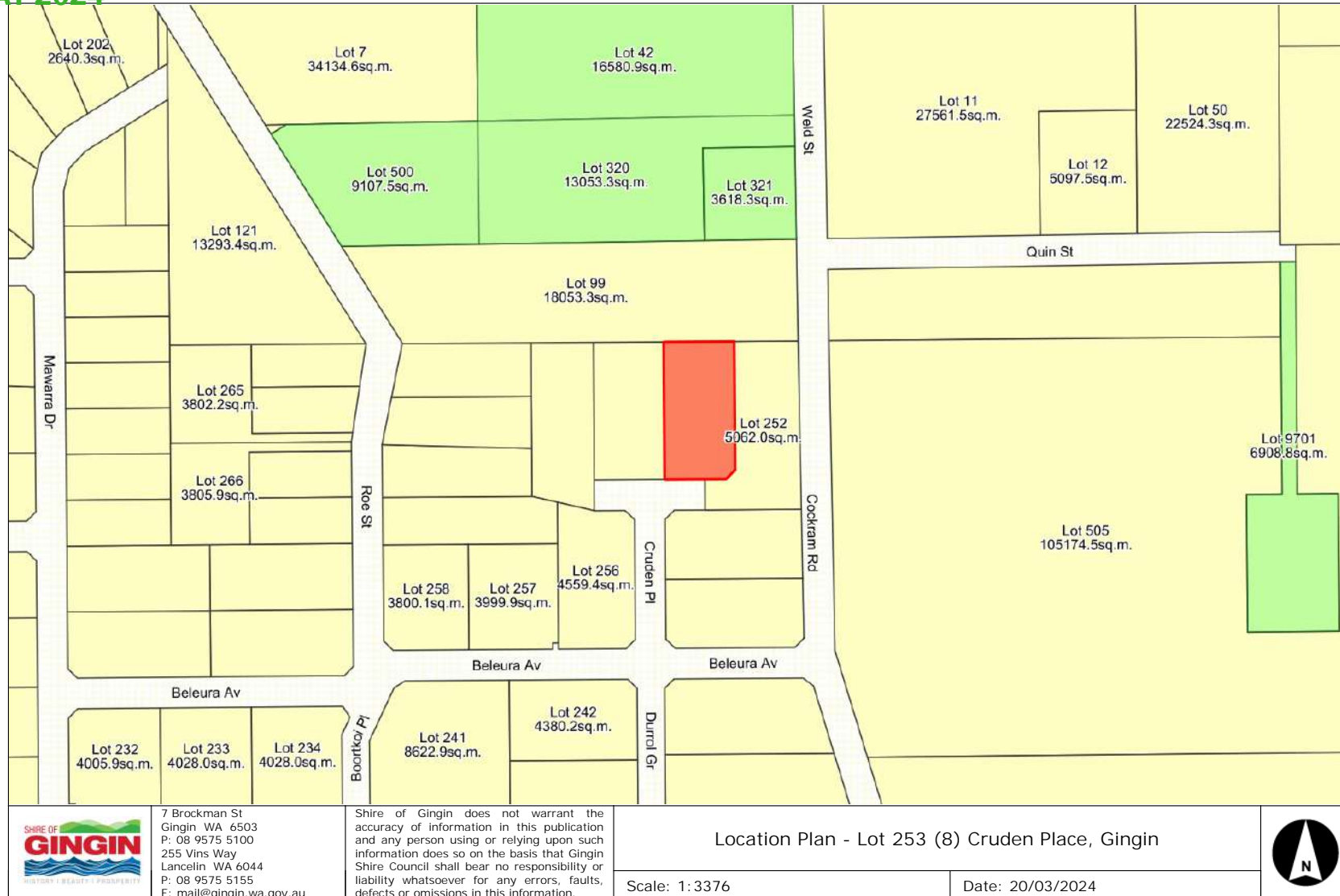
FOR: *Councillor Balcombe, Councillor Fewster, Councillor Kestel, Councillor Peczka, Councillor Sorensen, Councillor Woods and Councillor Weeks*

AGAINST: *Nil*

Reason for Amendment

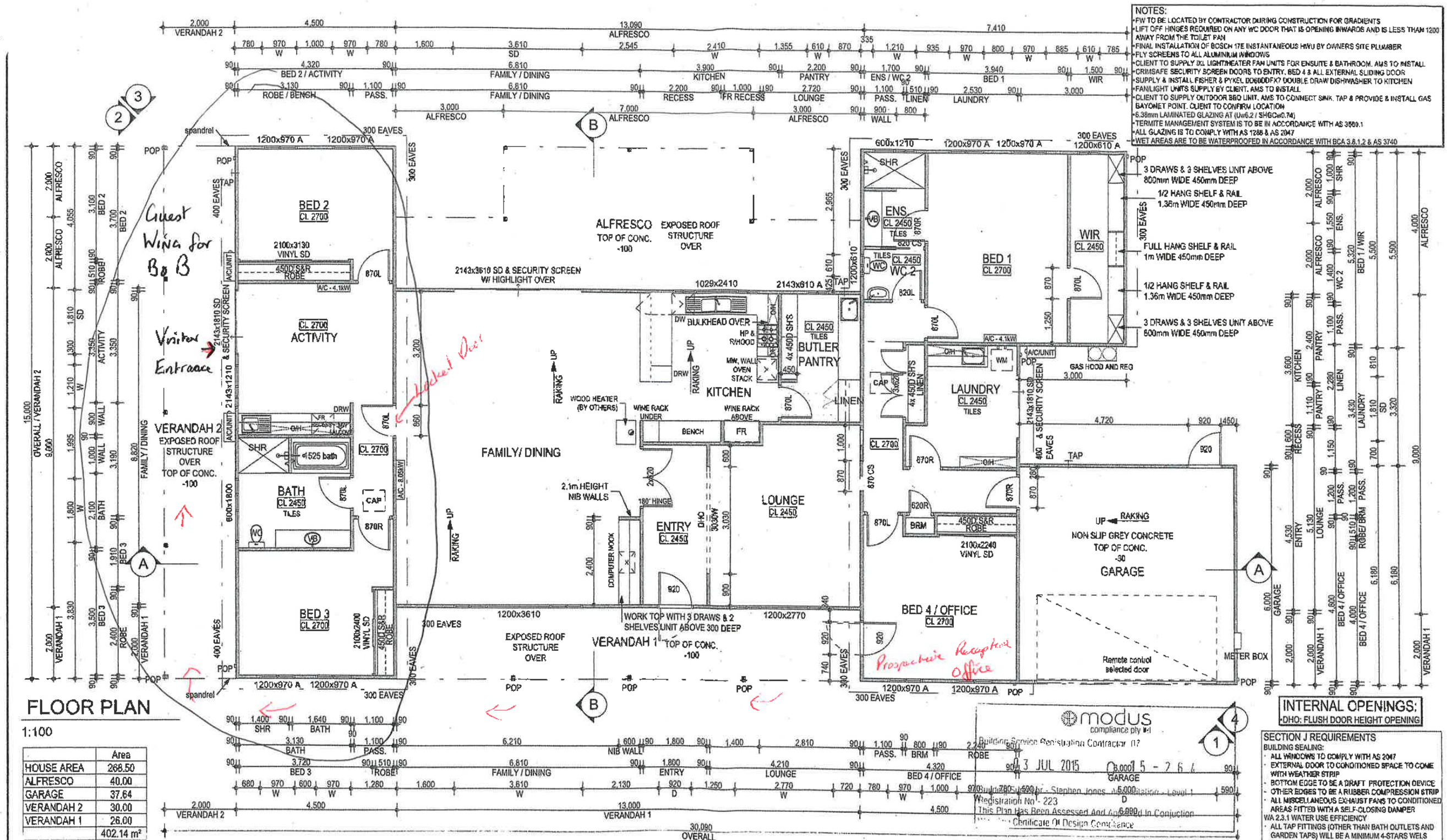
Council believed that a two year term was more appropriate.











**AMS**  
AUSSIE MODULAR SOLUTIONS

Builders Registration Number 12565  
3571 Greel Northern Hwy, Muchea WA 6501  
PO Box 419 Morley BC, WA 6043  
sales@ams-group.com.au www.ams-group.com.au  
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A.C.N. 105 565 459 A.B.N. 28 105 655 458

Client:  
**WANLING & IAN GIBB**

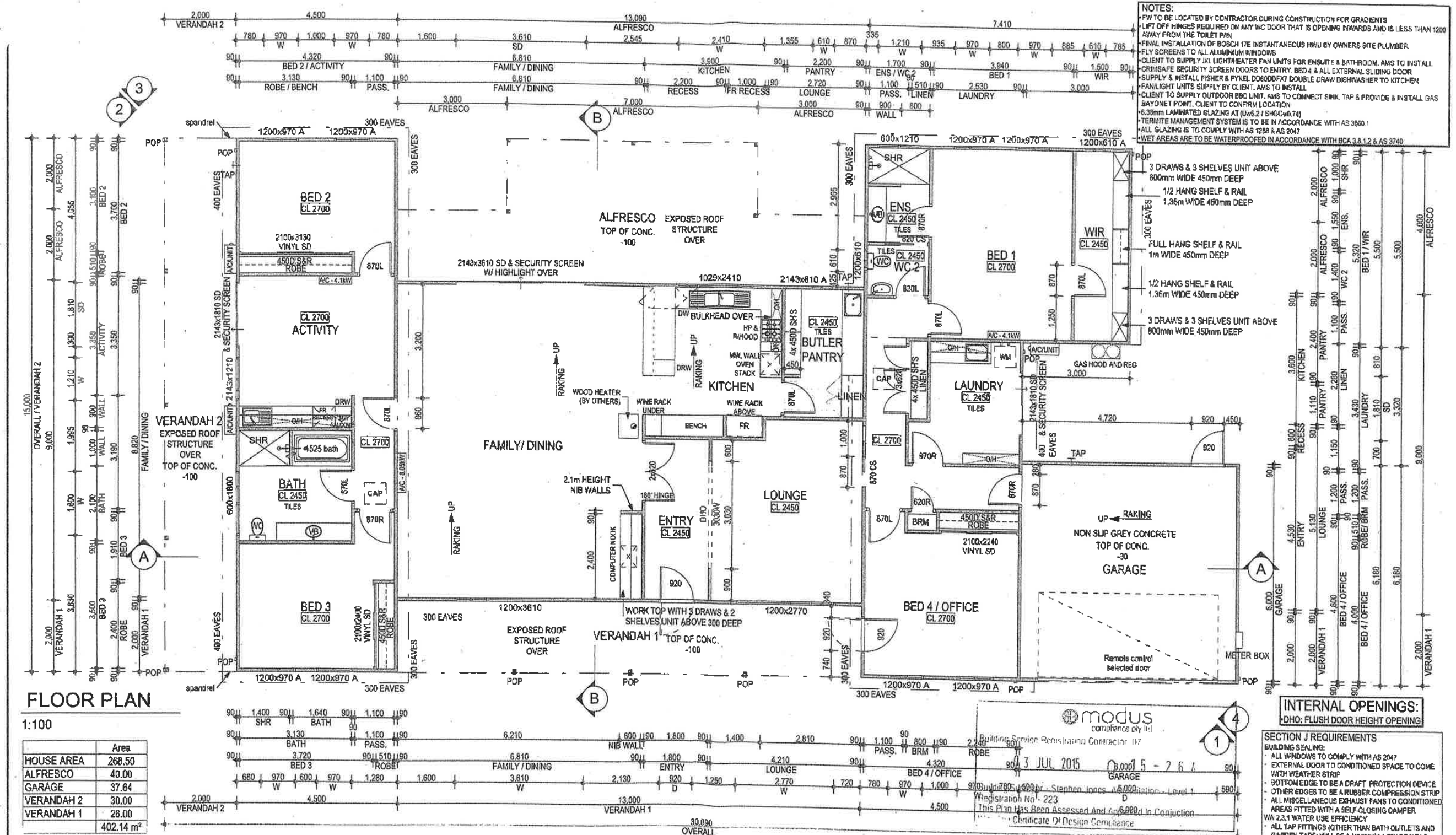
Address:  
**LOT 253 - 8 CRUDEN PLACE  
GINGIN WA 6503**

RSA REF: 15-0279  
STRUCTURE DESIGN WIND SPEED TO AS1170.2-2011  
ANNUAL PROBABILITY OF EXCEEDANCE - 1:500  
WIND REGION - A  
TOPOGRAPHY MULTIFACTOR - 1.0  
30/06/2015  
RODNEY SALTER (E) (P) F.I.E. AUST C.P. Eng  
ALISTAIR ARMAN M.E. Aust C.P. Eng  
E: info@rsa.com.au P: 08 9317 3331

Rev	VO Number and Description	DRN	DATE	CHK
A	ISSUED FOR APPROVAL	ST	05/03/15	MC
B	PRE START VARIATION 1	ST	30/03/15	MC
H	REVISED CEILING INSULATION & BATTEN SIZES	ST	21/05/15	MH
I	ADDED NOTES & REVISED CEILING BATTS	ST	26/05/15	MH
J	REVISED SECTION B	ST	03/06/15	MH
K	REVISED ROOF & DETAILS	ST	11/06/15	MH
L	REVISED GARAGE SLAB SETDOWN LEVEL	ST	18/06/15	MH
M	REVISED AS ENGINEER COMMENTS	ST	25/06/15	MH
N	REVISED DETAILS AS ENGINEER COMMENTS	ST	30/08/15	MH

Model	4X2 SITE BUILT HOUSE	Date Drawn	06/03/2015
Job No	AMS0061	Revision No	N
Sub-Contractors to verify all dimensions on site		Sheet No	1 of 9
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A.C.N. 106 655 458 A.B.N. 28 106 655 458

Client:  
**WANLING & IAN GIBB**  
Address:  
**LOT 253 - 8 CRUDEN PLACE  
GINGIN WA 6503**

RSA REF: 15-0279  
STRUCTURE DESIGN WIND SPEED TO AS1170.2-2011  
ANNUAL PROBABILITY OF EXCEEDANCE - 1:500  
WIND REGION - A HURICANE CATEGORY - 2  
TOPOGRAPHY MULTIPLIER - 1.0  
30/06/2015  
ROBIN SALTER B.E. (Hons) F.I.E. Aust C.P. Eng  
ALISTAIR ARVAN M.I.E. Aust C.P. Eng  
E: info@rsaeng.com.au P: 08 9317 3351

Rev	VO Number and Description	DRN	DATE	CHK	Model
A	ISSUED FOR APPROVAL	ST	08/03/15	MC	
B	PRE START VARIATION 1	ST	30/03/15	MC	
H	REVISED CEILING INSULATION & BATTEN SIZES	ST	21/05/15	MH	
I	ADDED NOTES & REVISED CEILING BATTS	ST	26/05/15	MH	
J	REVISED SECTION B	ST	03/06/15	MH	
K	REVISED ROOF & DETAILS	ST	11/06/15	MH	
L	REVISED GARAGE SLAB SETDOWN LEVEL	ST	16/06/15	MH	
M	REVISED AS ENGINEER COMMENTS	ST	25/06/15	MH	
N	REVISED DETAILS AS ENGINEER COMMENTS	ST	30/06/15	MH	

<b>4X2 SITE BUILT HOUSE</b>	Date Drawn <b>06/03/2015</b>
<b>AMS0061</b>	Revision No <b>N</b>
Sub-Contractors to verify all dimensions on site	Sheet No <b>1 of 9</b>
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#### 14.6 APPLICATION FOR DEVELOPMENT APPROVAL - PROPOSED HOUSE AND OUTBUILDING - LOT 87 DARWINIA CRESCENT, GINGINUP

File	BLD/7719
Applicant	Homes Direct WA Pty Ltd T/A Direct Homes WA
Location	Lot 87 Darwinia Crescent, Ginginup
Owner	S & K Parsons
Zoning	Rural Living
WAPC No	N/A
Author	Ross Harper – Planning Officer James Bayliss – Manager Building and Planning
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	Nil
Appendices	<ol style="list-style-type: none"> <li>1. Schedule of Submissions and Recommended Responses [14.6.1 - 1 page]</li> <li>2. Claymont - Property Owner - Stakeholder Comment Form [14.6.2 - 5 pages]</li> <li>3. Applicants Proposed Shed [14.6.3 - 7 pages]</li> <li>4. Applicants Proposed House [14.6.4 - 6 pages]</li> <li>5. Country Heights - Local Development Plan [14.6.5 - 2 pages]</li> </ol>

#### DISCLOSURES OF INTEREST

Nil

#### PURPOSE

To consider an Application for Development Approval for a Dwelling and Outbuilding with reduced lot boundary setbacks on Lot 87 Darwinia Crescent, Ginginup.

#### BACKGROUND

The Shire has received an Application for Development Approval for a Dwelling and Outbuilding on the subject lot, which is 1 hectare in area. The property is currently vacant and clear of vegetation.

The proposal seeks a variation to the Country Heights Local Development Plan in relation to the lot boundary setbacks being 13.38 metres in lieu of the required 20 metre setback that applies to the subject lot.

A copy of the development plans is provided (**see appendices**).

## COMMENT

### Stakeholder Consultation

The application was advertised to adjoining landowners for a period of 14 days in accordance with Clause 64 of the *Planning and Development (Local Planning Scheme) Regulation 2015*. The Shire received two comments, one objection (which was later withdrawn) and one in support of the proposal.

A copy of the Schedule of Submissions is attached (**see appendices**).

## PLANNING FRAMEWORK

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

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.*

The proposed development does not contravene any of the abovementioned objectives.

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

The Regulations are subsidiary legislation created under the *Planning and Development Act 2005* that include 'Deemed Provisions' which apply to every local planning scheme throughout the State.

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



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

Officer Comment

The scale of the dwelling and outbuilding are not viewed as being excessive within a Rural Living zone. The proposal seeks a relatively large setback variation, which in isolation may not be viewed as a significant issue. However, widespread setback reduction to the extent proposed will gradually and cumulatively erode the intent of the LDP and consequently impact the rural and open amenity of the estate.

Country Heights Local Development Plan

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* a Local Development Plan is defined as:

*Local development plan means a plan setting out specific and detailed guidance for a future development including one or more of the following:*

- (a) *Site and development standards that are to apply to the development.*
- (b) *Specifying exemptions from the requirement to obtain development approval for development in the area to which the plan relates.*

The approved Local Development Plan delineates a predefined building envelope. All landowners are aware of the building envelopes prior to purchase through the contract of sale. The building envelopes are sufficiently large to cater for all anticipated buildings and are created to ensure large distances between buildings on each lot to create a rural built form.

A copy of the approved LDP is provided (**see appendices**).

Officer Comment

The officer notes that although an objection was initially lodged by the Developer of the Estate, it was subsequently withdrawn. This is raised as the comments provided reflect the planning framework and officer concurs with the views.



The submission succinctly outlines the planning considerations related to boundary setbacks and potential erosion of the Estate's overall amenity and character if significant setback variations are approved, seemingly without any site constraints that necessitate such a variation. Given that the Estate is currently in the early stages of its life, precedent may be a relevant consideration.

#### Further Comment

There are 2 options open to Council in considering this application. On one hand the planning framework suggests that the proposal should be refused. There are sound planning reasons for refusal.

On the other hand, the Developer of the Estate has shown that the undermining of the LDP that may jeopardise the future rural character of the subdivision is not concerning enough to sustain an objection. If the Developer will not seek to administer the planning framework they created, it may not be in the Shire's interest to defend that planning framework.

In the event that Council is not comfortable with the extent of the setback variation, and in the absence of sound planning reasons to justify the variation, the officer recommends the following:

*That Council refuse to grant Development Approval for a Dwelling and Outbuilding on Lot 87 Darwinia Crescent, Gingin for the following reason:*

- 1. Having due regard to Clause 67(2) (h), (m) and (n) of the Deemed Provisions, the proposed development is unacceptable given:*
  - (a). The setback variation is inconsistent with the approved Country Heights Local Development Plan and will create an undesirable precedent that adversely impacts the future character and amenity of the locality.*

#### Advice Notes

Note 1: If you are aggrieved by the conditions of this approval, you have the right to request that the State Administrative Tribunal (SAT) review the decision under Part 14 of the *Planning and Development Act 2005*.

#### Summary

In summary, the officer acknowledges the two options available in determining the proposal. Had the objection not been withdrawn, the recommendation would be a refusal. As it stands, no formal objection has been lodged and while that in itself does not mean that the proposal can't be refused, it suggests that the variation may not be controversial or inconsistent with the community and developer expectations for the estate.

## STATUTORY/LOCAL LAW IMPLICATIONS

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

Shire of Gingin Local Planning Scheme No. 9.

## POLICY IMPLICATIONS

Nil

## BUDGET IMPLICATIONS

## STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

<b>Aspiration</b>	3. Planning & Sustainability - Plan for Future Generations
<b>Strategic Objective</b>	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

## VOTING REQUIREMENTS - SIMPLE MAJORITY

### COUNCIL RESOLUTION/OFFICER RECOMMENDATION

**MOVED:** Councillor Sorensen

**SECONDED:** Councillor Balcombe

That Council grant Development Approval for a Dwelling and Outbuilding with reduced lot boundary setbacks on Lot 87 Darwinia Crescent, Ginginup subject to the following conditions:

1. The land use and development shall be undertaken in accordance with the approved plans and specifications, including the directions written in red ink by the Shire, unless otherwise conditioned in this Approval.
2. The approval is for a Dwelling and Outbuilding only as indicated on the approved plans.
3. Where simultaneous approval has been granted by local government for both a dwelling and outbuilding on the same lot, the single house must be substantially commenced prior to construction of the outbuilding.
4. The outbuilding is not to be used for human habitation, habitable purposes or any other industrial or commercial uses.

5. The approved outbuilding is to be constructed using new materials and be of a consistent colour scheme.
6. Stormwater from all roofed, driveway and hardstand areas shall not enter adjoining properties and is to be collected and contained onsite to the satisfaction of the Shire of Gingin.

Advice Notes:

- Note 1: If you are aggrieved by the conditions of this approval, you have the right to request that the State Administrative Tribunal (SAT) review the decision, under Part 14 of the *Planning and Development Act 2005*.
- Note 2: Where an approval has lapsed, no development may be carried out without further approval from the local government having first been sought and obtained.
- Note 3: Further to this approval, the applicant is required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011* and *Health Act 2016*, which are to be approved by the Shire of Gingin.
- Note 4: This planning approval shall not be construed as an approval or support of any kind for any other planning related application on the subject land.
- Note 5: It is recommended that cadastral lot boundaries be established by a suitably qualified land surveyor to ensure that all development is carried out within the subject allotment.
- Note 6: This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should you wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, you must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fence Act 1961*.
- Note 7: This approval does not authorise an additional crossover. In the event you seek to install a new crossover to service the outbuilding, it must be constructed to the same standard of the existing sealed crossover.

CARRIED  
5 / 2

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

AGAINST: *Councillor Balcombe and Councillor Weeks*

SCHEDULE OF SUBMISSIONS AND APPLICANTS RESPONSES

*DEVELOPMENT APPLICATION: DWELLING & OUTBUILDING ON LOT 89 DARWINIA CRESCENT, GINGIN*

No.	Submitter	Submission details	Applicants response
2.	Adjoining Landowner	<p>The submitter <b>does support</b> the application and provides the following comment:</p> <p>Thank's for more info on your plan. We don't have a problem with this. Good luck with it, I hope it works out well for you. Exciting times building a house, there nice block's of land.</p> <p>If the shire get's hold of me I'll tell them all good. Cheers</p>	



## Property Owner/Stakeholder COMMENT FORM

### Property Owner/Stakeholder Details

Full Name(s): <u>Dynamic Planning on behalf of Claymont</u>		
Property Lot No: <u>05</u>	Street No:	Street Name: <u>Cheriton</u>
Locality: <u>Gingin</u>	Postcode: <u>65</u>	
Postal Address: <u>PO Box 688 Indlewood</u>		
Email: <u>admin@dynamicplanning</u>		
<small>(By supplying your email, you provide consent to be contacted by the Shire via email for this development application/submission.)</small>		

### Location of Proposed Development

Development: <u>Dwelling and</u>		File No: BLD/
Lot No: <input type="checkbox"/>	Street No:	Street Name: <u>Darwinia</u>
Locality: <u>Gingin</u>	Postcode: <u>65</u>	

### Stakeholder Position on Proposed Development

<input type="checkbox"/> Supported	<input checked="" type="checkbox"/> Not Supported	<input type="checkbox"/> General Comment
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### Stakeholder Comments

I/We have inspected the documents/plans and comment as follows:

See attached

**Note:** If the above space is insufficient for your comments, please attach a separate document to this form. If your submission is a large document, please provide the Shire with a Word version to [mail@gingin.wa.gov.au](mailto:mail@gingin.wa.gov.au).

### Comments Submitted By:

1 <sup>st</sup> Name: <u>Deanna</u>	Date: <u>8/1/</u>	Phone: <u></u>
Signature: 		
2 <sup>nd</sup> Name (if applicable):	Date:	Phone:
Signature:		

**Please be aware that the comments you provide regarding the proposed development may be presented to Council and the Applicant for their consideration.**





## OBJECTION SUBMISSION



### PROPOSED DWELLING AND OUTBUILDING OBJECTION SUBMISSION

---

OUR REF: 039

Our Ref: 039

8 April 2024

Chief Executive Officer  
Shire of Gingin  
PO Box 510  
GINGIN WA 6503

Dear Sir/Madam,

**SUBMISSION – PROPOSED DWELLING AND OUTBUILDING**  
**LOT 87 DARWINIA CRESCENT, GINGINUP**

Dynamic Planning and Developments (DP) acts on behalf of the registered proprietor of Country Heights Estate who are presently implementing a rural living subdivision in Ginginup.

**The purpose of this submission is to object to the proposed dwelling and outbuilding at Lot 87 Darwinia Crescent, Ginginup and request that compliance with the approved LDP is achieved.**

**Site Context**

Lot 87 Darwinia Crescent, Ginginup is boarded by Cheriton Road to the east and Darwinia Crescent to the west with Ginginup being located on the outskirts of the Gingin Townsite. The lot is located in the Country Heights Estate which is a partially implemented rural residential subdivision that seeks to capitalize on the rural amenity available in the area.



**Figure 1 – Site Context: Lot 87 Darwinia Crescent.**



### **Proposed Dwelling and Outbuilding**

The proposed dwelling and outbuilding at Lot 87 Darwinia Crescent, Ginginup (herein referred to as the ('subject site')) proposes two variations to the approved Local Development Plan. These are:

1. The proposed shed is setback 13,389m in lieu of 20m from the northern boundary.
2. The proposed dwelling is setback 13,388m in lieu of 20m from the southern boundary.

### **Purpose of Submission**

The purpose of this submission is to object to the proposed dwelling and outbuilding as we do not consider it appropriate for approval. Instead, the applicant should revise the proposal to comply with the approved LDP. Our reasons for requesting this are as follows:

1. Approval of the development would undermine the Local Development Plan.

Within the approved Local Development Plan applicable to the estate, it is stated that lots without a designated building envelope require the below setbacks:

- Front – 20m.
- Side – 20m.
- Rear – 20m.

These 20m setback requirements have been put in place to ensure sufficient separation from adjoining dwellings to enable retention of the rural amenity as opposed to a more urban development outcome where buildings are closer together. Acceptance of a proposal that clearly violates the LDP such as this one would set a precedent for all lots within the Country Heights Estate and may encourage development that would compromise the rural amenity available within the estate.

2. Alternative design outcomes are available that would comply with the LDP and protect existing streetscapes.

There is a significant amount of compliant building envelope area on Lot 87 where the proposed built form could be located. It is suggested that the shed could be located behind the proposed dwelling which would enable compliance with the setback requirements and improved streetscape outcomes, along Darwinia Crescent.

3. Loss of amenity for the adjoining lots.

A major reason as to why the Country Heights Estate is an attractive area for development is due to both the large lot size and rural amenity within the area. The 20m setback requirements will result in a reduction of the loss of amenity for the adjoining properties and a loss of separation to adjoining properties. This separation enables the lot to feel much more 'unique' and 'rural' compared to the standard suburban subdivision. If the proposed variations were to be approved, this 'unique' and 'rural' aspect of the adjoining properties would be compromised resulting in a loss of amenity.

**Conclusion**

In light of the above, we consider that the proposed dwelling and outbuilding should be refused unless the design is modified as it has been demonstrated to be inconsistent with the Local Development Plan, detrimental towards the rural amenity and alternate, compliant design outcomes are available. Specifically, the proposed development variations warrant refusal as:

- The proposed dwelling and outbuilding are within the 20m minimum setback distance as detailed by the Local Development Plan.
- There is clearly enough available space within the allowed building envelope for the proposed developments.
- There would be a loss of amenity for the adjoining properties as it would compromise the rural amenity available in the Country Heights Estate.

Should you have further queries or seek clarification with regard to the matters raised above, please do not hesitate to contact us.



**Reagan Cack  
Planning Coordinator**



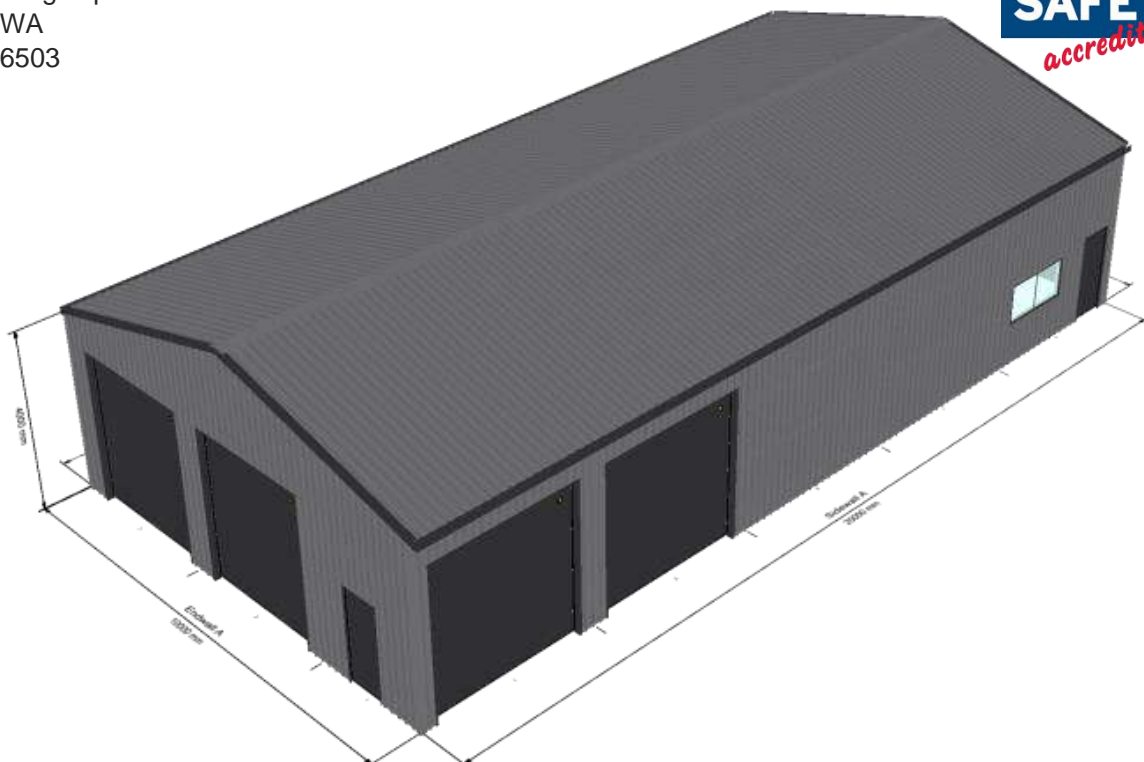


**TrueBlueSheds**  
Modern Sheds Built Aussie Tough

## Quotation

Stephen Parsons  
Lot 87 Darwinia Crescent  
Ginginup  
WA  
6503

True Blue Sheds  
1300 445 889  
sales@truebluesheds.com.au  
CAN: 644 258 560  
30/1/2024  
Quote #94535179



Colorbond® Zincolume®



**Quote #94535179, 30/1/2024**

**Building Specifications**

**Building Site Address:**

Lot 87 Darwinia Crescent, Ginginup, WA, 6503

**Design Criteria:**

Design Roof Snow Load: N/A (Results have not been set. If problem persists after calculation, please contact support.)  
Wind Load/Exposure: 40.7 m/s  
Building Class: 10a  
Wind Region: A1  
Importance Level: 2  
Terrain Category: 2.75  
Shielding: 1  
Topography: 1.12

**Sheeting and Trim Details:**

Roof Type: Trimclad 0.42 CB  
Roof Color: Basalt  
Wall Type: Trimclad 0.42 CB  
Wall Color: Basalt  
Eave Trim/Gutter Type: Patio Line Gutter  
Trim Color: Varies  
Base Trim: None

**Building Dimensions:**

Width: 10.000 m  
Length: 20.000 m  
Eave Height: 4.000 m  
Roof Pitch: 15 deg  
# Sidewall Bays: 5  
# Endwall Bays: 3 Varies

**Building Specs:**

Columns: C20024  
Rafters: C20024  
Endwall Column: C15024  
Roof Purlins: Z10012  
Side Wall Girts: Z10015  
End Wall Girts: Z10012

**Leanto A Details:**

Span: N/A  
Bays: N/A  
Drop: N/A  
Roof Pitch: N/A  
Eave Height: N/A

**Leanto B Details:**

Span: N/A  
Bays: N/A  
Drop: N/A  
Roof Pitch: N/A  
Eave Height: N/A

**Slab and Footing Details:**

Bored foundation plans included  
100mm Slab  
Main Column Footings: 550 mm - 450 mm  
End Mullion Footings: 500 mm - 450 mm

#### Opening Details:

- Personnel doors: 2x Larnec 2040 x 820 x 35mm - Pre Hung - Colorbond Single Skin - P/C Tube Frame - Wind Class N4 & C1 Knob/Knob Monument
- Roller Doors: H3300xW3000 ROW Roller Door Monument (actual opening size 3300h x 2800w) in Center of bay 3 of Endwall A  
H3300xW3000 ROW Roller Door Monument (actual opening size 3300h x 2800w) in Center of bay 1 of Endwall B  
H3300xW3300 ROW Roller Door Monument (actual opening size 3300h x 3300w) in Center of bay 1 of Sidewall A  
H3300xW3300 ROW Roller Door Monument (actual opening size 3300h x 3300w) in Center of bay 2 of Sidewall A  
H3300xW3000 ROW Roller Door Monument (actual opening size 3300h x 2800w) in Center of bay 2 of Endwall A
- Windows: 2x 895X1731 XO Basalt
- Framed Openings: None
- Open Bays: None
- Translucent Panels: None
- Door Extras: 3x H3300xW3000 ROW Roller Door Monument  
5x Motor MR855MYQ Merlin Silent Drive Elite  
5x Firmatube Roller Door Wrapping  
2x H3300xW3300 ROW Roller Door Monument

#### Insulation Details:

None

#### Mezzanine:

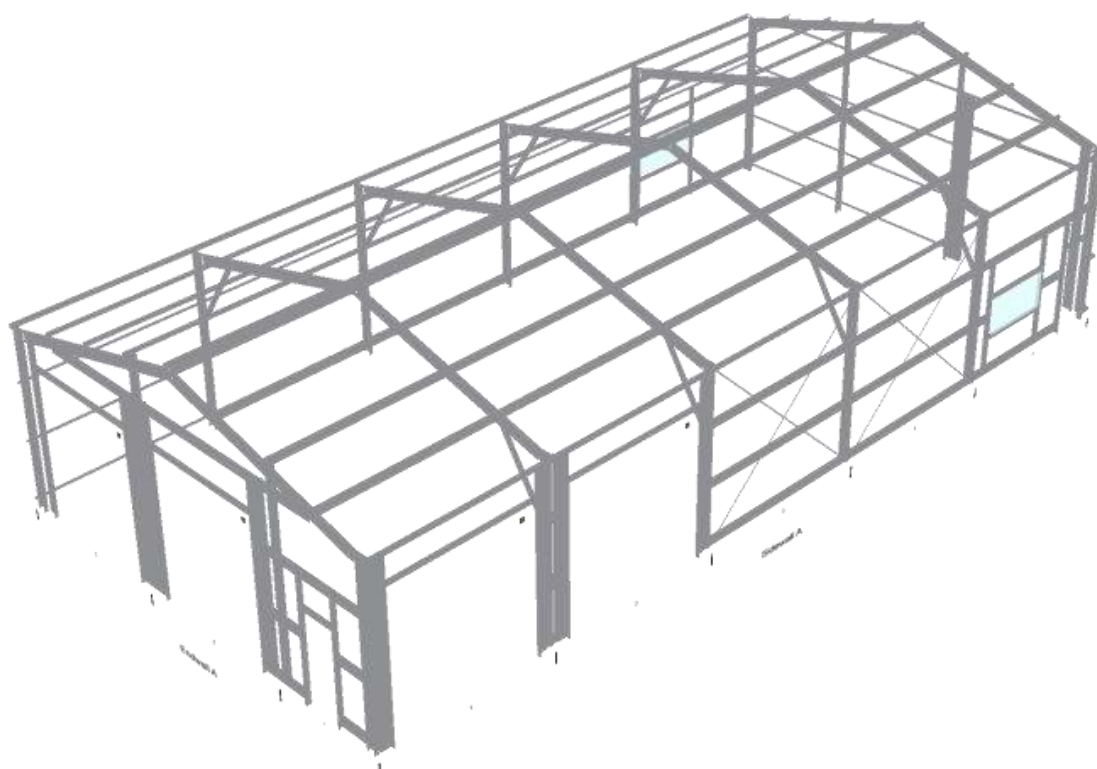
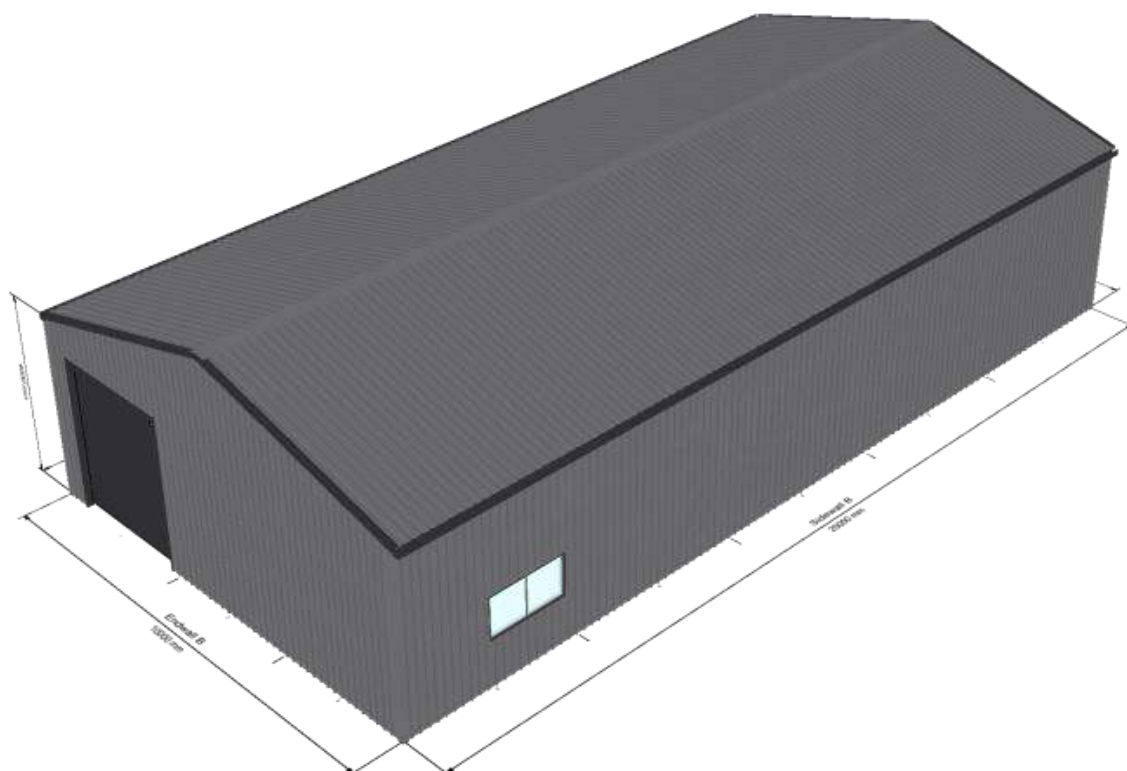
Floor Height: N/A    Bays: N/A  
Live Load: N/A    Joist Spacing: N/A

#### Extra Options:

N/A  
Knee Brace: C10019  
Apex Brace: C10019

#### Total Building Weight:

5125.81kg



## **Important Terms & Conditions**

**1. Payment**

- (a) The Customer shall pay the Supplier the amount(s) stated as per payment schedule accompanying the order.
- (b) The Supplier is not obliged to deliver any Goods unless the Customer has paid all amounts in full.
- (c) The Customer must pay to the Supplier all debt collection costs, including any legal fees associated with the recovery or attempted recovery of any amount due to the Supplier under the Agreement.
- (d) Goods for each building are made as required, any orders cancelled after order placement will not be refunded.

**2. Ownership**

- (a) Ownership of the Goods does not pass to the Customer until all amounts due are paid to the Supplier.
- (b) Unless payment for the Goods is made to the Supplier by due date, the Supplier, or its agents or employees, may at any time enter on to the site where the Goods are stored and remove the Goods.
- (c) The Customer must indemnify the Supplier in respect of any claims, losses, costs, or damages that the Supplier may incur as a result of the Supplier taking action under clause 2(b).
- (d) Until the Customer has paid for the Goods;
  - (i) The Customer must not use, sell, lease, dispose, assign, or encumber the Goods (by mortgage, lien, charge or otherwise) without the consent of the Supplier; and
  - (ii) The Customer must store the Goods separately in a readily identifiable state.

**3. Council**

- (a) The Customer agrees to pay any additional costs incurred should the Local Council require any changes be made to the building.
- (b) A rejection of any building application or scope of works by the Local Council does not constitute a cancellation of the order and all moneys payable by the Customer to the Supplier shall become immediately due and payable.

**4. Delivery**

- (a) The Customer will at his expense provide or cause to be provided full and clear access to the delivery site.
- (b) Times for delivery are approximate and the Supplier can in no way be held responsible for variations to the proposed times.
- (c) Where delivery is specified to be made to a site, any additional mechanical assistance required to unload the Goods (e.g. crane, etc) must be paid for and organised by the Customer.
- (d) The Customer is to immediately notify the Supplier in writing upon discovery of any defect or shortage in the Goods. The Customer is deemed to have accepted the Goods and shall not have any claim in respect of defects or shortage unless the Supplier is notified in writing within forty-eight (48) hours of delivery of the Goods.

**5. General**

- (a) Minor variations in measurements from those shown in the order shall not give rise to any claim for damages or breach of Agreement.
- (b) To the extent permitted by law, the Supplier's liability with respect to the supply of defective or faulty Goods is limited to the lowest of:
  - (i) The replacement or repair of the Goods; or
  - (ii) Payment of the costs of replacing the Goods or supplying equivalent Goods, in each case, at the Suppliers discretion. The Supplier shall not be liable for any labour costs associated with such repair or replacement.
- (c) The Customer warrants that he has carried out his own inquiries and investigations as to adequacy or suitability of the Goods for the purpose for which the Customer intends to use the Goods and the Customer has not relied on the Supplier or the supplier's employees, agents or distributors in determining the adequacy or suitability of the Goods for the Customer's purposes.
- (d) If the Customer defaults under any term of the Agreement or these Terms & Conditions, the Supplier may terminate the Agreement and all moneys payable by the Customer to the Supplier shall become immediately due and payable.



## Pricing & Payment Terms

### Purchase Conditions:

10% Deposit for stamped engineering drawings.  
50% Total prior to manufacturing. (40% due if 10% engineering has been paid)  
50% Balance to be paid 14 days before delivery.

### Special Terms – Must Read

Delivery is to the front of the property only unless there is sufficient area for the delivery truck to return around on your property.  
The shed package remains the property of True Blue Sheds until fully paid for.  
The purchaser agrees to accept the shed package within 8-10 weeks of ORDERING barring any steel shortages or unforeseen issues. **In the event of a material price rise by the material manufacturer, the purchaser agrees to pay the increase.**

## Client Details

CLIENT: Stephen Parsons  
Quote #94535179  
Clients Address: Lot 87 Darwinia  
Crescent  
Ginginup, WA, 6503  
Phone: 0407255455  
Date: 30/1/2024

## Kit Price

**\$41,860.14 (Inc. GST.)**

**Delivery Included** (If on standard delivery route)  
**Price valid for 14 days** (Unless price rise)

## Quote Acceptance

**Signed Acceptance of Building Price and Design.**

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**Signed That Terms and Conditions Have Been Read.**

---

### Tick Your Required Invoice:

- ☐ **10% Engineering Invoice** (We provide full engineering documents and local certificate.) We need a total of 50% to go to manufacture. Only after paying 50% are you excluded from future price rises.)
- ☐ **50% Manufacturing Invoice** (You receive your engineering documentation, and we begin manufacture.) Final 50% delivery invoice due 14 days before delivery.
- ☐ **100% Full Payment Invoice** (You receive your engineering documentation, and we begin manufacture.)

**Classic finish**



**Dover White™**  
Classic finish  
SA = 0.28



**Surfmist®**  
Classic finish  
SA = 0.33



**Evening Haze®**  
Classic finish  
SA = 0.43



**Southerly®**  
Classic finish  
SA = 0.40



**Dune®**  
Classic finish  
SA = 0.48



**Paperbark®**  
Classic finish  
SA = 0.43



**Classic Cream™**  
Classic finish  
SA = 0.33



**Shale Grey™**  
Classic finish  
SA = 0.44



**Bluegum®**  
Classic finish  
SA = 0.57



**Windspray®**  
Classic finish  
SA = 0.60



**Gully®**  
Classic finish  
SA = 0.64



**Jasper®**  
Classic finish  
SA = 0.67



**Wallaby®**  
Classic finish  
SA = 0.64



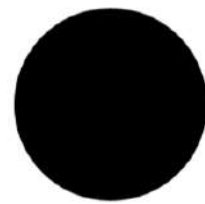
**Basalt®**  
Classic finish  
SA = 0.67



**Woodland Grey®**  
Classic finish  
SA = 0.70



**Monument®**  
Classic finish  
SA = 0.73



**Night Sky®**  
Classic finish  
SA = 0.95



**Ironstone®**  
Classic finish  
SA = 0.73



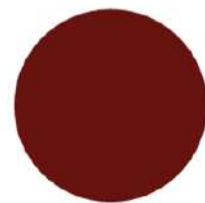
**Deep Ocean®**  
Classic finish  
SA = 0.74



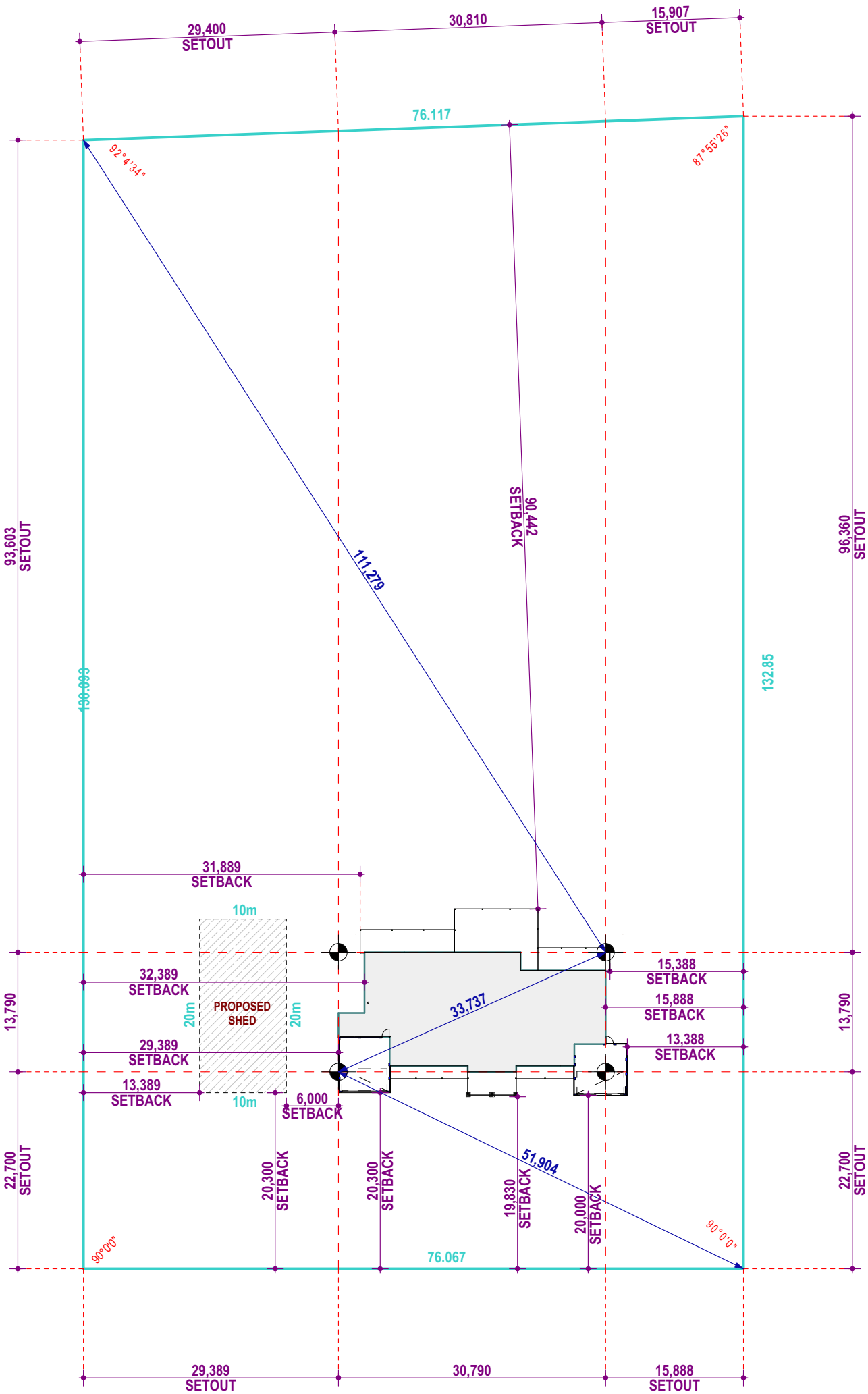
**Cottage Green®**  
Classic finish  
SA = 0.73




**Pale Eucalypt®**  
Classic finish  
SA = 0.60



**Manor Red®**  
Classic finish  
SA = 0.70

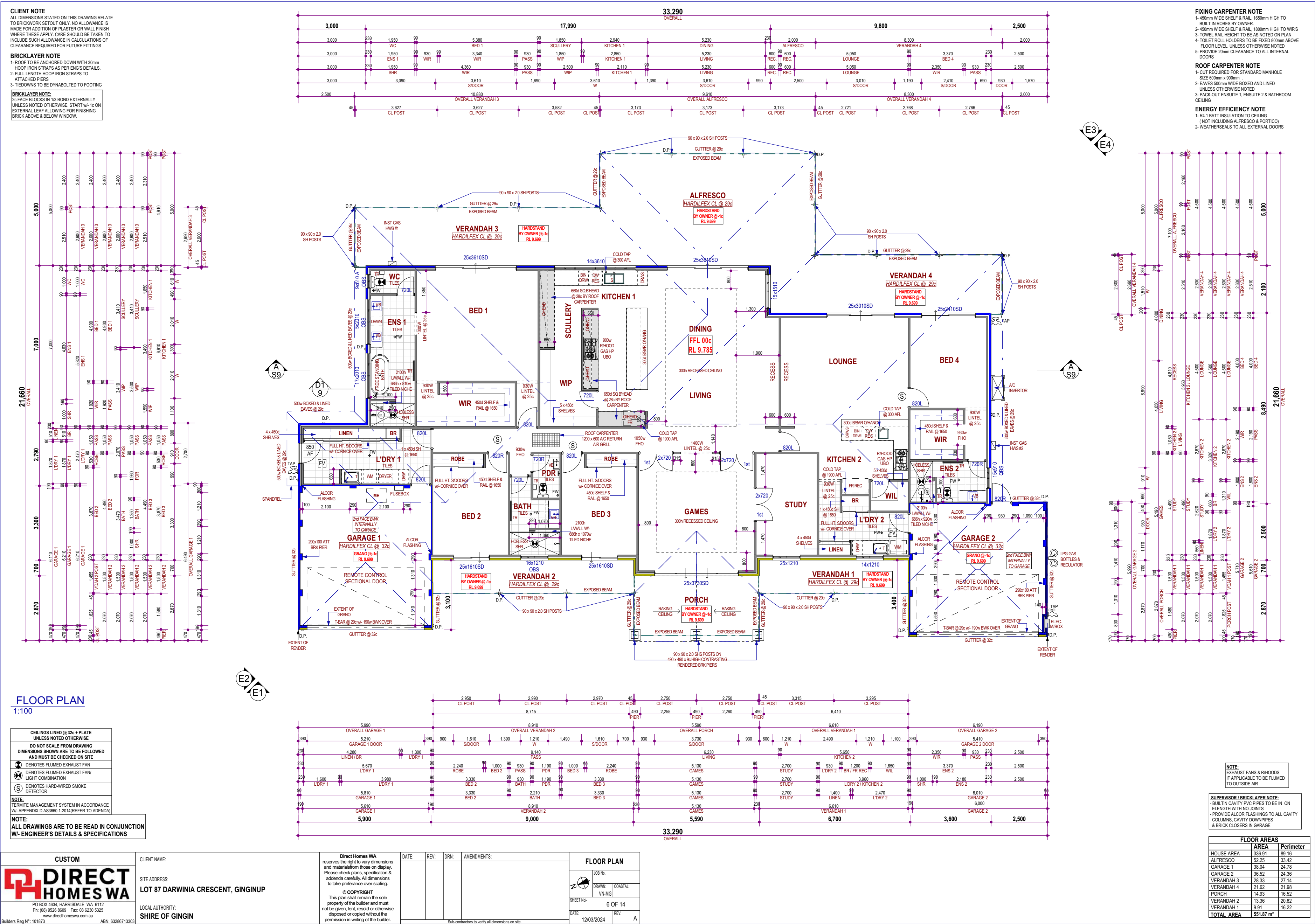


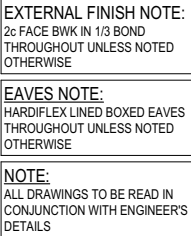
SETOUT PLAN  
1:500

<div>CUSTOM</div> <div></div> <div>PO BOX 4634, HARRISDALE WA 6112 Ph: (08) 9526 8609 Fax: 08 6230 5325 www.directhomeswa.com.au Builders Reg N°: 101873 ABN: 63286713303</div>	CLIENT NAME:  SITE ADDRESS: LOT 87 DARWINIA CRESCENT, GINGINUP	<div>Direct Homes WA</div> <div>reserves the right to vary dimensions and materials from those on display. Please check plans, specification &amp; addenda carefully. All dimensions to take preference over scaling.</div> <div>© COPYRIGHT</div> <div>This plan shall remain the sole property of the builder and must not be given, lent, resold or otherwise disposed or copied without the permission in writing of the builder.</div>	DATE:	REV:	DRN:	AMENDMENTS:	SETOUT PLAN	
							JOB No.	
							DRAWN: VN-MG	COASTAL:
							SHEET No/-	3 OF 14
	LOCAL AUTHORITY: SHIRE OF GINGIN						DATE: 12/03/2024	REV: A

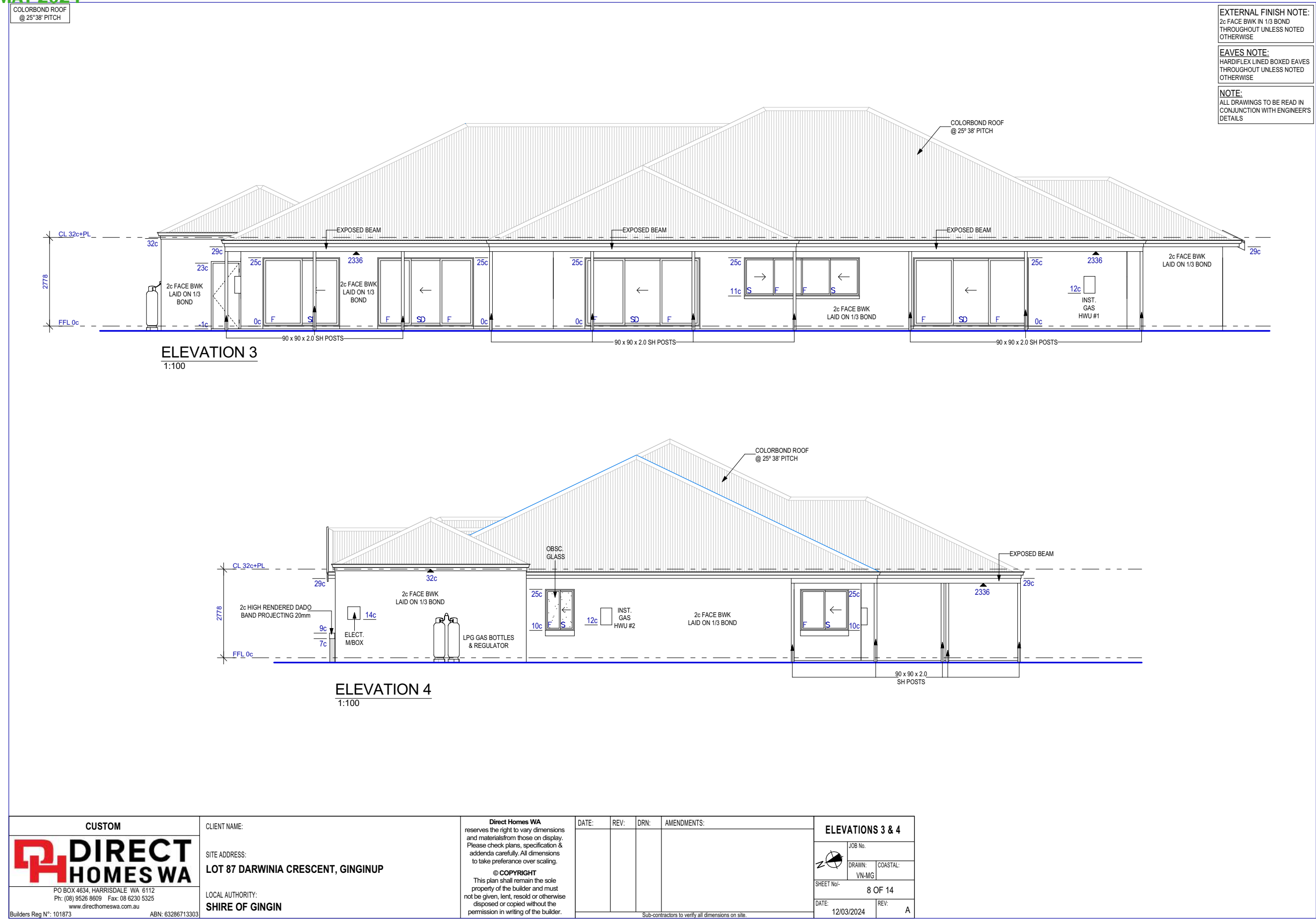






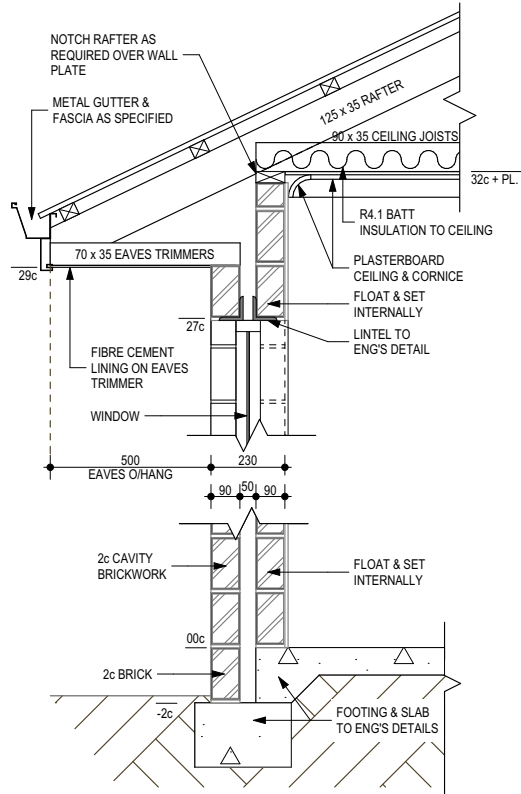
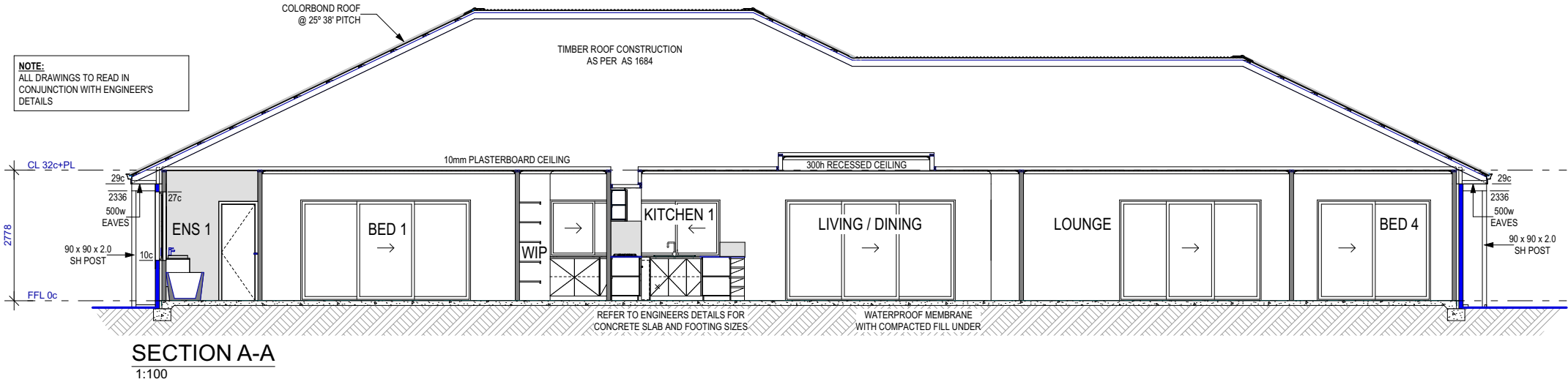


CUSTOM		CLIENT NAME:		<div>Direct Homes WA</div> <div>reserves the right to vary dimensions and materials from those on display. Please check plans, specification and addenda carefully. All dimensions to take preference over scaling.</div> <div>© COPYRIGHT</div> <div>This plan shall remain the sole property of the builder and must not be given, lent, resold or otherwise disposed or copied without the permission in writing of the builder.</div>	DATE:	REV:	DRN:	AMENDMENTS:
<div><div></div><div>DIRECT HOMES WA</div></div> <div>PO BOX 4634, HARRISDALE WA 6112 Ph: (08) 9526 8609 Fax: 08 6230 5325 www.directhomeswa.com.au</div> <div>Builders Reg N°: 101873 ABN: 63286713303</div>	SITE ADDRESS:		LOT 87 DARWINIA CRESCENT, GINGINUP		<div><div></div><div>DRAWN:</div><div>VN-MG</div></div> <div><div></div><div>COASTAL:</div></div>	<div>ELEVATIONS 1 &amp; 2</div> <div><div>JOB No.</div><div></div></div> <div><div>SHEET No:</div><div>7 OF 14</div></div> <div><div>DATE:</div><div>12/03/2024</div></div> <div><div>REV:</div><div>A</div></div>		
	LOCAL AUTHORITY:		SHIRE OF GINGIN					
Sub-contractors to verify all dimensions on site.								




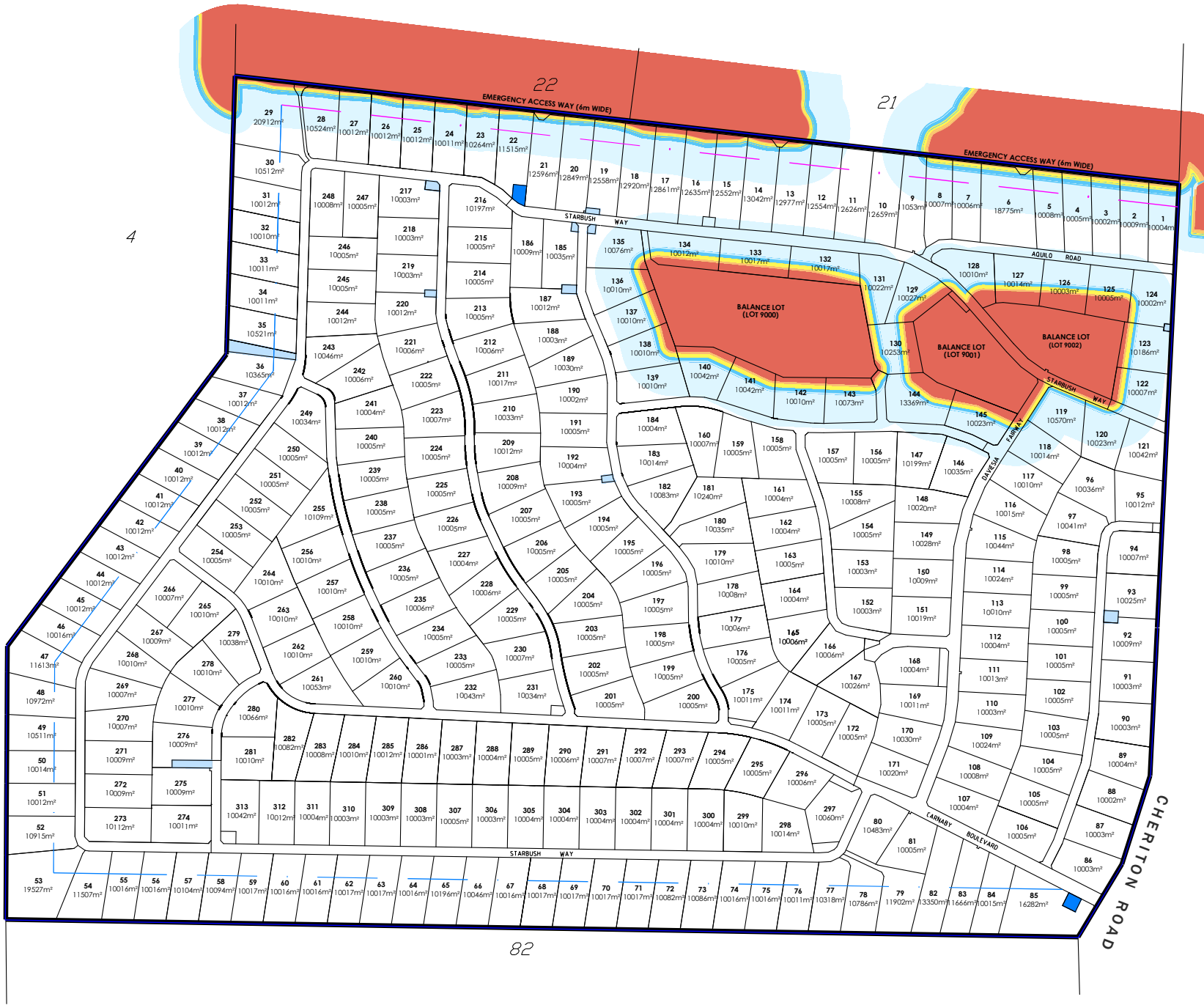


COLORBOND ROOF  
@ 25° 38' PITCH



D1 2c BWK SETOUT DETAIL  
S6 1:20

<b>CUSTOM</b> <b>DIRECT HOMES WA</b> PO BOX 4634, HARRISDALE WA 6112 Ph: (08) 9526 8609 Fax: 08 6230 5325 www.directhomewa.com.au Builders Reg N°: 101873 ABN: 63286713303	CLIENT NAME:  SITE ADDRESS: <b>LOT 87 DARWINIA CRESCENT, GINGINUP</b>	<b>Direct Homes WA</b> reserves the right to vary dimensions and materials from those on display. Please check plans, specification & addenda carefully. All dimensions to take preference over scaling.  © COPYRIGHT This plan shall remain the sole property of the builder and must not be given, lent, resold or otherwise disposed or copied without the permission in writing of the builder.	DATE:	REV:	DRN:	AMENDMENTS:	<b>SECTION / DETAIL</b>	
	LOCAL AUTHORITY: <b>SHIRE OF GINGIN</b>							JOB No. DRAWN: VN-MG COASTAL
							SHEET No.: 9 OF 14	DATE: 12/03/2024 REV: A



**LOCAL DEVELOPMENT PLAN REQUIREMENTS**

The provisions of the Shire of Gingin Local Planning Scheme No. 9 (LPS9) and applicable Local Planning Policies apply unless varied by this Local Development Plan (LDP). Where there is a conflict between the requirements of LPS9 with this LDP, the provisions of this LDP prevail to the extent of any inconsistency.

- 1. ZONING**
  - a. The Zoning which applies to lots forming part of the Local Development Plan is 'Rural Living' RLI, as shown.
- 2. SITE PLANNING AND DESIGN**
  - a. All dwellings must be located in accordance with designated building envelopes, setbacks and minimum fire management separation distances as applicable under the subject LDP. An alternative location to that shown on the plan may be approved via a planning application.
  - b. No more than one (1) dwelling house permitted per lot.
- 3. SETBACKS**

Where lots are not designated with a building envelope, fire hazard setback and/or General Rural zone separation provision as part of the subject LDP, setbacks shall be in accordance with the following minimum requirements:

  - a. Front - 20m
  - b. Side - 20m
  - c. Rear - 20m
- 4. DETAILED BUILDING ENVELOPE PLAN**

Refer to Figures 2 - 12
- 5. WATER REQUIREMENTS**
  - a. All lots intended for residential use are to be connected to reticulated water supply.
- 6. DAMS**
  - a. All dams must have planning approval from the Shire of Gingin before the creation or commencement of the dam. An application to construct a dam shall be submitted as an Application for Planning Approval.
- 7. BUSHFIRE MANAGEMENT PLAN (BMP)**
  - a. This Local Development Plan area is subject to a Bushfire Management Plan (BMP) which is to be prepared, approved and implemented to the satisfaction of the Shire.
  - b. An Asset Protection Zone (APZ) with a minimum width of 20 meters to apply to every lot, in accordance with an approved Bushfire Management plan (BMP).
  - c. The BAL Rating is established for lots within the Bushfire Prone Mapping as colour coded in the legend below in accordance to the BMP.
- 8. FENCING**
  - a. Fencing along lot perimeters shall conform to the standard of rural fencing in the district.
  - b. Fencing within the vicinity of dwellings up to within designated building envelopes (where applicable) may be solid up to a maximum height of 1.8m.
- 9. STOCKING RATES**
  - a. Stocking of lots forming part of the LDP with animals as listed in Table 2 of the Agriculture Western Australia 'Stocking Rate Guidelines for Rural Small Holdings' (as amended) is prohibited unless approval has been granted by the Local Authority.

Amendment No.	Summary of Amendment	Date Endorsed by Local Government
1.	Reduced rural use setback to northern boundary from 100m to 50m	

- BAL FZ (Indicative only)
- BAL 40 (Indicative only)
- BAL 29 (Indicative only)
- BAL 19 (Indicative only)
- BAL 12.5 (Indicative only)

This Local Development Plan has been endorsed by:

Chief Executive Officer  
Shire of Gingin

Shire of Gingin Reference No: LDP.....

FIGURE 1  
LOCAL DEVELOPMENT PLAN  
COUNTRY HEIGHTS  
CHERITON ROAD, GINGIN  
Shire of Gingin

**LEGEND**

DRAINAGE BASIN

100m RURAL USE SETBACK

COUNTRY HEIGHTS ESTATE WATER RESERVE

WATER TANK FOR FIRE-FIGHTING

50m RURAL USE SETBACK

SCALE: NTS

DATE: 21/07/2022

FILE: Cheriton Subdivision.dwg

DRAW: -

CHECKED: -

**CLAYMONT**

SPINNIER'S BUILDING CHALLENGE

Level 1, 100 St George's Terrace

Perth, WA 6000

**COUNTRY HEIGHTS**

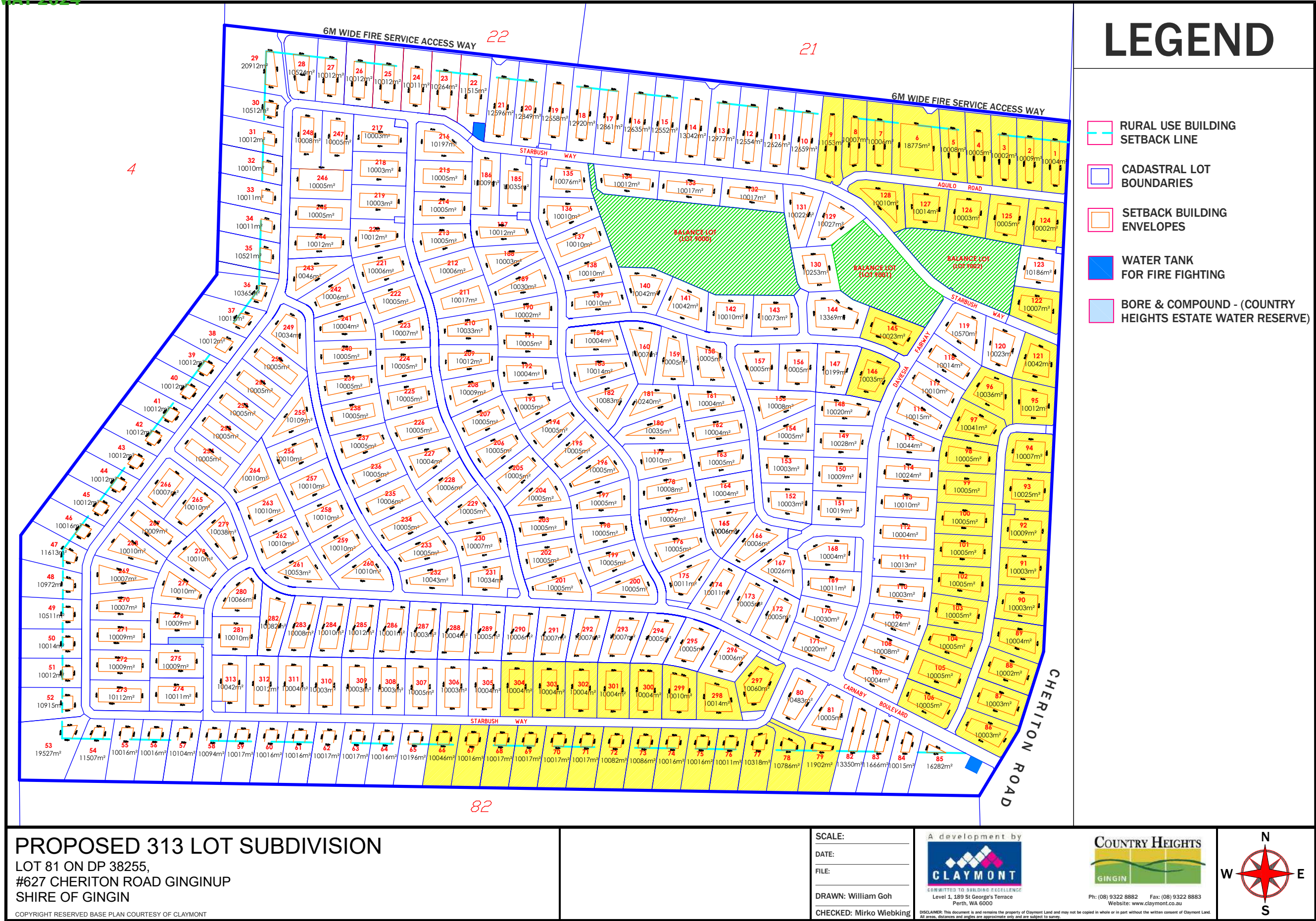
GINGIN

Ph: (08) 9322 8882 Fax: (08) 9322 8883

Website: www.claymont.co.au







**14.7 APPLICATION FOR DEVELOPMENT APPROVAL PROPOSED OUTBUILDING - LOT 535  
(13) ROBERTSON ROAD, LEDGE POINT**

File	BLD/7746
Applicant	Arttek Design
Location	Lot 535 (13) Robertson Road, Ledge Point
Owner	Anthony Jukes & Linda Hack
Zoning	Residential
WAPC No	N/A
Author	Ross Harper – Planning Officer
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	Nil
Appendices	<ol style="list-style-type: none"> <li>1. Aerial Map - Lot 535 (13) Robertson Road, Ledge Point [14.7.1 - 1 page]</li> <li>2. Location Plan - Lot 535 (13) Robertson Road, Ledge Point [14.7.2 - 1 page]</li> <li>3. Applicant's Proposal [14.7.3 - 17 pages]</li> </ol>

**DISCLOSURES OF INTEREST**

Nil

**PURPOSE**

To consider an Application for Development Approval for a proposed outbuilding at Lot 535 (13) Robertson Road, Ledge Point.

**BACKGROUND**

The Shire is in receipt of an Application for Development Approval for a proposed outbuilding on the subject lot, which is 823.2m<sup>2</sup> in area and contains an existing single house.

The proposed outbuilding is 12 metres in length and 10 metres in width (120m<sup>2</sup>) with a wall height of 3.5 metres and an overall height of 4.3 metres.

The outbuilding is proposed to be located in the south-eastern corner of the subject lot, with setbacks of 1 metre from the side and rear boundaries.

The proposal seeks variations to clause 5.4.3 – Outbuildings of State Planning Policy 7.3 – Residential Design Codes, Volume 1 (R-Codes) with respect to area, wall height and overall height. The proposal also seeks a variation to Local Planning Policy 2.1 – Residential Outbuildings (LPP2.1) with respect to floor area.

A location plan, aerial imagery and the applicant's proposal are provided (**see appendices**).

## **COMMENT**

### Stakeholder Consultation

The applicant included within the application letters of support from adjoining landowners surrounding the subject lot and for this reason it was deemed stakeholder consultation was not necessary. The neighbours' consent has been verified by the officer.

## **PLANNING FRAMEWORK**

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

The subject lot is zoned Residential R15 under LPS 9, the objective 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 have no detrimental effect on the residential amenity; and*
- d) *Ensure that the density of development takes cognisance of the availability of reticulated sewerage, the effluent disposal characteristics of the land and other environmental factors.*

The State and Local Planning Policy framework provides standards for outbuildings in residential areas that seek to maintain the residential character and high levels of amenity in the zone.

### State Planning Policy 7.3 – Residential Design Codes Volume 1 (R-Codes)

The R-Codes provide a comprehensive basis for the control of residential development throughout Western Australia. When a development does not meet the deemed-to-comply provisions, the application is assessed against the associated design principles to determine whether the variation is acceptable. The R-Codes define an 'Outbuilding' as:

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



The deemed-to-comply provisions of the R-Codes relating to outbuildings stipulate that the overall collective area must not exceed 60m<sup>2</sup>, and that a wall height of 2.4 metres and overall height of 4.2 metres are not to be exceeded.

The proposed wall height is 3.5 metres, with an overall height of 4.3 metres and area of 120m<sup>2</sup>. Given the proposal does not satisfy the deemed-to-comply provisions, the outbuilding is assessed against the associated “Design Principle which states:

Design Principle	Officer Comment
P3 Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.	The proposed outbuilding is located to the rear corner of the subject lot replacing an existing outbuilding. The outbuilding will appear of a similar size to other structures within the area.

The proposal therefore meets the relevant design principle of the R-Codes’ clause 5.4.3.

#### Local Planning Policy 2.1 – Residential Outbuildings (LPP2.1)

The Shire adopted LPP 2.1 in February 2023 to complement and enhance the provisions of the R-Codes to better reflect community expectations.

*The objectives of this policy are:*

- a) To provide a framework in which outbuilding development and use can take place without having adverse impacts on the streetscape, character and amenity or environmental attributes of the surrounding area.*
- b) To provide development standards for outbuildings that consider varying residential lot sizes and community needs.*
- c) To develop deemed-to-comply requirements to reflect community expectations for outbuildings on residential zoned land.*
- d) To ensure an outbuilding is associated to a dwelling and or is constructed at the same time as a dwelling.*
- e) To identify acceptable material colours and finishes for outbuildings, that maintain the amenity of residential streetscapes and for adjoining residential properties.*

LPP 2.1 provides for an increase to the scale at which outbuildings can be approved relative to the size of the subject lot. In this instance the proposed outbuilding is generally consistent with LPP 2.1, with the exception of the floor area. The proposal is not viewed as contravening the above objectives.

Clause 5.3 of LPP 2.1 states:

*5.3.1 An outbuilding development is deemed-to-comply when it meets the requirements under clause 5.4.3 of the R-Codes, supplementary standards table below, and the standards under this policy.*

APPLICABLE SIZE	LOT	STANDARD	MAXIMUM DIMENSIONS	PROPOSED
801m <sup>2</sup> - 1,000m <sup>2</sup>		Area Wall Height Overall Height	100m <sup>2</sup> 3.8m 5.0m	120m <sup>2</sup> - <b>Non-Compliant</b> 3.5m - Compliant 4.3m - Compliant

The overall variation requested is an increase in floor area of 20m<sup>2</sup>. LPP 2.1 affords the property increased heights and floor area.

#### 5.5 Variation to Standards

*5.5.1 There is a general presumption against allowing a reduction to the open space requirements prescribed by Table 1 of the R-Codes in order to accommodate an outbuilding unless an applicant can provide sufficient justification on town planning grounds for seeking a reduction.*

The applicant proposes a 120m<sup>2</sup> shed in addition to an existing 144m<sup>2</sup> existing dwelling which results in an open space area of 559.2m<sup>2</sup> (67.9%) which is well above the required 50% open space for the zone.

*5.5.3 Where a development proposal seeks to erect an outbuilding at a greater scale than provided for in the Table above, seeks to use reflective or recycled construction material or seeks an assessment under the design principle of clause 5.4.3 of the R-Codes, the Shire may require additional assessment information that addresses matters such as, but not limited to, solar access and ventilation for adjoining sites, streetscape and visual amenity impacts and reflective glare assessments.*

The proposed shed structure is compliant with the setbacks and height in accordance with the policy and therefore the officer does not anticipate any additional amenity, solar or ventilation impacts as a result of the increased floor area.

As the short side of the shed is facing the streetscape the additional floor area is unlikely to create any additional impact on the streetscape than if it were to comply with all requirements.



*5.5.4 Development proposal that seek variations to this policy shall be determined in accordance with the objectives of this policy.*

The proposed outbuilding is associated with a dwelling and is to be constructed of new non-reflective materials. It is therefore considered to have no impact on the amenity of the surrounding area, perceived or otherwise. This is confirmed by all adjoining landowners advising of their support for the development.

#### Summary

In summary, the proposed outbuilding seeks a variation to LPP 2.1 – Residential Outbuildings and the R-Codes. The proposed increase in floor area is considered to be minor in nature and the increase has been assessed to have no impact on amenity, perceived or otherwise. It is therefore recommended that the application be approved subject to appropriate conditions.

#### **STATUTORY/LOCAL LAW IMPLICATIONS**

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

Shire of Gingin Local Planning Scheme No 9.

#### **POLICY IMPLICATIONS**

State Planning Policy 7.3 – Residential Design Codes, Volume 1

Local Planning Policy 2.1 – Residential Outbuildings

#### **BUDGET IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

<b>Aspiration</b>	3. Planning & Sustainability - Plan for Future Generations
<b>Strategic Objective</b>	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

**VOTING REQUIREMENTS - SIMPLE MAJORITY**

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION**

**MOVED:** Councillor Peczka

**SECONDED:** Councillor Balcombe

That Council grant Development Approval for an outbuilding on Lot 535 (13) Robertson Road, Ledge Point subject to the following conditions:

1. The land use and development shall be undertaken in accordance with the approved plans and specifications, including any directions written in red ink by the Shire, unless otherwise conditioned in this approval.
2. This approval is for an outbuilding only as indicated on the approved plans.
3. The finished floor level of the outbuilding must be set at the existing average natural ground level to the satisfaction of the Shire of Gingin.
4. The approved outbuilding is to be constructed using new materials and be of a consistent colour scheme.
5. The outbuilding is not to be used for human habitation or any other industrial or commercial use.
6. Stormwater from all roofed and paved areas shall be collected and contained onsite to the satisfaction of the Shire of Gingin.

**Advice Notes:**

- Note 1:** If you are aggrieved by the conditions of this approval you have the right to request that the State Administrative Tribunal (SAT) review the decision, under Part 14 of the *Planning and Development Act 2005*.
- Note 2:** Where an approval has lapsed, no development may be carried out without further approval of the local government having first been sought and obtained.
- Note 3:** Further to this approval, the applicant is required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011* and *Health Act 2016*, which are to be approved by the Shire of Gingin.

**Note 4:** It is recommended that cadastral lot boundaries be established by a suitably qualified land surveyor to ensure that all development is carried out within the subject allotment.

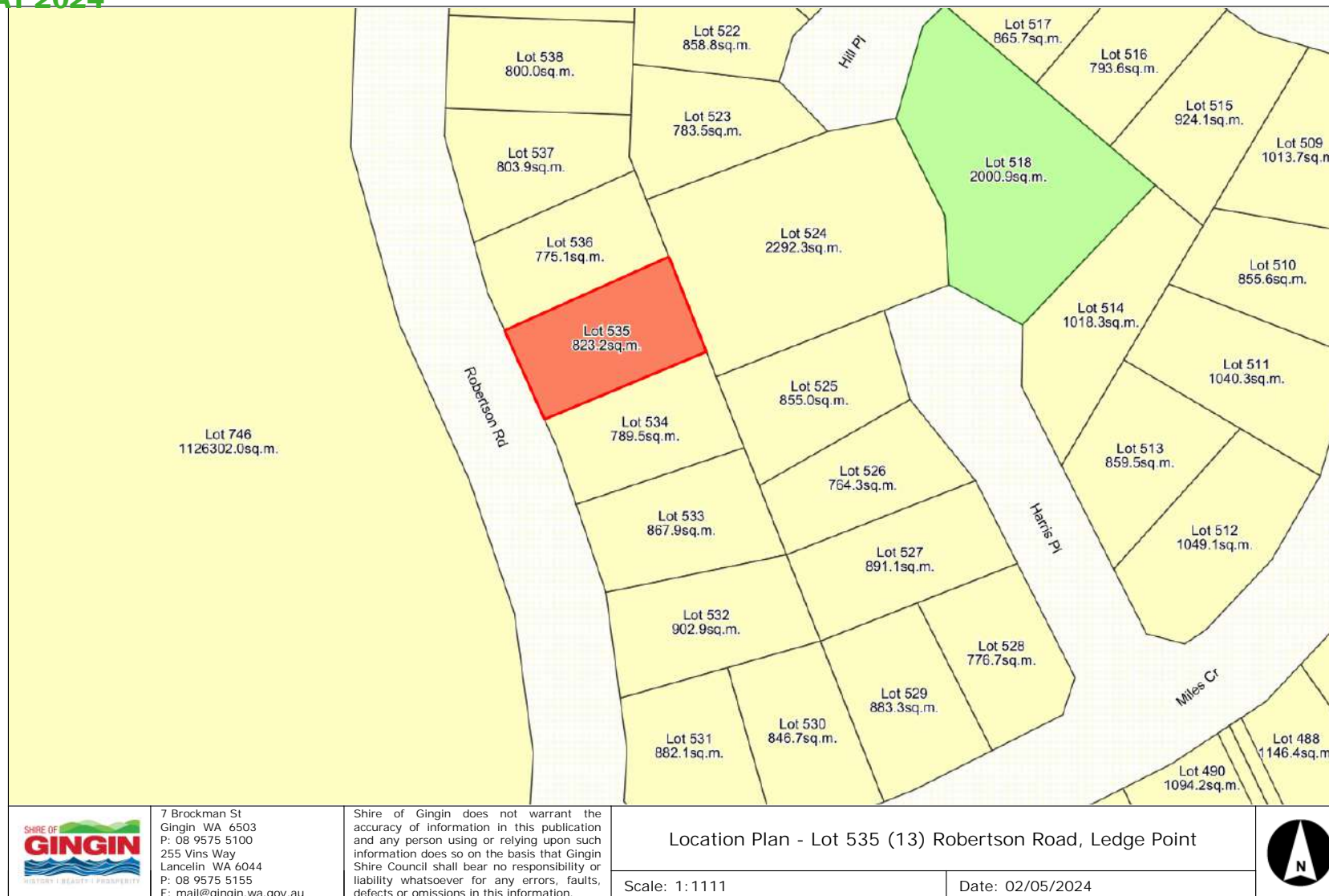
**CARRIED UNANIMOUSLY  
7 / 0**

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

**AGAINST:** *Nil*







**Application for a Development Approval**



22/04/2024

This package of drawings and forms is for

**T Jukes of lot 535 #13 Robertson Road, Ledge Point 6043**

This application for Development Approval is for a 12 x 10m shed with a wall height of 3.5m to be set on a 100mm concrete with footings as per shed manufacturers engineered drawings.

This construction is 120 square meters and the allowable square meterage in the residential codes is listed as 100 meters however the owner needs to house a boat and tractor a caravan and trailer as well as the family cars. He would like to request an exemption to this rule to build a slightly larger shed and has consulted his neighbours to ask if there are any objections.

The neighbours were consulted and letters of consent have been added to this application

The package contains the following forms and drawings

1	Gingin shire Development Approval & checklist	Checked off	P Candido/Arttek
2	Application for Development Approval form	Signed by	P Candido/Arttek for T Jukes
3	Bushfire Attack Level Assessment Report	Undertaken By	M Reagan
4	Bushfire Attack Level Assessment Certificate	Undertaken By	M Reagan
5	1 Site Plan	Drawn by	P Candido/Arttek
6	1 Shed Plan Separate File	Drawn by	Engineering drawings by Endurance sheds ASHKR64109
7	2 Elevation drawings Separate File	Drawn by	
8	Certificate of Title	Supplied	Landgate
9	Letter of consent Neighbour 11 Robinson rd	Signed	J Dobson
10	Letter of consent Neighbour 15 Robinson rd	Signed	D Dempster
11	Letter of consent Neighbour 9 Harris Place	Signed	P Scott


The Engineering drawings for the shed are in a separate attached file;

ASHKR64109 – Tony Jukes- Engineering Plans.

For any enquiries regarding this application please ring Arttek 0422 974 348  
Or email Peter Candido on candido.pete@gmail.com

**Application for a Development Approval**



 <b>Gingin shire Development Approval checklist</b>		
Drawing	Information	Provided
Site Plan	Street, lot number and address	Yes
	Site dimensions, drawn to scale with North Point	Yes
	Location and finished levels of development	Yes
	Setback distances of development from boundaries	Yes
	Position and levels of any existing onsite structures	Yes
	Structures or trees demolished or removed	Nil
	Areas to be landscaped	Nil
	Vehicle drive and access point	Yes
	Steet verge including pathways truncations, power poles, services and location of any access restrictions such as drainage pits.	Yes
	Location of any easement or piped services transversing the site and any sewer or connection point servicing the site.	Nil
Floor Plan	Street, lot number and address	Endurance Sheds
	Site dimensions, drawn to scale with North Point	Endurance Sheds
	Room Layout including location of walls, doors, windows with dimensions	Endurance Sheds
	Finished floor levels of the building relative to natural ground levels	
Elevation Drawings	Street, lot number and address	Yes
	View of every face of the Proposed building(s) incorporating the existing building(s) where applicable	Endurance Sheds
	Indicate wall height and overall height	Yes
	Location, dimensions and details of all openings including sill height above finished floor level e.g. Obscure glazing fixed window	Endurance Sheds
	Height, extent and materials of any proposed retaining and fencing	Nil

Signed ...

Manager Artek Design

For any enquiries regarding this application please ring Artek 0422 974 348  
Or email Peter Candido on [candido.pete@gmail.com](mailto:candido.pete@gmail.com)





Statutory Planning

**Application for Development Approval –  
Local Planning Scheme No.9 (LPS 9)**

Please ensure that you complete and submit a development application checklist in conjunction with this form. Please ensure you complete ALL sections of this application form.

Property Details			
Lot No:	Lot 535	House/Street No:	13
Location No:		Diagram/Plan No:	217 449
Certificate of Title Vol No:		Certificate of Title Folio:	1968 480
Title encumbrances (e.g. Easements/Restrictive Covenants):			
Street Name:	ROBERTSON	Suburb:	LEDGER POINT
Nearest street intersection:	MILES CREEK		

Proposed Development			
Nature of Development:	<input type="checkbox"/> Works	<input type="checkbox"/> Use	<input checked="" type="checkbox"/> Works and Use
Is an exemption from development approval claimed for part of the development?	<input type="checkbox"/> Yes If yes, the exemption is for:		<input type="checkbox"/> No
	<input type="checkbox"/> Works	<input type="checkbox"/> Use	
Has the development already commenced? (if yes, retrospective fees will apply)	<input type="checkbox"/> Yes		<input checked="" type="checkbox"/> No
Description of proposed works and/or land use:	GARAGE / SHED		
Nature of any existing buildings and/or land use on the property:	House		
Estimated cost of development: (excluding GST)			
Approximate time of completion:			

Office Use Only			
Acceptance officer initials:		Date Received:	
		BLD & P No:	
Receipt No:			



Statutory Planning

Application for Development Approval –  
Local Planning Scheme No.9 (LPS 9)

Landowner/s Details			
Company Name: (if applicable)			
Owners Name(s):	Tony Jurek	Owner(s) Name:	LINDA HAMILTON
Position Title: (when signing on behalf of a company)		Position Title: (when signing on behalf of a company)	
Signature:		Signature:	
Date:	29.3.24	Date:	29.3.24
Postal Address:			Post Code: 6043
Contact Person:			Contact No:
Email Address:			
<p>Note: The application will not proceed without the signature of all landowners. For the purposes of signing this application form an owner includes the persons referred to in the Planning and Development (Local Planning Scheme) Regulations 2015 - Schedule 2 - Clause 62(2).</p>			

Applicant Details (if different from landowner details)			
Company Name: (if applicable)		Artek Design	
Contact Person:		Contact No:	
Postal Address:		Post Code:	6044
Email Address:			
<p>I advise that I have reviewed the plans and provided all of the required information, including a cover letter summarising the proposed development. If sufficient information is not provided, the application may be returned or placed on hold until all information is received. Failure to provide a completed development application form, completed checklist, cover letter, insufficient plans or incorrect cost of development/fees, may result in my application not being accepted.</p> <p>I understand that the information provided including plans and supporting information forming part of the development application may be made available to the public for advertising purposes and may form part of a Council agenda.</p>			

Applicant Name:	Peter Candido	Date:	19/04/2024
Applicant Signature:			



# Bushfire Attack Level Assessment Report

Prepared by a BPAD  
Accredited Practitioner



Fire Protection Association Australia Life Property Environment



## AS 3959 BAL Assessment Report

This report has been prepared by an Accredited BPAD Practitioner using the Simplified Procedure (Method 1) as detailed in Section 2 of AS 3959 – 2018. FPA Australia makes no warranties as to the accuracy of the information provided in the report. All enquiries related to the information and conclusions presented in this report must be made to the BPAD Accredited Practitioner.

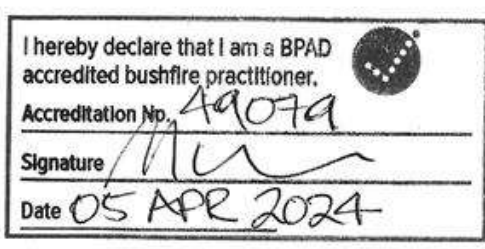
### Property Details and Description of Works

Address Details	Unit no	Street no	Lot no	Street name/Plan Reference		
		94		Bell Road		
Local government area	Suburb			State		Postcode
	Coonabidgee			WA		6503
Main BCA class of the building	Shire of Gingin					
Description of the building or works	Class 10a		Use(s) of the building	Proposed Shed		
	Proposed Shed					

### Report Details

Report / Job Number	Report Version	Assessment Date	Report Date
56	1	25 March 2024	5 April 2024

### BPAD Accredited Practitioner Details

<b>Name</b> <b>Michael Regan</b> BPAD Level 1 Accredited Practitioner <b>49079</b>	
<b>Company Details</b> <b>M.R. MULCHING</b> PO Box 308 Lancelin WA 6044 ABN : 34 500 363 556	

Authorised Practitioner Stamp

Reliance on the assessment and determination of the Bushfire Attack Level contained in this report should not extend beyond a period of 12 months from the date of issue of the report. If this report was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the Accredited Practitioner and where required an updated report issued.

Fire Protection Association Australia Life Property Environment





**BAL Assessment  
Report**

Fire Protection Association Australia Life Property Environment




**Vegetation Classification**

All vegetation within 150m of the site / proposed development was classified in accordance with Clause 2.2.3 of AS3959-2018. Each distinguishable vegetation plot with the potential to determine the Bushfire Attack Level is identified below.

<b>Photo ID:</b>	1	<b>Plot:</b>	Site/Plot 1
<b>Vegetation Classification or Exclusion Clause</b>			
Excludable - 2.2.3.2(f) Low Threat Vegetation			
<b>Description / Justification for Classification</b>			
Site area cleared of vegetation and limesand surrounds.			
			
<b>Photo ID:</b>	2	<b>Plot:</b>	2
<b>Vegetation Classification or Exclusion Clause</b>			
Excludable - 2.2.3.2(f) Low Threat Vegetation			
<b>Description / Justification for Classification</b>			
Site area cleared of vegetation, managed lawn and limesand surrounds.			
			

**BAL Assessment  
Report**


Fire Protection Association Australia Life Property Environment

<b>Photo ID:</b> 7 <b>Plot:</b> 3 <b>Vegetation Classification or Exclusion Clause</b> Excludable - 2.2.3.2(e) Non Vegetated Areas <b>Description / Justification for Classification</b> Sealed road going through residential area with clear verges - either lime sand or managed lawn.	
<b>Photo ID:</b> 4 <b>Plot:</b> 4 <b>Vegetation Classification or Exclusion Clause</b> Excludable - 2.2.3.2(f) Low Threat Vegetation <b>Description / Justification for Classification</b> Residential area with managed lawns, gardens and paving. Surrounded by sealed roads.	
<b>Photo ID:</b> 8 <b>Plot:</b> 5 <b>Vegetation Classification or Exclusion Clause</b> Class C Shrubland - Open heath C-11 <b>Description / Justification for Classification</b> Low, sparse coastal heath and grasses on sand dune between road and ocean.	

**BAL Assessment  
Report**

Fire Protection Association Australia Life Property Environment

Photo ID:	9	Plot:	5
Vegetation Classification or Exclusion Clause			
Class C Shrubland - Open heath C-11			
Description / Justification for Classification			
Low, sparse coastal heath and grasses on sand dune between road and ocean.			



11 Robertson Rd, Ledge Point WA 6043, Australia  
Ledge Point  
Western Australia  
Australia  
2024-03-25 (Mon) 12:26 (pm)  
26°C  
79°F



## BAL Assessment Report

Fire Protection Association Australia Life Property Environment

### Relevant Fire Danger Index

The fire danger index for this site has been determined in accordance with Table 2.1 or otherwise determined in accordance with a jurisdictional variation applicable to the site.

#### Fire Danger Index

FDI 40 ☐

Table 2.7

FDI 50 ☐

Table 2.6

FDI 80 ☒

Table 2.5

FDI 100 ☐

Table 2.4

### Potential Bushfire Impacts

The potential bushfire impact to the site/proposed development from each of the identified vegetation plots are identified below.

Plot	Vegetation Classification	Effective Slope	Separation (m)	BAL
1/Site	Excludable - 2.2.3.2(f) Low Threat Vegetation	-0.1° down slope	0m	BAL – LOW
2	Excludable - 2.2.3.2(f) Low Threat Vegetation	-0.4° down slope	11.0m	BAL – LOW
3	Excludable - 2.2.3.2(e) Non Vegetated Areas	-3.9° down slope	40.0m	BAL – LOW
4	Excludable - 2.2.3.2(f) Low Threat Vegetation	-0.4° down slope	11.0m	BAL – LOW
5	Class C Shrubland - Open heath C-11	-4.1° down slope	48.5m	BAL – 12.5

### Determined Bushfire Attack Level (BAL)

The Determined Bushfire Attack Level (highest BAL) for the site / proposed development has been determined in accordance with clause 2.2.6 of AS 3959-2018 using the above analysis.

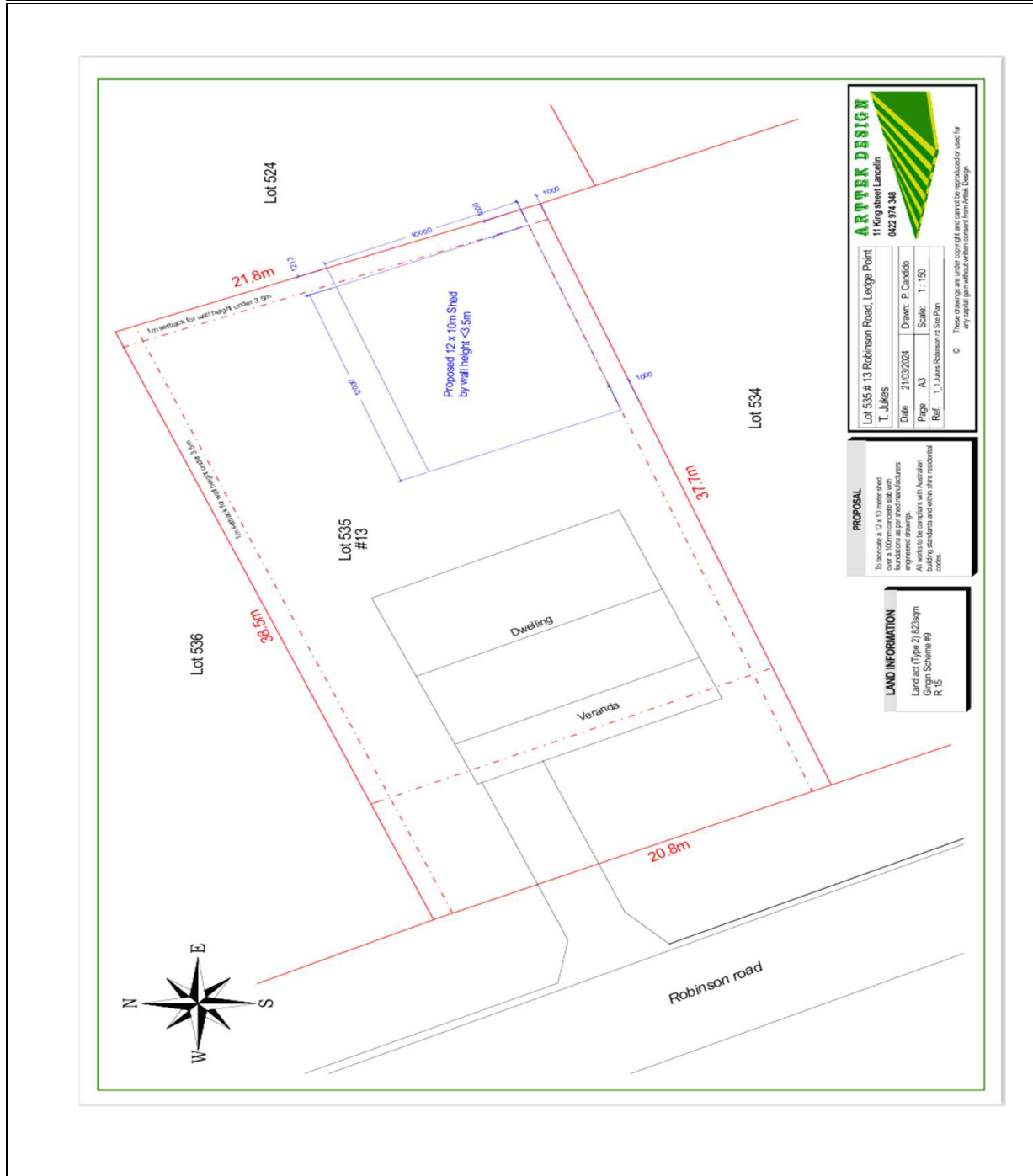
#### Determined Bushfire Attack Level

**BAL – 12.5**

BAL Assessment  
Report

Fire Protection Association Australia Life Property Environment

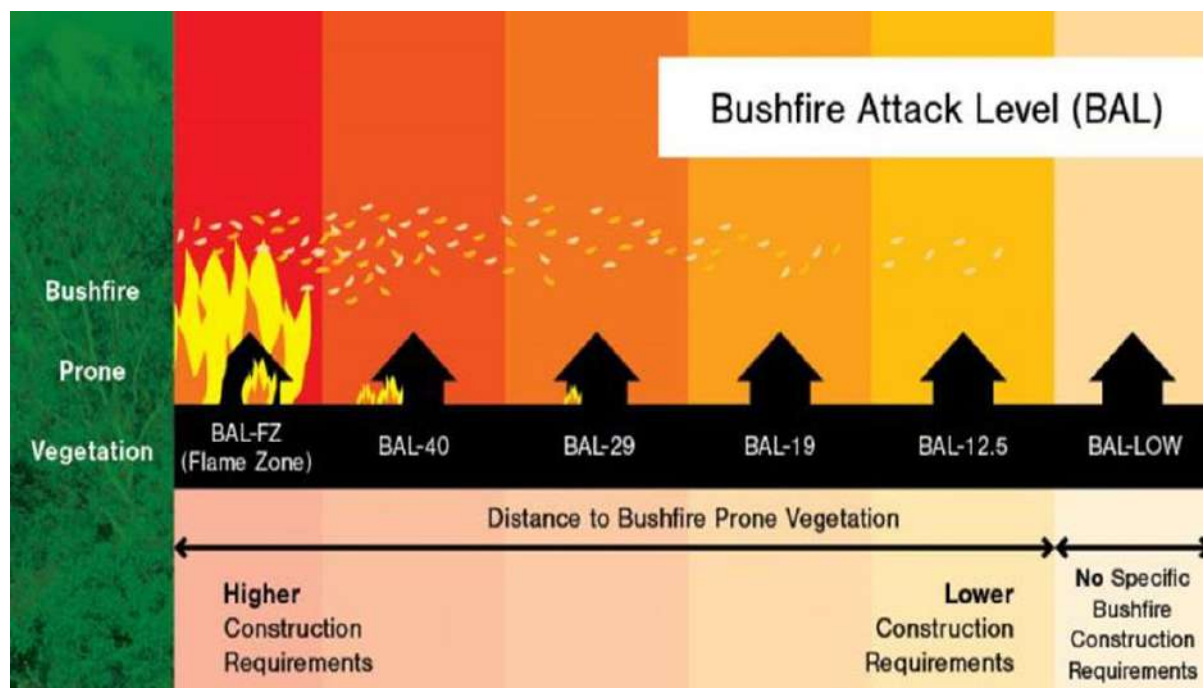
Appendix 1: Plans and Drawings



BAL Assessment  
Report

Fire Protection Association Australia Life Property Environment

Appendix 2: Additional Information / Advisory Notes





## Bushfire Attack Level (BAL) Certificate

Determined in accordance with AS 3959-2018

This Certificate has been issued by a person accredited by Fire Protection Association Australia under the Bushfire Planning and Design (BPAD) Accreditation Scheme. The certificate details the conclusions of the full Bushfire Attack Level Assessment Report (full report) prepared by the Accredited Practitioner.

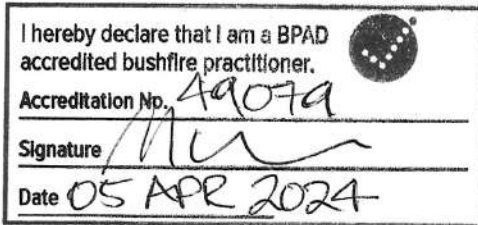
### Property Details and Description of Works

Address Details	Unitno	Streetno	Lotno	Streetname/ Plan Reference		
		13		Robertson Road		
Local government area	Suburb			State	Postcode	
	Ledge Point			WA	6043	
Main BCA class of the building	Shire of Gingin					
Description of the building or works	Class 10a	Use(s) of the building	Proposed Shed			
	Proposed Shed					

### Determination of Highest Bushfire Attack Level

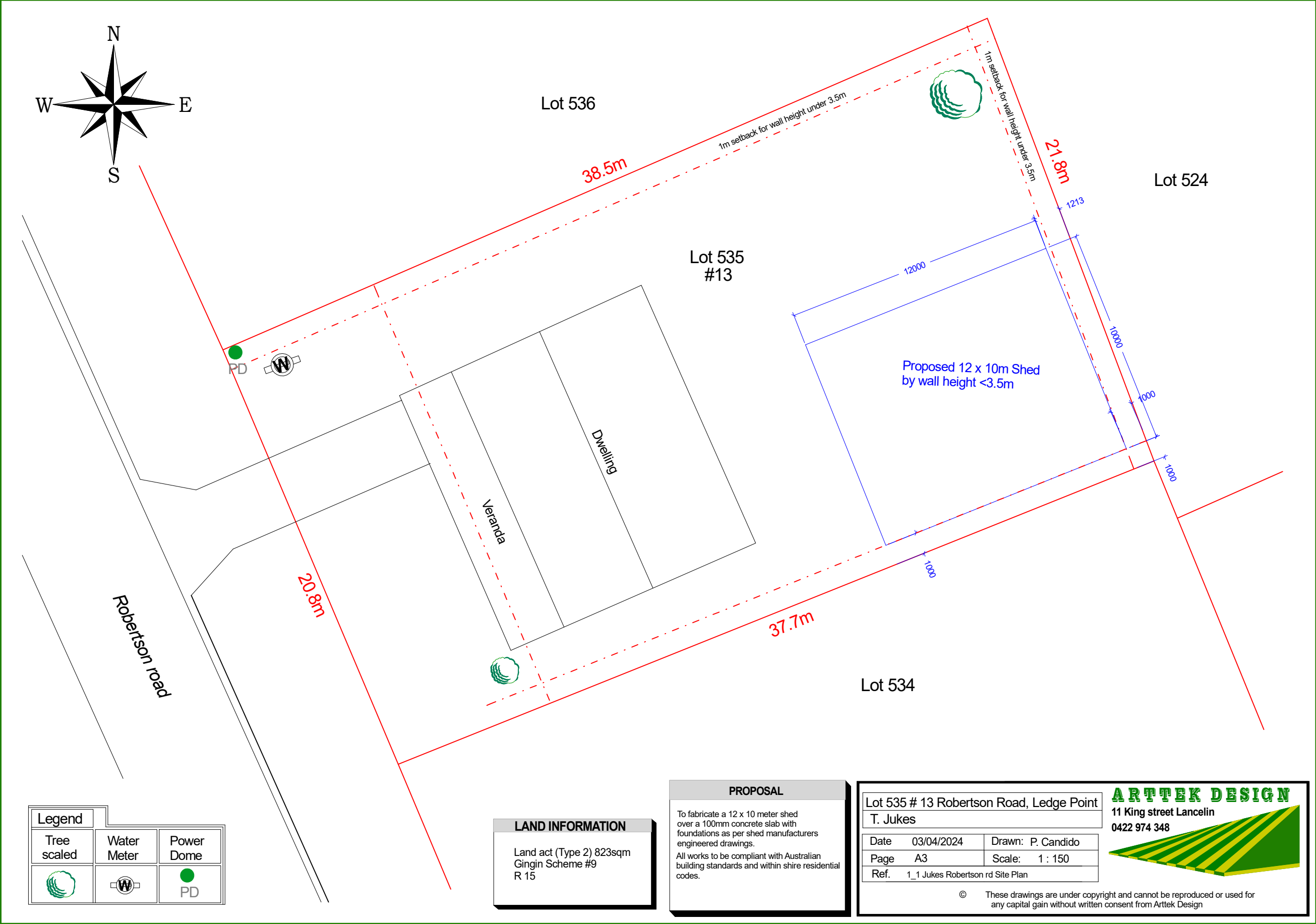
AS 3959 Assessment Procedure	Vegetation Classification	Effective Slope	Separation Distance	BAL
Method 1	Class C Shrubland	-4.1°	48.5m	BAL – 12.5

### BPAD Accredited Practitioner Details

<b>Name</b> Michael Regan BPAD Level 1 Accredited Practitioner 49079	 <p>I hereby declare that I am a BPAD accredited bushfire practitioner.  Accreditation No. 49079  Signature <i>[Signature]</i>  Date 05 APR 2024</p>
<b>Company Details</b> M.R. Mulching ABN: 34 500 363 556	
I hereby certify that I have undertaken the assessment of the above site and determined the Bushfire Attack Level stated above in accordance with the requirements of AS 3959-2018.	

Authorised Practitioner Stamp

Reliance on the assessment and determination of the Bushfire Attack Level contained in this certificate should not extend beyond a period of 12 months from the date of issue of the certificate. If this certificate was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the Accredited Practitioner and where required an updated certificate issued.



**Letter of Consent for Proposed 120 meter shed  
Built on 13 Robertson Road**

3/04/2024

*Wex John Dobson & Moira Westmore*  
..... of 11 Robertson Road Ledge Point, am a neighbour to T Jukes of  
13 Robinson road.

*Wex* I have seen the plans and his proposal to construct a shed of less than 120 meters but  
greater than 100 square meters as the shire requirement for the size of his block.

*Wex* have no objections to this proposal.

Signed

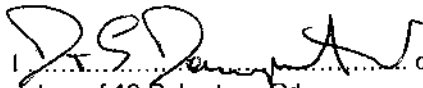
*John Dobson* 17/4/24.....

*Moira Westmore* MOIRA D. WESTMORE 17/4/24

**Letter of Consent for Proposed 120 sq metre  
shed**

**Built on 13 Robertson Road**

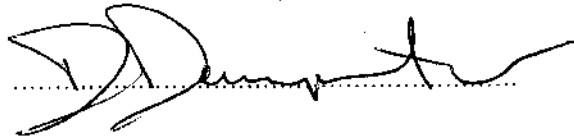
3/04/2024

 of 15 Robertson Road Ledge Point, am a neighbour to T Jukes of 13 Robertson Rd.

I have seen the plans and his proposal to construct a shed of less than 120 sq metres but greater than 100 sq metres as the shire requirement for the size of his block.

I have no objections to this proposal.

Signed





Letter of Consent for Proposed 120 meter shed  
Built on 13 Robertson Road

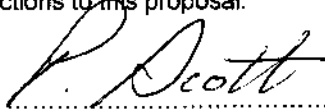
3/04/2024

I PAULA SCOTT..... of 9 Harris Place Ledge Point, am a neighbour to T Jukes of 13 Robinson road.

I have seen the plans and his proposal to construct a shed of less than 120 meters but greater than 100 square meters as the shire requirement for the size of his block.

I have no objections to this proposal.

Signed



## 15 REPORTS - OPERATIONS AND ASSETS

Nil

## 16 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

## 17 COUNCILLORS' OFFICIAL REPORTS

### 17.1 LOWER COASTAL COMMUNITIES MEETING AND LANCELIN ANZAC DAY SERVICE

File:	GOV/21
Councillor:	F Peczka
Report Date:	21 May 2024

- I attended the Lower Coastal Communities Meeting at Seabird on 17 April 2024.
- I attended the Lancelin ANZAC Day Memorial Service on 25 April 2024.

### 17.2 LOWER COASTAL COMMUNITIES MEETING, LOWER COASTAL NEIGHBOURHOOD WATCH MEETING AND GUILDERTON ANZAC DAY SERVICE

File:	GOV/21
Councillor:	E Sorensen
Report Date:	21 May 2024

- I attended the Lower Coastal Communities Meeting at Seabird on 17 April 2024.
- I attended a Lower Coastal Neighbourhood Watch Meeting on 8 May 2024.
- I attended the Guilderton ANZAC Day Memorial Service on 25 April 2024.

## 18 NEW BUSINESS OF AN URGENT NATURE

### COUNCIL RESOLUTION/OFFICER RECOMMENDATION

**MOVED:** Councillor Balcombe      **SECONDED:** Councillor Woods

That Council agree to accept Items 18.1, 18.2 and 18.3 as New Business of an Urgent Nature.

**CARRIED UNANIMOUSLY  
7 / 0**

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

**AGAINST:** *Nil*

## **18.1 REPLACEMENT OF COUNCILLOR PANEL MEMBER - CEO SELECTION PANEL**

File	PER/8-61
Author	Lee-Anne Burt – Coordinator Governance
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	Nil
Appendices	Nil

### **DISCLOSURES OF INTEREST**

Nil

### **PURPOSE**

For Council to elect a Councillor member to replace Cr Frank Johnson on the CEO Selection Panel.

### **BACKGROUND**

At the Ordinary Council Meeting (OCM) on 19 March 2024 Council resolved to establish a CEO Selection Panel consisting of 4 Councillor members (including the President and Deputy President) and 1 independent member to facilitate the selection of a new CEO as required under the *Local Government (Administration) Regulations 1996*.

At the same meeting a first past the post ballot process was conducted to fill the 2 available Councillor positions, with Councillors Johnson and Kestel ultimately being appointed.

Cr Johnson has applied for a Leave of Absence for the OCMs on 21 May 2024, 18 June 2024 and 16 July 2024. As a result he has advised that he is resigning from his position on the CEO Selection Panel and therefore it is necessary for Council to appoint a replacement Councillor member.

### **COMMENT**

The same process as used to initially appoint Councillor Panel members will be followed in this instance.

Councillors will be asked to indicate their interest in being appointed to the Panel, and if more nominations than vacancies are received then a first past the post ballot will be conducted at the meeting with the result being formalised by resolution of Council.

## **STATUTORY/LOCAL LAW IMPLICATIONS**

*Local Government Act 1995*

Part 5 Administration

Division 4 Local government employees

Section 5.39A Model standards for CEO recruitment, performance and termination

*Local Government (Administration) Regulations 1996*

Part 4 local government employees

Reg. 18FA Model standards for CEO recruitment, performance and termination (Act s.5.39A(1))

Sch.2 Model standards for CEO recruitment, performance and termination

## **POLICY IMPLICATIONS**

Shire of Gingin Standards for CEO Recruitment, Performance and Termination

## **BUDGET IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

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

## **VOTING REQUIREMENTS - SIMPLE MAJORITY**

*The Manager Planning and Building left the meeting at 4.35 pm and returned at 4.37 pm.*

*Councillors Peczka, Sorensen and Woods indicated their interest in being appointed to the CEO Selection Panel.*

*A ballot was conducted for one Councillor position with the following result being declared:*

- 1. Councillor Peczka – 5 votes;*
- 2. Councillor Sorensen – 1 votes; and*
- 3. Councillor Woods – 1 vote.*

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION**

**MOVED:** Councillor Peczka      **SECONDED:** Councillor Woods

**That Council:**

1. Accept the resignation of Cr Frank Johnson from the CEO Selection Panel: and
2. Confirm the appointment of Councillor Peczka to the CEO Selection Panel.

**CARRIED UNANIMOUSLY  
7 / 0**

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

**AGAINST:**    *Nil*

## 18.2 APPOINTMENT OF INDEPENDENT PANEL MEMBER – CEO SELECTION PANEL

File	PER/8-61
Author	Aaron Cook - Chief Executive Officer
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	Nil
Appendices	See Confidential Appendices

### DISCLOSURES OF INTEREST

Nil

### PURPOSE

To appoint an Independent Member to the CEO Selection Panel.

### BACKGROUND

At the Ordinary Council Meeting held on 19 March 2024 Council resolved to establish a CEO Selection Panel to facilitate the selection of a new CEO, as required under the *Local Government (Administration) Regulations 1996* (the Regulations).

The Regulations stipulate that a CEO Selection Panel must include at least 1 independent member who is not a Councillor, an employee of the local government or a human resources consultant engaged by the local government.

Accordingly, advertising was conducted seeking applications for the independent Panel member position from interested members of the community. The selection criteria to be addressed by applicants were as follows:

- Experience in the recruitment of senior executive staff; and/or
- Experience in senior management of a large organisation; and/or
- Prior local government experience as an elected member, including President/Mayor or Deputy President/Mayor, or as a senior executive.

### COMMENT

At the close of advertising 4 applications (**see confidential appendices**) were received from the following community members (listed in alphabetical order):

- Tom Cabassi;
- Kate Lane;
- David Roe; and
- Trevor Ruland.

All applications have been considered by the Councillor members of the CEO Selection Panel and a recommendation has been formulated for Council's consideration.

#### **STATUTORY/LOCAL LAW IMPLICATIONS**

*Local Government Act 1995*

Part 5 Administration

Division 4 Local government employees

Section 5.39A Model standards for CEO recruitment, performance and termination

*Local Government (Administration) Regulations 1996*

Part 4 Local government employees

Reg. 18FA Model standards for CEO recruitment, performance and termination (Act s.5.39A(1))

Sch. 2 Model standards for CEO recruitment, performance and termination

Shire of Gingin Standards for CEO Recruitment, Performance and Termination

Cl. 8 – Establishment of Selection Panel for Employment of CEO

#### **POLICY IMPLICATIONS**

Nil

#### **BUDGET IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

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



**VOTING REQUIREMENTS - SIMPLE MAJORITY**

**COUNCIL RESOLUTION/PANEL RECOMMENDATION**

**MOVED:** Councillor Balcombe

**SECONDED:** Councillor Kestel

That Council appoint Kate Lane as the independent member of the CEO Selection Panel.

**CARRIED UNANIMOUSLY**

**7 / 0**

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

**AGAINST:** *Nil*

### 18.3 WITHDRAWAL OF CAVEAT - LOT 11 OLD MOOLIABEENEE ROAD, GINGIN

File	BLD/6903
Applicant	Velocity NW Pty Ltd
Location	Lot 11 Old Mooliabeenee Road, Gingin
Owner	Sanvidel Pty Ltd
Zoning	General Rural
WAPC No	NA
Author	James Bayliss – Manager Planning and Building
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	19 June 2018 – Item 11.3.4 16 June 2020 – Item 15.3 19 April 2022 – Item 11.7
Appendices	{attachment-list}

#### DISCLOSURES OF INTEREST

Nil

#### PURPOSE

To consider authorising withdrawal of an absolute caveat lodged against the Certificate of Title for Lot 11 (No. 25) Old Mooliabeene Road, Gingin.

#### BACKGROUND

The Shire sold the subject land to the landowner in 2017 on the basis that the site would be developed as a Lifestyle Village. The Contract of Sale (CoS) outlines various obligations for each party, with the terms secured by an absolute Caveat on the Land title. A copy of the Contract of Sale is provided (**see confidential appendices**).

The landowner is seeking to mortgage the land and to do so requires the consent of the Shire to remove the absolute caveat which secure the terms of the CoS.

The applicant's request and further correspondence with the Shire is provided (**see appendices**).

The buyer was required to lodge an Application for Development Approval within 3 months of settlement, with the related proposal being considered by Council on 19 June 2018. Council resolved to approve the proposed lifestyle village subject to 31 conditions.

The development approval is provided (**see appendices**).

Clause 4 – Development of the Land of the CoS states:

*The buyer covenants and agrees with the Shire that:*

- a) *It shall lodge an application for planning approval in respect of the Development Proposal within 3 months of settlement.*
- b) *Subject to receipt of other necessary planning approvals and building permits, at its cost develop the Land for a Lifestyle Village in accordance with any development approval issued in respect on the Land by the Shire acting in its capacity as the responsible local government and the approved Development Proposal (approved Development) and **shall substantially commence construction by completing Stage 1 civil works of the Approved Development within 2 years of approval/issue of Development Approval;***
- c) *It shall ensure that the Approved Development is constructed in accordance with all statutory requirements and polices of the Council of the Shire.*

Clause 5 of the CoS states:

*The buyer covenants and agrees with the Shire that:*

...

- b) *it shall ensure that the Development is constructed in accordance with all statutory requirements and polices of the Council of the Shire.*

## Comment

### Council Policy 2.33 – Execution of Documents

This policy establishes guidelines for the execution of documents and the application of the Shire of Gingin Common Seal, in accordance with s.9.49A of the *Local Government Act 1995*.

Section 9.49A of the *Local Government Act 1995* requires that, in order for a document to be executed by a local government, there must either be:

1. *A Council resolution to:*
  - a. *apply the Common Seal to that particular document; or*
  - b. *permit the application of the Seal to a range of documents which includes the document in question; or*

2. *A Council resolution authorising the Chief Executive Officer or another employee, or an agent of the Shire, to sign documents on behalf of the Shire.*

The withdrawal of a caveat is classified as a category 1B document under the Policy, which means that although a specific Council resolution to affix the Seal is not required, a Council decision may be required sanctioning a particular course of action that results in the document requiring execution. In this instance, the course of action is to temporarily withdraw the caveat.

Officer Comment

It should be noted that the caveat is intended to protect the Shire's interests by ensuring that the land is developed in accordance with the purpose for which it was sold. It is also the intention of the CoS that the land be developed in a timely manner, with completion of Stage 1 civil works expected to be finalised within two years of settlement (i.e. by 2019).

The officer summarises the landowner's request as follows:

- The land settled on 28 December 2017. Some 6.5 years has elapsed since settlement and there is a case that Stage 1 civil works has not yet been completed. Roads remain unsealed (amongst other things). There is a case that clause 4 b) of the CoS has not been satisfied.
- The officer has identified that conditions 4, 5, 7, 9, 22, 23, 25, 29 of the Development Approval have either been breached or not fulfilled. There is a case that clauses 4c) and 5b) have not been satisfied.
- The buy-back provision of the CoS was never enacted (see OCM 16 June 2020 Confidential Item 15.3 and OCM 19 April 2022 Item 11.7).
- The landowner has experienced challenges over the past 6.5 years, as outlined to Council in the report presented to the OCM on 19 April 2022.
- The landowner has provided a response to various anomalies raised by the officer, which if enacted would address the outstanding conditions in an untimely manner.
- If the Shire does not consent to lifting the caveat (at least temporarily), the landowner would be unable to obtain a mortgage and assumingly would therefore be unable to secure finances to deliver the project. Conversely, if the Shire lifts the caveat the security that the CoS affords would be removed.

### Summary

It is clear that progress onsite has not transpired as expected, and as agreed. The landowner needs to secure funds to deliver the project and requires removal of the caveat in order to achieve this.

The officer suggests temporary lifting of the caveat, as opposed to permanent removal. The practicality of this position is unknown as it has not yet been discussed with the Shire's solicitors. Without the security of the caveat, the land may be sold to a separate entity that would not be bound by the restrictions/terms of the CoS.

The Shire should be pragmatic in order to enable funding to be secured, however not at the expense of the Shire's overall interest, being for the land to be developed as a lifestyle village.

### **STATUTORY/LOCAL LAW IMPLICATIONS**

Nil

### **POLICY IMPLICATIONS**

Nil

### **BUDGET IMPLICATIONS**

The CoS outlines that costs associated with the withdrawal of the caveat will be borne by the Shire. It is expected that such costs would be ~\$1500-\$2000. Funds are available within the existing budget for this purpose.

### **STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

<b>Aspiration</b>	3. Planning & Sustainability - Plan for Future Generations
<b>Strategic Objective</b>	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

**VOTING REQUIREMENTS - SIMPLE MAJORITY**

*The Coordinator Governance left the meeting at 4.59 pm.*

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION**

**MOVED:** Councillor Sorensen

**SECONDED:** Councillor Fewster

That Council agree to temporarily lift the caveat relating to Lot 11 (No. 25) Old Mooliabeene Road, Gingin to enable the landowner to secure a mortgage over the property for the purpose of completing the lifestyle village development intended for the site.

**CARRIED UNANIMOUSLY**  
**7 / 0**

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

**AGAINST:** *Nil*

**From:** Kevin Hughes  
**Sent:** Wed, 15 May 2024 02:38:21 +0000  
**To:** James Bayliss  
**Cc:** Aaron Cook; Karen Okely; Sam Smith; Mike Hollett; Andrew Tulloch  
**Subject:** RE: GinGin caveat removal re NAB funding and

Hi James

Thank you for the response regarding our need to continue with our Gingin development using bank funding from this point.

Firstly, we acknowledge that there are matters with respect to the caveat that need to be addressed and we have detailed below our responses to the status of each of the conditions as requested. To this end we are currently seeking some of the engineering advice and drawings that are required with respect to road design and traffic impact. When we have this information to hand (anticipated in the next two weeks) we will send to you for your review and records.

#### **General Project Update – Council Meeting Presentation**

Additionally, we will be commencing works on the entrance statement and walls later next week and Andrew Tulloch our Project Manager will be on site later this week and next to oversee these works and other essential service works activities. I've asked Andrew to contact you to meet him on site to view current status and commencement of the Village entrance works at a time convenient to you.

With our banking facility in place and other funds, we will now be able to expedite completion of the roads, services, landscaping and a five-home display village (as per our supply agreement with Fleetwood Corporation) over the next 4-5 months. Sales and marketing will commence from September with buyers offered display homes for immediate occupation as we keep a rolling stock available.

Our Bank and buyers will need to have a title unencumbered with a caveat that could impede development hence we would like, post your feedback to the information in this email and any engineering drawings and or advice to come, to present to the Shire meeting on the 18<sup>th</sup> June our request for caveat removal to facilitate the completion of phase 1 of the Gingin Eco Lifestyle Village development.

#### **Matters Raised and Conditions of Caveat**

In relation to your concern for the "Shed" use it is in fact a workshop and recycling shed along with additional areas to allow for some water filtration for irrigation, and additional solar power management systems. The solar system was necessary due to the 500 days lead time (minimum) quoted by Western Power to have permanent power and transformer installed to site. This may be an interim/temporary measure, and should it prove beneficial to the development and residents we would seek approval retrospectively for an imbedded solar network in line with the Renewable and Eco Ethos for this development. Much of these issues and utility upgrades/enhancements have been tabled via previous updates to the Shire.



In addition Andrew Tulloch has been in regular contact with both the planning and building sections of the Shire to work through matters of approval and review.

Wastewater treatment is as per approved Dept of Health wastewater system designed and supplied by Aquarius Water. This has been previously submitted to Shire of Gingin building/ Planning department and is not part of the Shed Structure.

Build permits for individual houses will be submitted by Fleetwood Corporation in due course to comply with the Shire's relevant building regulations.

Regarding your points raised as either missing or non-conformance:

4. Dwellings Built Form Design Guidelines: As part of the Build Permit Application process mentioned above, all site plans, setbacks, and structure separation, plans, elevations, and engineering details to be provided upon submission. We are still in design consultation with prospective builders and are in tender stage now. Due to the nature of the energy efficiency, and embedded network possibilities we are seeking, this process has been extensive.

5. Clubhouse and resident's workshop detailed design plans: The Clubhouse design plans and engineering is as above in point 4, and the residents workshop and recycling facility was submitted and approved BA4 issued on the 18.08.2023.

7. Detailed site plan for each stage of development: Upon confirmation of final design/ tender as noted in point 4, and prior to any works, a detailed site plan of the development area to comply with this clause will be submitted for approval.

9. Prior to occupancy stage one ( Section 70A) Transfer of Land Act 1893: Prior to any sales and occupation of dwellings, the Residents Lease Agreement will be provided to the Shire to confirm compliance of this clause.

22. Internal Roadworks Engineering: Our internal road works including the stormwater engineering design is in the final stages of completion with Alex Morris (AM Engineers) and will be submitted to the shire upon completion (ETA 2 weeks) and prior to any works noted in points 4,5 and 7. The internal roadworks to date have been for concept and site access and are subject to change to comply with all approved engineering specifications and relevant authority regulations.

23. Traffic impact assessment: As above, this is being undertaken by AM Engineering as part of, and in conjunction with the roadwork engineering, and will be submitted to the shire upon completion.

25. Stormwater Management Plan: An engineered storm water system has been completed by Forth Engineering and submitted to the shire as part of the Crossover Application dated 21.08.2023. The engineering design was in accordance with the Geotechnical report provided to them completed by Structerre and also GALT Engineering. The system is under assessment at present and upon Engineering final inspection and satisfaction the system will comply with all relevant authority regulations and be fit for purpose, we will submit a detailed Stormwater Management Plan prior to any further works.

29. Waste management plan: The Eco Village Waste Management Plan is presently in final assessment for contingency and redundancy measures and will be submitted to the shire prior to any dwelling site works. Waste management for village operation once homes are constructed will be provided prior to occupancy of homes.

Looking forward to accelerating works and see this development progress as fast as possible with some exciting enhancements for residents now possible since the early covid delays. Please don't hesitate to reach out if you have further questions and if you can meet Andrew onsite after receipt of this email he can clear up most if not all concerns for you.

Regards

Kevin Hughes

Managing Director



M: 0418 910 423

E: [kevin@velocitynw.com.au](mailto:kevin@velocitynw.com.au)

P: PO Box 1191 Subiaco WA 6904

A: Unit 2/12-20 Railway Road,  
Subiaco, WA, 6008

[Velocity Village](#)

[Velocity Motel & Bistro](#)

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[YouTube](#)

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**From:** James Bayliss <[James.Bayliss@gingin.wa.gov.au](mailto:James.Bayliss@gingin.wa.gov.au)>

**Sent:** Thursday, May 9, 2024 10:16 AM

**To:** Kevin Hughes <[kevin@velocitynw.com.au](mailto:kevin@velocitynw.com.au)>; [mike@tikeconsulting.com.au](mailto:mike@tikeconsulting.com.au)

**Cc:** Aaron Cook <[Aaron.Cook@gingin.wa.gov.au](mailto:Aaron.Cook@gingin.wa.gov.au)>; Karen Okely <[Karen.Okely@gingin.wa.gov.au](mailto:Karen.Okely@gingin.wa.gov.au)>; Sam Smith <[Sam.Smith@gingin.wa.gov.au](mailto:Sam.Smith@gingin.wa.gov.au)>

**Subject:** RE: GinGin caveat removal re NAB funding

Hi Hugh,

Reference is made to your email below.

I understand that you are seeking to mortgage the land and to do so you require the consent of the Shire to remove the absolute caveat. I understand that the Caveat secures the Shire's interest under the 'Contract of Sale' executed on 12 December 2017.

Please be advised that Administration is guided by 'Policy 2.33 – Execution of Documents' which establishes guidelines for the execution of documents and the application of the Shire of Gingin Common Seal, in accordance with s.9.49A of the *Local Government Act 1995*.

Policy 2.33 requires a Council resolution to sanction the removal of the caveat (either temporary or permanent). An Item will be presented to the Council, with the next available Meeting being 18 June 2024 (subject to a satisfactory response to the comments below being received prior).

I can foresee issues relating to your obligation to develop the land in accordance with the development approval issued (cl 5 of the Deed refers). I have attached the development approval for your reference and note the following conditions are outstanding or have been breached:

4, 5, 7, 9, 22, 23, 25 and 29. I have been unable to locate the relevant documents referenced under conditions 22-29.

I also note that the existing 'shed' onsite was approved as workshop and recycling centre for onsite household waste. The proposal made no reference to the structure being used for solar/wastewater treatment etc.

In view of the above, to satisfy the Shire that Development of the Land is being progressed in accordance with the Development Approval, please provide a comprehensive response to the above anomalies and outstanding conditions. Until such time as a satisfactory response is provided, it is unlikely the Shire will consent to removal of the caveat.

Once the Shire receives a response to the above, assuming it is satisfactory, the request will be referred to the Shire's solicitors (McLeod's) to arrange the necessary paperwork to lift the caveat.

Happy to discuss any queries.

Regards,

**James Bayliss**

**Manager Planning and Building**

**D:** (08) 9575 5129

**E:** [James.Bayliss@gingin.wa.gov.au](mailto:James.Bayliss@gingin.wa.gov.au)

**A:** PO Box 510, Gingin WA 6503

**W:** [gingin.wa.gov.au](http://gingin.wa.gov.au)



**Shire of Gingin Offices**  
**Gingin Administration**  
**Centre & Council Chambers**  
7 Brockman Street, Gingin WA 6503  
**T:** (08) 9575 5100

**Lancelin Office**  
255 Vins Way, Lancelin WA 6044  
**T:** (08) 9575 5155





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**From:** Kevin Hughes <[kevin@velocitynw.com.au](mailto:kevin@velocitynw.com.au)>

**Sent:** Wednesday, May 8, 2024 9:49 AM

**To:** Aaron Cook <[Aaron.Cook@gingin.wa.gov.au](mailto:Aaron.Cook@gingin.wa.gov.au)>

**Cc:** Mike Hollett <[mike@tikeconsulting.com.au](mailto:mike@tikeconsulting.com.au)>

**Subject:** GinGin caveat removal re NAB funding

Good morning Aaron

Hope you are well. Please see email below from NAB which is self-explanatory. They are financing our project going forward and naturally need to put their 1<sup>st</sup> Mortgage in place. Appreciate if you can direct this request to whoever can assist with this. I am unsure if a paper title exists or whether it was provided originally at settlement.

Our works to continue/commence immediately include.

- Entry statement as per approved DA
- Internal fit out of completed facilities building including solar management systems / battery bank, wastewater treatment plant.
- Main switchboard installation to link up all of above for operation.
- Drilling to install ground source heat / cooling system requirements, with machinery now onsite.

Display Homes;

- We have entered into agreements with Fleetwood Corporation to provide the homes.
- They will initially build, supply and erect onsite 5 display homes to fill the first row.
- They will keep up supply of homes ahead of sales to allow for a speedier progression with homes built and ready to sell/occupy.
- We will provide website updated drawings, and estimated delivery time for the first 5, and subsequent homes once a program from Fleetwood is provided to us.

Please don't hesitate to call either Mike or myself with any questions.

Looking forward seeing a lot of change by springtime with the above program in place.

Regards

Kevin Hughes

Managing Director



**M:** 0418 910 423

**E:** [kevin@velocitynw.com.au](mailto:kevin@velocitynw.com.au)

**P:** PO Box 1191 Subiaco WA 6904

**A:** Unit 2/12-20 Railway Road,  
Subiaco, WA, 6008

[Velocity Village](#)

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**From:** Chris Klaassen <[Chris.Klaassen@nab.com.au](mailto:Chris.Klaassen@nab.com.au)>

**Sent:** Tuesday, May 7, 2024 2:26 PM

**To:** Kevin Hughes <[kevin@velocitynw.com.au](mailto:kevin@velocitynw.com.au)>; Mike Hollett <[mike@tikeconsulting.com.au](mailto:mike@tikeconsulting.com.au)>

**Subject:** Physical Title GinGin

Hi Kevin / Mike

When you make a time for signing the mortgage on GinGin, can you please bring in the physical Certificate of Title?

Can you also please advise the contact details for the removal of the Caveat Reference N798395 lodged by Shire of Gingin as substantial development having been achieved was previously addressed with them ?

Should you have any queries please do not hesitate to contact me.

Kind Regards

**Chris Klaassen**

Senior Business Banking Manager (B Bus Acc & Fin)

**Perth North Business Banking Centre | National Australia Bank Ltd**

48 Howe St, Osborne Park WA 6017 Google Maps link to [NAB Osborne Park](#).

Mob: 0410 552 718 | Fax: 1300 652 549 |

Email: [Chris.Klaassen@nab.com.au](mailto:Chris.Klaassen@nab.com.au)

Website: [www.nab.com.au](http://www.nab.com.au)



[LinkedIn Profile](#)

NAB now have Apple Pay [https://www.nab.com.au/personal/banking/ways-to-pay/apple-pay?own\\_cid=shortURL:applepay](https://www.nab.com.au/personal/banking/ways-to-pay/apple-pay?own_cid=shortURL:applepay)

Should you want to contact **Eddie Cheng from the Associate Team directly for assistance**, you can do so via

**Direct phone**                      **08 6119 8249**, or  
**e-mail on**                              [BusinessBank.PerthNorth1@nab.com.au](mailto:BusinessBank.PerthNorth1@nab.com.au)  
**For everyday business & personal enquiries**

Contact your Extended Banking Team on 13 10 12

Operating Hours:    *Mon-Fri:* 8am - 8pm AEST    *Sat-Sun:* 9am - 6pm AEST

Having your NAB ID & Phone Banking Password handy will help the Extended Banking Team assist you faster.

*"Based on our interactions, how likely would you be to refer a friend, family member, or colleague to NAB?"*

*I strive to achieve a 10/10 so if there is anything you feel I could improve on, I would really appreciate your feedback."*

*This may include suggestions of how we might improve our systems.*

E&OE

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ABN 85 679 704 946  
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W: [www.gingin.wa.gov.au](http://www.gingin.wa.gov.au)

4 July 2018

H & H Development Enterprises Pty Ltd  
Suite 24, Level 3, 25 Walters Drive  
OSBORNE PARK WA 6017

Dear Mr. Harrison

**DEVELOPMENT APPLICATION: PROPOSED USE NOT LISTED ECO LIFESTYLE  
VILLAGE  
ADDRESS: LOT 11 (25) OLD MOOLIABEENEE ROAD, GINGIN**

I refer to your Application for Development Approval, received by the Shire on 3 January 2018 for the abovementioned development.

Council considered your proposal at its Meeting on 19 June 2018 and I am pleased to advise that your Application has been approved, subject to the conditions outlined on the attached Notice of Determination on Application for Development Approval in accordance with the Clause 70, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

If you are aggrieved with the conditions of this approval you have the right to request the State Administrative Tribunal (SAT) review the decision, under Part 14 of the *Planning and Development Act 2005*. A review application must be lodged to SAT within 28 days of the Shires determination. Enquiries or review applications should be made to SAT on (08) 9219 311 or visit [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au).

Please note you may also be required to lodge a separate application and obtain a Building Permit pursuant to the *Western Australia Building Act 2011* prior to commencing work.

Should you require any further information on this matter, please contact the Planning Department on (08) 9575 2211 or email [mail@gingin.wa.gov.au](mailto:mail@gingin.wa.gov.au).

Yours sincerely

**KYLIE BACON  
ACTING EXECUTIVE MANAGER PLANNING AND DEVELOPMENT**

KB:am  
Our ref:  
Enc:

BLD/6903  
P1644  
Notice of Determination on Application for Planning Approval & Approved Plans



**Shire of Gingin**  
History. Beauty. Prosperity.





**NOTICE OF DETERMINATION ON APPLICATION FOR  
PLANNING APPROVAL**

**SHIRE OF GINGIN**  
Local Planning Scheme No. 9

**Name and Address of Owner:** Sanvidel Pty Ltd  
Suite 24, Level 3, 25 Walters Drive  
OSBORNE PARK WA 6017

**Name and Address of Applicant:** H & H Development Enterprises P/L  
Suite 24, Level 3, 25 Walters Drive  
OSBORNE PARK WA 6017

**Location:** Lot 11 (25) Old Mooliabeenee Road,  
Gingin

**Lot: 11** **Plan/Diagram: 49921**

**Vol. No: 1445** **Folio No: 330**

**Application Date: 22 December 2017** **Received Date: 3 January 2018**

**Description of Proposed Development**

USE NOT LISTED ECO LIFESTYLE VILLAGE

**The application for development approval is:**

Granted subject to the following conditions:

**CONDITIONS OF APPROVAL:**

1. The land use and development shall be in accordance with the approved plans and specifications unless otherwise conditioned by this approval.
2. This Approval is for 120 sites to accommodate dwellings for persons aged 45 years or over and the associated site works, the built form approval for 36 dwellings within Stages 1 and 2, club house, small recycling centre, residents workshop; and caravan/boat parking.
3. Further Development Approval will be required for the remaining dwellings associated as part of Stage 3 onwards.
4. Within 90 days from the date of this notice, Built Form Design Guidelines for the proposed dwellings are required to be submitted and approved to the satisfaction of the Shire of Gingin.

5. Within 90 days from the date of this notice, detailed design plans are required for the club house, recycling centre and residents workshop to be submitted and approved to the satisfaction of the Shire of Gingin.
6. The dwellings, club house, small recycling centre and residents workshop is to respect and respond to the natural contours of the site to avoid excessive cut/fill and retaining.
7. Prior to commencement of each stage of the development, a detailed site plan of the area covered by the particular stage, shall be submitted to and approved by the Shire of Gingin. The plan shall address the following matters:
  - a. Shared Bin Aprons;
  - b. Visitor Car Parking Bays;
  - c. Internal Road Lighting;
  - d. Natural Ground Levels; and
  - e. Landscaping Plan.
8. Permitted residency of the dwellings located in the eco lifestyle village is restricted to all residents of a dwelling being aged 45 years or over, which shall be stipulated in the Residential Lease Agreement.
9. Prior to the occupation of Stage 1, 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 that states as follows:
  - a. Prospective purchases of the above land are notified that the use of the land is subject to a condition of the planning approval that restricts permitted residency of each dwelling located in the eco lifestyle village shall be occupied by residents all aged 45 years or over;
  - b. The land is located in a General Rural locality and may be affected by emissions from adjoining agricultural land uses.
10. Prior to the commencement of Stage 3 of the development, the club house is to be constructed in accordance with the approved plans.
11. All activities associated with the construction of the development must be carried out to the satisfaction of the Shire of Gingin and all care must be taken to minimise the effect of such activities on the amenity of the locality.
12. Fencing shall conform to the standard of rural fencing in the district unless specific approval for an alternative is granted by the Shire of Gingin.
13. The use of the recycling centre, residents' workshop and caravan and boat parking area is restricted to residents' use only.
14. Prior to occupation of Stage 1 of the development, an overall Operational Management Plan shall be submitted to and approved by the Shire of Gingin. The plan shall address the following matters:

- a. Management of residents' pet animals;
  - b. Management of external storage within residents' private yard areas;
  - c. Emergency evacuation procedures;
  - d. Landscaping and vegetation maintenance;
  - e. Waste disposal management;
  - f. Noise management, particularly noise emanating from the activities undertaken in the residents' workshop;
  - g. Odour management in relation to the recycling facility;
  - h. Hours of operation for the clubhouse, recycling centre and residents' workshop; and
  - i. Lighting.
15. Prior to occupation of Stage 1, vegetation is to be planted and maintained on the property and to screen the caravan and boat parking area, residents' workshop and recycling facility from adjoining properties to the satisfaction of the Shire of Gingin.
  16. All landscaped areas that are maintained by the village management are to be maintained on an ongoing basis to the satisfaction of the Shire of Gingin.
  17. Prior to the occupation of each stage of the development, each dwelling is to be assigned a house number to the satisfaction of the Shire of Gingin.
  18. Prior to the occupation of each stage of the development, directional signage including signage displaying the internal road names shall be installed to the satisfaction of the Shire of Gingin.
  19. A minimum of one car parking bay is to be provided for the exclusive use of each dwelling containing one or two bedrooms.
  20. A minimum of two car parking bays are to be provided for the exclusive use of each dwelling containing three or more bedrooms.
  21. One designated visitor car parking bay is to be provided for every five dwellings.

Operations

22. Prior to commencement of site works detailed engineering drawings of the internal roads and parking areas for the entire lot are to be submitted and approved by the Shire of Gingin.
23. Prior to commencement for site works of the development, a Traffic Impact Assessment shall be submitted and approved by the Shire of Gingin. Once approved, the Traffic Impact Assessment is to be implemented in its entirety.
24. Prior to occupation of each stage of the development, the car parking and loading area(s), and vehicle access and circulation areas shown on the approved detailed engineering drawings, including the provision of universally accessible

(disabled) car parking, are to be constructed, drained, and line marked to the satisfaction of the Shire of Gingin.

25. Prior to commencement for site works of the development, a Storm Water Management Plan is to be submitted and approved by the Shire of Gingin.
26. Prior to occupation of each stage of the development, stormwater drainage works must be completed and maintained in accordance with the approved plans to the satisfaction of the Shire of Gingin.
27. The upgrading of Old Mooliabeenee Road is required to be undertaken from the main entrance to Lot 11 (subject to approved detailed design) to the western boundary of Lot 11 to a kerbed, drained and filled standard as approved by the Shire of Gingin at the applicants'/landowners' expense.
28. The southern verge of Old Mooliabeenee Road is required to be upgraded from the proposed main access to Lot 11 (subject to approved detailed design) to the western boundary of Lot 11 with a disabled access pathway (2.5m wide concrete path) to the satisfaction of the Shire of Gingin at the applicants'/landowners' expense.

Health

29. Prior to commencement of site works for the development, a Waste Management Plan is to be submitted and approved to the satisfaction of the Shire of Gingin.
30. Prior to occupation of each subsequent stage of the development, the development hereby permitted shall be connected to an approved effluent disposal system, and
31. The waste bin area(s) shall be maintained on an ongoing basis to the satisfaction of the Shire of Gingin; and shall not be used for any other purpose.

**ADVICE NOTES:**

- Note 1:** If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.
- Note 2:** Where an approval has so lapsed, no development must be carried out without the further approval of the local government having being first sought and obtained.
- Note 3:** 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.

- Note 4:** In respect of Condition 24 internal vehicle access is to be adequate to allow access for waste disposal and emergency vehicles. Line marking is required for all visitor parking and service vehicle areas.
- Note 5:** In respect of Condition 26 stormwater disposal is to be designed in accordance with *Stormwater Management Manual for Western Australia*.
- Note 6:** In respect of Condition 28, the installation of the footpath is to coincide with the Shire's capital works program.
- Note 7:** 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*.
- Note 8:** Any proposal to reuse grey water and wastewater for parks and gardens is subject to an application that will comply with the requirements as given under the Guidelines for the Non-potable Use of Recycled Water in Western Australia and an approval from the Department of Health. Such application must be supported by a geotechnical report on the site. A site investigation will need to be undertaken in late winter and in accordance with the Australian/New Zealand Standard 1547:2012
- Note 9:** In respect of Condition 29, the applicant is to liaise with the Shire's Environmental Health Department with respect to the proposal's requirement for a Waste Management Plan. At a minimum, the Waste Management Plan is to address household waste collection and how it is to be collected by a waste services contractor, the ability for waste service vehicles to access the development (ingress and egress) and collection points.
- Note 10:** The development is required to comply with the *Environmental Protection (Noise) Regulations 1997* at all times.

**\*\*Please note this approval is not a building permit\*\***

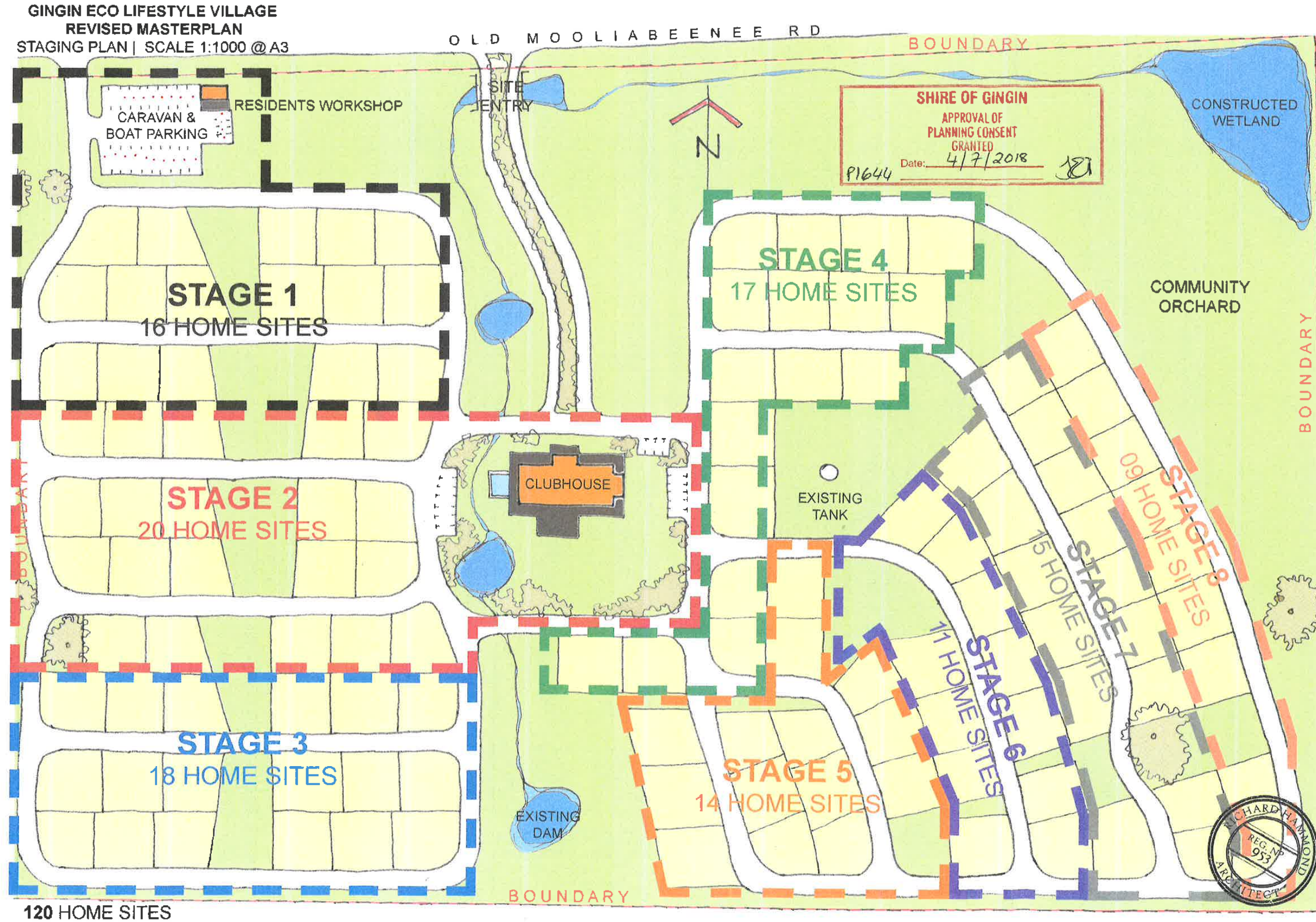
Signed:

Dated: 4 July 2018



**KYLIE BACON  
ACTING EXECUTIVE MANAGER PLANNING AND DEVELOPMENT  
For and on behalf of the Shire of Gingin**







## 19 MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC

### COUNCIL RESOLUTION/OFFICER RECOMMENDATION

**MOVED:** Councillor Peczka

**SECONDED:** Councillor Woods

That Council move into a Confidential Session to discuss Items 19.1 and 19.2.

**CARRIED UNANIMOUSLY**

**7 / 0**

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

**AGAINST:** *Nil*

*The meeting was closed to the public, the public recording ceased and all members of the public present in the gallery left Council Chambers at 4.59 pm.*

*The Executive Manager Regulatory and Development Services left the meeting at 5.01 pm and returned at 5.02 pm.*

*The Coordinator Governance returned to the meeting at 5.02 pm.*

*The CEO left the meeting at 5.03 pm and returned at 5.04 pm.*

*The Executive Manager Regulatory and Development Services and the Manager Planning and Building left the meeting at 5.05 pm and did not return.*

### 19.1 BEHAVIOUR COMPLAINT 01/2024 - BREACH OF DIVISION 3 OF CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES

File	GOV/10-1; GOV/6-7
Author	Lee-Anne Burt - Coordinator Governance
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	16 April 2024 - Item 19.5
Appendices	Nil

#### Reasons for Confidentiality

This report is confidential in accordance with Section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

- b. the personal affairs of any person.



## DISCLOSURES OF INTEREST

Cl. 3.12 of Council Policy 1.42 Code of Conduct Behaviour Complaints Management (the Policy) requires that all Councillors (including the Respondent) must disclose an Impartiality Interest when dealing with a Code of Conduct Behaviour Complaint.

*Councillor Peczka disclosed an impartiality interest in Item 19.1 as he is a fellow Councillor.*

*Councillor Fewster disclosed an impartiality interest in Item 19.1 as he is a fellow Councillor.*

*Councillor Balcombe disclosed an impartiality interest in Item 19.1 as she is a fellow Councillor.*

*Councillor Kestel disclosed an impartiality interest in Item 19.1 as he is a fellow Councillor.*

*Councillor Woods disclosed an impartiality interest in Item 19.1 as she is a fellow Councillor.*

*Councillor Sorensen disclosed a proximity interest in Item 19.1 as he is the Respondent in the matter.*

*Councillor Weeks disclosed an impartiality interest in Item 19.1 as he was a witness to the matter.*

## VOTING REQUIREMENTS - SIMPLE MAJORITY

### COUNCIL RESOLUTION/OFFICER RECOMMENDATION

**MOVED:** Councillor Woods

**SECONDED:** Councillor Balcombe

That Council adopt the following Action Plan with respect to Behaviour Complaint 01/2024:

1. The Respondent is required to make a formal written apology to the Complainant by 31 May 2024.
2. The Respondent is to complete appropriate behaviour training, to be arranged by the CEO, by 30 November 2024.
3. The CEO will be responsible for monitoring the required actions and timeframes. If 1 or both of the required actions are not completed within the specified timeframe/s then a report will be presented for Council's further consideration.

**CARRIED UNANIMOUSLY**

**7 / 0**

**MINUTES  
ORDINARY COUNCIL MEETING  
21 MAY 2024**



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

**AGAINST:** *Nil*

**19.2 BEHAVIOUR COMPLAINT 03/2024 - BREACH OF DIVISION 3 OF CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES**

File	GOV/10-1; GOV/6-1
Author	Lee-Anne Burt - Coordinator Governance
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	Nil
Appendices	<ol style="list-style-type: none"> <li>1. BC03/2024 Complaint Assessment Report [19.2.1 - 9 pages]</li> <li>2. Current Policy 1.42 Code of Conduct Behaviour Complaints Management [19.2.2 - 11 pages]</li> </ol>

**Reasons for Confidentiality**

This report is confidential in accordance with Section 5.23(2) of the *Local Government Act 1995* which permits the meeting to be closed to the public for business relating to the following:

- b. the personal affairs of any person.

**DISCLOSURES OF INTEREST**

Cl. 3.12 of Council Policy 1.42 Code of Conduct Behaviour Complaints Management (the Policy) requires that all Councillors (including the Respondent) must disclose an Impartiality Interest when dealing with a Code of Conduct Behaviour Complaint.

*Councillor Peczka disclosed an impartiality interest in Item 19.2 as he is a fellow Councillor.*

*Councillor Fewster disclosed an impartiality interest in Item 19.2 as he is the Respondent in the matter.*

*Councillor Balcombe disclosed an impartiality interest in Item 19.2 as she is a fellow Councillor.*

*Councillor Kestel disclosed an impartiality interest in Item 19.2 as he is a fellow Councillor.*

*Councillor Woods disclosed an impartiality interest in Item 19.2 as she is a fellow Councillor.*

*Councillor Sorensen disclosed an impartiality interest in Item 19.2 as he is a fellow Councillor.*

*Councillor Weeks disclosed an impartiality interest in Item 19.2 as he is a fellow Councillor.*

**VOTING REQUIREMENTS - SIMPLE MAJORITY**

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION**

**MOVED:** Councillor Balcombe

**SECONDED:** Councillor Woods

That Council make the following finding with respect to Behaviour Complaint BC03/2024 Alleged Breaches of Code of Conduct for Council Members, Committee Members and Candidates:

1. That, consistent with the conclusions reached by the independent third-party Complaint Assessor, the claim of a breach of cl. 8(1)(b) of the Code of Conduct is not substantiated; and
2. That, consistent with the conclusions reached by the independent third-party Complaint Assessor, the claim of a breach of cl. 10(b) of the Code of Conduct is not substantiated.

**CARRIED UNANIMOUSLY**

**7 / 0**

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

**AGAINST:** *Nil*

## 13.2 COMMUNITY FUNDING PROGRAM 2023/24

*Note: Consideration of this matter was deferred for discussion to Matters for Which Meeting is to be closed to the Public. See officer's report page 254.*

File	GRA/20
Author	Olivia Forbes – Community Development Officer
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	20 December 2022 - Item 12.1
Appendices	Nil

### DISCLOSURES OF INTEREST

*Councillor Balcombe disclosed an impartiality interest in Item 13.2 as she is a Board and Community Officer for Bendigo Bank who has received funding applications.*

*Councillor Kestel disclosed an impartiality interest in Item 13.2 as he is a Director of the Bendigo Bank.*

### SUBSTANTIVE MOTION/OFFICER RECOMMENDATION

MOVED: Councillor Woods      SECONDED: Councillor Balcombe

That Council agree to include the Community Funding Program amounts as recommended in the Confidential Appendices for consideration in the draft 2024/25 Budget.

### AMENDMENT MOTION

MOVED: Councillor Woods      SECONDED: Councillor Balcombe

That Council agree to amend the motion by inserting the words "as amended in accordance with Council's discussions" after Confidential Appendices.

**CARRIED UNANIMOUSLY  
7 / 0**

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

**AGAINST:**      *Nil*

*The amendment was incorporated into the Substantive Motion, which was then put to the vote.*

**COUNCIL RESOLUTION**

**MOVED:** Councillor Woods      **SECONDED:** Councillor Balcombe

That Council agree to include the Community Funding Program amounts as recommended in the Confidential Appendices as amended in accordance with Council's discussions for consideration in the draft 2024/25 Budget.

**CARRIED UNANIMOUSLY  
7 / 0**

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

**AGAINST:**    *Nil*

Reason for Amendment

To include Council's amendments to the Community Funding Program amounts for consideration in the draft 2024/25 Budget.

**COUNCIL RESOLUTION/OFFICER RECOMMENDATION**

**MOVED:** Councillor Woods      **SECONDED:** Councillor Balcombe

That the meeting be re-opened to the public.

**CARRIED UNANIMOUSLY  
7 / 0**

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

**AGAINST:**    *Nil*

*The meeting re-opened to the public at 5.37pm. No members of the public returned to the Gallery.*

## **20 CLOSURE**

There being no further business, the President declared the meeting closed at 5:37 pm.

The next Ordinary Council Meeting will be held in Council Chambers at the Shire of Gingin Administration Centre, 7 Brockman Street, Gingin on 18 June 2024, commencing at 3.00 pm.