

Ordinary Council Meeting

25 September 2024

Minutes



Members of the public who attend Council meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

Agendas and Minutes are available on the City's website www.kwinana.wa.gov.au

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1 OPENING AND ANNOUNCEMENT OF VISITORS

Presiding Member declared the meeting open at 5:30pm and welcomed all in attendance.

Presiding Member announced that the Ordinary Council Meeting is being live streamed and recorded in accordance with the City's Live streaming and Recording Council Meetings policy.

By being present at this meeting, members of the public consent to the City recording and livestreaming their image and/or voice.

2 WELCOME TO COUNTRY AND ACKNOWLEDGEMENT OF COUNTRY

Deputy Mayor Barry Winmar presented the Welcome to Country:

"Ngullak nyinniny kooralong koora ngullak noitj nidja noongar boodjar. Noongar moort djoorapiny nyinniny nidja ngulla quopadok noongar boodjar kooralong.

From the beginning of time to the end, this is Noongar Country. Noongar people have been graceful keepers of our nation for many, many years.

Djinanginy katatjin djoorapiny nidja weern noongar boodjar ngalla mia mia boorda.

Look, listen, understand and embrace all the elements of Noongar Country that is forever our home.

Kaya wandju ngaany koort djoorpiny nidja Noongar boodjar daadjaling waankganinyj Noongar Boodjar.

Hello and welcome my heart is happy as we are gathered on country and meeting here on Noongar Country"

Presiding Member read the Acknowledgement of country:

"It gives me great pleasure to welcome you all here and before commencing the proceedings, I would like to acknowledge that we come together tonight on the traditional land of the Noongar people and we pay our respects to their Elders past and present."

3 DEDICATION

Councillor Erin Sergeant read the dedication:

"May we, the Elected Members of the City of Kwinana, have the wisdom to consider all matters before us with due consideration, integrity and respect for the Council Chamber.

May the decisions made be in good faith and always in the best interest of the greater Kwinana community that we serve."

4 ATTENDANCE, APOLOGIES, LEAVE(S) OF ABSENCE (PREVIOUSLY APPROVED)

Present:

Mayor P Feasey
Deputy Mayor B Winmar
Councillor M Rowse
Councillor M Brown
Councillor S Wood
Councillor S Kearney
Councillor E Sergeant
Councillor I Penny
Councillor D Acker

Mr W Jack - Chief Executive Officer
Mrs M Cooke - Committee Member
Mr D Elkins - Director City Infrastructure
Ms F Grieves - Director City Life
Mrs A Mangalavite - Integrated Planning and Special Projects Officer
Ms A Abblitt - Council Governance and Administration Officer

Members of the Press – 0
Members of the Public – 2

Apologies:

Nil

Leave(s) of Absence (previously approved):

Nil

5 PUBLIC QUESTION TIME

Nil

6 RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

6.1 PETITIONS

Nil

6.2 PRESENTATIONS

Nil

6.3 DEPUTATIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 11 SEPTEMBER 2024

COUNCIL DECISION

545

MOVED CR E SERGEANT

SECONDED DEPUTY MAYOR B WINMAR

That the Minutes of the Ordinary Council Meeting held on 11 September 2024 be confirmed as a true and correct record of the meeting.

**CARRIED
9/0**

8 DECLARATIONS OF INTEREST (FINANCIAL, PROXIMITY, IMPARTIALITY – BOTH REAL AND PERCEIVED) BY MEMBERS AND CITY OFFICERS

Nil

9 REQUESTS FOR LEAVE OF ABSENCE

NIL

10 ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY

NIL

11 ANY BUSINESS LEFT OVER FROM PREVIOUS MEETING

NIL

12 RECOMMENDATIONS OF COMMITTEES

Nil

13 ENBLOC REPORTS

NIL

14 REPORTS – COMMUNITY

Nil

15 REPORTS – ECONOMIC

Nil

16 REPORTS – NATURAL ENVIRONMENT

Nil

17 REPORTS – BUILT INFRASTRUCTURE

Nil

18 REPORTS – CIVIC LEADERSHIP

18.1 ACCOUNTS FOR PAYMENT FOR THE MONTH ENDED 31 AUGUST 2024

DECLARATION OF INTEREST

There were no declarations of interest declared.

SUMMARY

The purpose of this report is to present to Council a list of accounts paid under delegated authority for the month ended 31 August 2024 as required by the *Local Government (Financial Management) Regulations 1996*.

OFFICER RECOMMENDATION

That Council:

1. Accepts the list of accounts, totalling \$5,625,886.34 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 August 2024, as detailed at Attachment A.
2. Accepts the detailed transaction listing of credit card expenditure paid for the period ended 31 August 2024, as detailed at Attachment B.

DISCUSSION

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the City's Municipal and Trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996* a list of accounts paid is to be provided to Council, where such delegation is made.

The following table summarises the payments for the period by payment type, with full details of the accounts paid contained within Attachment A.

Payment Type	Amount (\$)
Automatic Payment Deductions *	\$ 60,796.28
Cheque	\$ 167.05
EFT Payments	\$ 3,997,675.59
Payroll Payments	\$ 1,567,247.42
Total Attachment A	\$ 5,625,886.34

*Automatic Payment deductions include a payment of **\$59,407.24** for credit card payments. A detailed transaction listing of credit card expenditure paid for the period ended 31 August 2024, is included at Attachment B.

A detailed listing of August 2024 payments, including short descriptions for each payment, is provided in Attachment A.

STRATEGIC IMPLICATIONS

There are no strategic implications as a result of this proposal.

SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states:

- 13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.**
- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
- (a) the payee's name; and*
 - (b) the amount of the payment; and*
 - (c) the date of the payment; and*
 - (d) sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing*
- (a) for each account which requires council authorisation in that month —*
 - (i) the payee's name; and*
 - (ii) the amount of the payment; and*
 - (iii) sufficient information to identify the transaction, and*
 - (b) the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under sub-regulation (1) or (2) is to be —*
- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) recorded in the minutes of that meeting.*

FINANCIAL/BUDGET IMPLICATIONS

All expenditure included in the list of payments is in accordance with City's annual budget.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications that have been identified as a result of this report.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

There are no implications on any determinants of health as a result of this report.

COMMUNITY ENGAGEMENT

There are no community engagement implications as a result of this report.

COUNCIL DECISION

546

MOVED CR E SERGEANT

SECONDED CR M ROWSE

That Council:

1. **Accepts the list of accounts, totalling \$5,625,886.34 paid under delegated authority in accordance with Regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* for the period ended 31 August 2024, as detailed at Attachment A.**
2. **Accepts the detailed transaction listing of credit card expenditure paid for the period ended 31 August 2024, as detailed at Attachment B**

**.CARRIED
9/0**

ATTACHMENTS

- A. **Credit Card Transactions Report August 24** [↓](#)
- B. **AP Payment Listing Summary August 24** [↓](#)



Credit Card Transactions

Payments made between 01-Aug-2024 and 31-Aug-2024

Reference	Trans Date	Supplier	Amount	Transaction Description
Credit Card Director City Infrastructure			1,290.00	
106767	25/07/2024	Rawlinsons Rivervale WA	1,172.73	2024 Construction cost guide bundle
106767		Commonwealth Bank	117.27	Commonwealth Bank
Credit Card Human Resources Manager			5,480.84	
106773	31/07/2024	Commonwealth Bank	-1.23	Dispute refund
106773	31/07/2024	Commonwealth Bank	-1.35	Dispute refund
106773	31/07/2024	Commonwealth Bank	-75.19	Dispute refund
106773	30/07/2024	IAP2	809.09	Essentials of Engagement Course - IAP2
106773	30/07/2024	Humanitix	151.36	Women in Agriculture and Environment
106773	30/07/2024	IAP2	809.09	Essentials of Engagement Course - IAP2
106773	30/07/2024	IAP2	809.09	Essentials of Engagement Course - IAP2
106773	30/07/2024	Event & Conference Co	590.55	Waste and Recycle Conference
106773	24/07/2024	The Australian Institute of Management	120.00	Recruitment Advertising
106773	23/07/2024	Humanitix	151.36	Women in Agriculture and Environment
106773	23/07/2024	LGPA	35.00	EOFY Networking Drinks and AGM - LGPA
106773	23/07/2024	Easy Flowers	70.82	Hospitalisation of an Employee - Flowers
106773	17/07/2024	Inclusion Solutions	13.20	Training - Supporting and Understanding
106773	17/07/2024	Inclusion Solutions	279.98	Training - Supporting and Understanding
106773	16/07/2024	Qantas Australia	834.76	Flights - PLA Conference - 13-17 October
106773	16/07/2024	AusQ Training	2,496.00	Event Traffic Controller Training
106773	16/07/2024	The Australian Institute of Management	120.00	Recruitment Advertising
106773	10/07/2024	Charles Darwin University	827.00	Employee Study - Preparatory Studies
106773	03/07/2024	Dispute refund	-49.00	Commonwealth Bank - Refund of fraud transactions
106773	03/07/2024	Dispute refund	-53.90	Commonwealth Bank - Refund of fraud transactions
106773	03/07/2024	Dispute refund	-3,007.63	Commonwealth Bank - Refund of fraud transactions
106773	02/07/2024	Easy Flowers	94.45	Birth of Child - Flowers
106773		Dispute refund	457.39	Commonwealth Bank - Refund of fraud transactions
Credit Card Manager Governance and Legal			1,381.39	
106774	30/07/2024	Event & Conference Co	1,245.68	Waste and Recycle Conference – Awards

106774	26/07/2024	Wilson Parking	10.13	At DPLH - leased properties
106774			125.58	GST

Credit Card Administration & Special Project Officer 1,269.96

106775	29/07/2024	The Reject Shop	5.45	Farewell cards
106775	26/07/2024	DJ City	626.36	Faze machine for the Koorliny Art Centre
106775	26/07/2024	Department of Racing, Gamin	253.00	Occasional Liquor Licence for Koorliny
106775	15/07/2024	Org Sub Fee	29.00	Eventbrite monthly subscription - DW
106775	10/07/2024	Lombard The Paper People	162.74	Supplies for the Kwinana Recquatic
106775	03/07/2024	Hanging Basket	103.59	Flower for Staff Family Bereavement
106775		Commonwealth Bank	89.82	GST

Credit Card Managed Information Technology 1,308.36

106782	16/07/2024	DNH*GODADDY	636.32	SSL Certificates
106782	13/07/2024	Bunnings Group limited	53.10	Tubs for organising, cabling
106782	05/07/2024	APNIC Pty Ltd	500.00	City IPs
106782		Commonwealth Bank	118.94	GST

Credit Card Coordinator Library Services 1,012.59

106875	29/07/2024	JB Hi Fi	-16.38	Refund for unusable item - Disney Dreaming
106875	18/07/2024	JB Hi Fi	360.43	Games for collection
106875	18/07/2024	JB Hi Fi	203.97	DVDs for collection
106875	18/07/2024	JB Hi Fi	42.70	Pre order DVD - invoice to follow
106875	05/07/2024	JB Hi Fi	130.60	Games for collection
106875	05/07/2024	JB Hi Fi	26.95	Music CDs for collection
106875	05/07/2024	JB Hi Fi	172.27	DVDs for collection
106875		Commonwealth Bank	92.05	GST

Credit Card Technical Officer Fleet Operations 822.09

106877	24/07/2024	Winnie's Bakery	77.35	Management Challenge Lunch
106877	04/07/2024	Datium	670.00	Fleet residual value calculator
106877		Commonwealth Bank	74.74	GST

Credit Card Director City Life 3,252.95

106878	22/07/2024	Pasta Cup	154.23	Light refreshments for EMBS
106878	18/07/2024	Mailchimp	164.54	Monthly subscription for Koorliny Art Centre
106878	18/07/2024	Dome Kwinana	15.73	Meeting refreshments
106878	15/07/2024	Vend Pos	1,428.00	Yearly subscription for POS machine

106878	10/07/2024	Qantas Airways	463.07	Airfare Management Challenge Brisbane
106878	09/07/2024	Virgin Australia	367.35	Airfare Management Challenge Brisbane
106878	02/08/2024	LG Professionals	509.09	Full membership Director City Life
106878		Commonwealth Bank	150.94	GST

Credit Card Director City Development and Sustainabi 800.78

106879	27/07/2024	MentiMeter	220.57	Consultation Software subscription
106879	27/07/2024	MentiMeter	5.51	Consultation Software subscription
106879	18/07/2024	Woolworths	48.20	EOFY Team building BBQ
106879	18/07/2024	Woolworths	324.93	EOFY Team building BBQ
106879	17/07/2024	Coles	41.50	Team Awards
106879	17/07/2024	Coles	151.10	Team Awards
106879		Commonwealth Bank	8.97	GST

Credit Card Chief Executive Officer 8,333.56

106880	11/07/2024	HGC Hotels Group Brisbane	7,548.27	Hotel Grand Chancellor Brisbane - Management Challenge
106880	09/07/2024	ChatGPT Subscription	29.72	Monthly Subscription for Open AI Chat GP
106880	09/07/2024	Commonwealth Bank	0.74	Commonwealth Bank
106880		Commonwealth Bank	754.83	GST

Credit Card Executive Assistant 1,197.17

106881	15/07/2024	Dynamic Gift	1,067.00	Commemorative Coins for PSWMA trip
106881	15/07/2024	Dynamic Gift	23.47	Commemorative Coins for PSWMA trip
		Commonwealth Bank	106.70	GST

Credit Card Manager Customer and Communications 1,055.99

106882	31/07/2024	Facebook	89.65	International Coworking day
106882	31/07/2024	Facebook	100.00	Business Meet Up
106882	31/07/2024	Facebook	72.22	Council Plan
106882	31/07/2024	Facebook	50.00	Behrooz Native Garden
106882	31/07/2024	Facebook	30.00	Netball Knowledge
106882	31/07/2024	Facebook	204.70	Rates/Budget 2024
106882	31/07/2024	Facebook	22.31	Face out the front of Darius?
106882	31/07/2024	Facebook	24.15	Find Your Fit
106882	31/07/2024	Facebook	99.93	Litter and Illegal Dumping
106882	31/07/2024	Facebook	20.00	Love where you live workshop
106882	14/07/2024	Open AI	29.63	Chat GPT subscription
106882	14/07/2024	Commonwealth Bank	0.74	Commonwealth Bank

106882	08/07/2024	Mail Chimp	197.74	Email marketing software
106882	05/07/2024	Typeform	57.48	Subscription - advance form module
106882	05/07/2024	Commonwealth Bank	1.44	Commonwealth Bank
106882	04/07/2024	WA News	25.45	West Australian Newspaper subscription
106882	01/08/2024	WA News	25.45	West Australian Newspaper subscription
106882		Commonwealth Bank	5.10	GST

Credit Card Coordinator Engagement and Place 238.50

106883	31/07/2024	One Plan	103.06	Monthly charge for the Event Site Map
106883	31/07/2024	One Plan	2.58	Monthly charge - Event Site Map
106883	25/07/2024	One Plan	19.63	Reactivation charge for the Event Site
106883	25/07/2024	One Plan	0.49	Reactivation charge for the Event Site
106883	13/07/2024	Uber Eats	31.55	Personal Payment (payment has been made)
106883	10/07/2024	Red Dot	13.64	Supplies for Parks for People Event
106883	10/07/2024	Bunnings	33.35	Supplies for Parks for People Event
106883	10/07/2024	Big Bubble Retail	26.82	Supplies for Parks for People Event
106883		Commonwealth Bank	7.38	GST

Credit Card Manager - Economic Development & Advocac 1,141.49

106884	23/07/2024	Rockingham Kwinana CC	299.08	2 x Tickets Regional Business Awards
106884	23/07/2024	Dome Kwinana	24.00	Business Meet Up
106884	19/07/2024	Winmar Enterrprises	500.00	Welcome to Country April Business Breakfast
106884	05/07/2024	The Reject Shop	32.27	Storage containers & cleaning product
106884	05/07/2024	Big W	145.00	Storage containers & stationery
106884	04/07/2024	Wilson Parking	7.36	Parking - Business Foundations meeting
106884	03/07/2024	Economic Development Austra	30.00	Networking event
106884		Commonwealth Bank	103.78	GST

Credit Card Perth South Metro Alliance Director 27,224.60

106885	31/07/2024	Embassy Suites San Deigo	11,099.80	US Accommodation - PSWMA US Delegation
106885	31/07/2024	Intl Transaction Fee	277.50	US Accommodation - PSWMA US Delegation
106885	31/07/2024	Go Airlink New York	1,004.96	Airport tranfers - New York - US Delegation
106885	31/07/2024	Intl Transaction Fee	25.12	Airport tranfers - New York - US Delegation
106885	30/07/2024	Totally Workwear Fremantle	385.50	PSWMA Polo shirts - US Delegation
106885	30/07/2024	E Central Hotel La	5,368.22	US Accommodation - PSWMA US Delegation
106885	30/07/2024	Intl Transaction Fee	134.21	US Accommodation - PSWMA US Delegation
106885	29/07/2024	Hampton Embassy Suites	3,007.36	US Accommodation - PSWMA US Delegation
106885	29/07/2024	Intl Transaction Fee	75.18	US Accommodation - PSWMA US Delegation
106885	28/07/2024	US Customs	32.15	US Visa ESTA Application

106885	28/07/2024	Intl Transaction Fee	0.80	US Visa ESTA Application
106885	28/07/2024	Elite Motion	3,498.16	LA Transfers - PSWMA US Delegation
106885	28/07/2024	Intl Transaction Fee	87.45	LA Transfers - PSWMA US Delegation
106885	22/07/2024	City Of Perth Parking	6.95	Parking for Minister Beazley meeting
106885	15/07/2024	Friends Highline	74.06	Deposit for Highline Tour - PSWMA US Delegation
106885	15/07/2024	Intl Transaction Fee	1.85	Deposit for Highline Tour - PSWMA US Delegation
106885	15/07/2024	Hampton Embassy Suites	1,140.57	US Accommodation - PSWMA US Delegation
106885	15/07/2024	Intl Transaction Fee	28.51	US Accommodation - PSWMA US Delegation
106885	15/07/2024	Winnies Bakehouse	113.60	Catering - PSWMA Meeting with ASA & PSWMA
106885	15/07/2024	Winnies Bakehouse	60.04	Catering - PSWMA Meeting with ASA & PSWMA
106885	01/08/2024	Xero	31.82	SWCDF - Accounting Software
106885	01/07/2024	Planning Institute	651.82	PIA Subscription
106885			118.97	GST

Credit Card Coordinator Community Services & Partner			3,596.97	
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106886	31/07/2024	Royal life saving society A	107.38	Annual subscription
106886	31/07/2024	Powerplay	433.64	Arclight excursion
106886	31/07/2024	Miss Maud	82.95	Arclight lunch
106886	31/07/2024	Cockburn Ice Skating	115.00	Arclight excursion
106886	31/07/2024	IGA Canning	52.99	Arclight catering
106886	31/07/2024	IGA Canning	5.70	Arclight catering
106886	30/07/2024	Milky Lane	2.58	Arclight excursion - credit card surcharge
106886	30/07/2024	Ifly	72.73	Arclight excursion
106886	30/07/2024	Zone Bowling	161.18	Arclight excursion
106886	30/07/2024	Zone Bowling	13.64	Arclight excursion
106886	30/07/2024	Zone Bowling	26.82	Arclight excursion
106886	29/07/2024	Pasta Cup	65.36	KYAC dinner for young people
106886	29/07/2024	TreeTop Adventures Dwelling	357.27	Arclight excursion
106886	29/07/2024	City of Perth	8.92	Arclight excursion
106886	29/07/2024	Milky Lane	156.55	Arclight excursion
106886	25/07/2024	Department of Justice	55.00	Kwinana Youth Services paperwork
106886	25/07/2024	Department of Transport	33.30	Kwinana Youth Services paperwork
106886	25/07/2024	Department of Justice	55.00	Kwinana Youth Services paperwork
106886	24/07/2024	TreeTop Adventures Dwelling	556.36	Zone October School Holidays Program
106886	24/07/2024	Zone Bowling	65.09	Arclite excursion
106886	23/07/2024	Wembley Golf Course	100.00	Gift card for staff recognition
106886	23/07/2024	Cockburn Ice Skating	325.45	Zone October School Holidays Program
106886	19/07/2024	South Metro Tafe Thornlie	71.59	Kwinana Youth Services Client Tafe cours
106886	19/07/2024	Netflix	17.26	Netflix subscription for Zone Drop In
106886	19/07/2024	Zone Bowling	304.36	Zone October School Holidays Program

106886	00/01/1900	McDonalds	12.02	Arclight Breakfast
106886	00/01/1900	McDonalds	60.30	Arclight Breakfast
106886		Commonwealth Bank	278.53	GST

Grand Total: \$ **59,407.24**



Payment Listing

Payments made between 01-Aug-2024 and 31-Aug-2024

Creditor No	Payee	Description	Amount
Cheques			
Cheques 22-Aug-2024			
10537	City Of Kwinana - Pay Cash	Petty Cash Reimbursement	167.05
Total Cheques			167.05
EFT			
EFT 01-Aug-2024			
12563	A G & P F Mcwhirter Family Trust	Fuel, Oil, Additives	1,435.28
10735	AC Cooling Services	Airconditioning/Refrigeration Maintenance	460.00
10334	Accord Security Services (Perth Security)	Security Services	6,064.51
10983	Alinea Inc	Subscriptions - Inter Loan WA State Library Service	8,148.62
11797	Always Property Maintenance	Facility Maintenance	7,733.00
10848	ALSCO Pty Ltd	Linen hire	71.01
10382	Apace Aid (Inc)	Gardening - Plants/Supplies	300.20
12453	Aussie Broadband Ltd	Phone/Internet expenses	873.76
11355	Australian HVAC Services Pty Ltd	Airconditioning/Refrigeration Maintenance	2,701.38
12345	Australian Library & Info Assoc	Employee Training/professional development	25.00
10450	Blackwoods Pty Ltd	Safety Clothing/Equipment/Uniforms	76.09
11277	Bliss Momos Cafe & Restaurant Pty Ltd	Catering	945.00
10400	Bunnings Building Supplies	Hardware	2,175.82
11312	Burson Automotive Pty Ltd	Plant Repairs and Maintenance	73.43
11922	ChoiceOne Pty Ltd	Human Resources/Payroll	2,772.69
10761	Complete Office Supplies Pty Ltd	Stationery	546.07
12201	C-Twelve Pty Ltd	Building construction	638.00
12286	Donald Hospitality Pty Ltd	Catering	185.00
10961	Ecospill Pty Ltd	Plant Repairs and Maintenance	87.23
10870	Elxacom	Electrical Services	9,024.56
11680	Galaxy 42 Pty Ltd (Attura)	Provision of Consulting Services	1,870.00
10124	Good Samaritan Industries	Event expenses	180.40
11989	Gordon Smith	Performers/Entertainment	300.00
10441	Green Skills Inc / Ecojobs Environmental Personnel	Labour/Personnel Hire	3,545.76
10446	Heatley Sales Pty Ltd	Safety Clothing/Equipment/Uniforms	76.91
10579	Host Direct	Catering	105.60
10305	Iconic Property Services Pty Ltd	Cleaning Services for all buildings	68,338.29
10879	Isentia Pty Limited	Advertising/Marketing Expenses	864.88
11477	Kadeklerk Photography (Wildfolie)	Photography/Videography	756.00
11753	KAGE Systems	Plant Repairs and Maintenance	1,011.15
12311	Katharina Brieden	Computer Repairs	499.80
10729	Kennards Hire Rockingham - Generator Branch	Plant/Equipment Hire	270.80
10464	Kwinana South Bush Fire Brigade	Hazard Reduction burning	731.90
11687	Larrikin House Pty Ltd	Books/CDs/DVDs	380.00
10731	LD Total	Maintenance of Streetscapes/Landscapes	4,557.52
11168	Living Turf	Turf Maintenance	412.50
11313	Mackie Plumbing and Gas Pty Ltd	Plumbing Services	2,935.50
10475	Major Motors	Plant Repairs and Maintenance	2,238.16
10813	Master Lock Service	Locksmith Services	732.00
12585	Michelle Ezzy	Performers/Entertainment	345.00
10635	Modern Teaching Aids Pty Ltd	Books/CDs/DVDs	654.34
10717	MRP General Pest/Termite Division 43 07	Pest Control	601.82
10881	Multispares Ltd	Plant Repairs and Maintenance	629.27
11024	Natsales Advertising Pty Ltd	Advertising/Marketing Expenses	193.00
10573	Officeworks BusinessDirect	Stationery	20.00
10149	Our Community Pty Ltd	Community Workshops/Facilitation - Smarty Grants	13,750.00
11209	Outback Handyman	Facility Maintenance	1,343.10
10486	Paint Industries	Facility Maintenance	1,185.10
11522	Palm Lakes Garden and Landscape Services	Maintenance of Streetscapes/Landscapes	1,525.00
10792	PAV Sales & Installations	Projector for Koorliny	26,744.69
11035	People Solutions Australasia Pty Ltd	Human Resources/Payroll	165.00
10339	Play Check	Playground and Parks Equipment/Inspections/Repairs	605.00
11297	Portner Press Pty Ltd (Workforce Administration)	Human Resources/Payroll	945.00
12400	Pretzos Holding P/L	Mower Parts & Repairs	82.80
10493	RAC Motoring Pty Ltd t/a RAC Business Wise	Fleet management	258.00
11869	Robinsons Welding Group P/L	Welding Equipment/Supplies	438.90
10500	Rockingham Betta Electrical & Gas	Electrical Goods	498.00
11154	Rockingham Toyota	Vehicle Purchase -RAV4	26,093.90
10505	Satellite Security Services	Security Services	1,278.75
10068	SMW&C	Requatic Expenses - Hydro chiller	10,230.00
10491	Sonic Health Plus	Medical Examinations	305.80
10766	Spotlight Pty Ltd	Event expenses	361.25
10520	St John Ambulance Australia (WA) Inc	Employee Training/professional development	185.84
10442	StrataGreen	Maintenance of Streetscapes/Landscapes	2,591.82
99999	Sundry EFT	Rates and Cross over subsidies Refunds	9,379.12
10600	Synergy	Utilities	309.77
10745	T J Depiazzi & Sons	Gardening - Plants/Supplies	4,958.25
10025	TAFE NSW	Employee Training/professional development	1,815.00
10684	Tangent Nominees Pty Ltd T/As Summit Homes Group	Refund of Construction Training Fund fees	690.86
12575	The Factory (Australia) P/L	Signage - Christmas Styling - Deposit for Christmas lights	3,547.50
11947	Thorn Creative	Performers/Entertainment	1,176.00
10873	Total Green Recycling	Waste removal/services/fees	1,480.42
10815	Totally Workwear Rockingham	Safety Clothing/Equipment/Uniforms	158.05
10540	Trophy Specialists	Facility Maintenance	514.51
10547	WA Hino Sales & Service	Fleet management	931.85
10551	Water Corporation of Western Australia	Utilities	3,308.02
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Creditor No	Payee	Description	Amount
10554	Westbooks	Books/CDs/DVDs	162.47
10640	Wilson Security Pty Ltd	Security Services	1,076.34
10422	Winc Australia Pty Ltd	Stationery - various areas	2,073.95
11605	Woolworths Group Open Pay	Groceries - Catering expenses	1,156.68
10561	Wurth Australia Pty Ltd	Tools/Tool Repairs	36.37
10842	Zenien Pty Ltd T/as ATFT Astuta Trust	Records Storage/Retrieval	1,024.95
EFT 08-Aug-2024			
12595	A Blanck Canvas Pty Ltd	Performers/Entertainment - OMG Festival	35,750.00
10680	AAA Blinds Port Kennedy	Facility Maintenance	812.00
10613	ABCO Products	Cleaning Products	1,164.43
12552	ABN Residential WA T/A	Refund of bond	2,000.00
10369	Absolute Painting Services	Painting Contractor	4,625.50
10372	ADH Fencing	Fencing maintenance	319.00
12574	Adrian McDonald	Audio Equipment Repairs	440.00
10272	Agrimate Fencing	Fencing maintenance	495.00
12532	Alajbeg, Adrian Mathew	Community Workshops/Facilitation	2,000.00
12335	All Flags and Signs Pty Ltd	Advertising/Marketing Expenses	2,557.50
11848	All Good Grub	Catering - Citizenship catering	2,974.40
10226	Aquarius Technologies Pty Ltd	Security Services	3,910.50
12534	ARRB Group Ltd	Provision of Consulting Services	995.00
11595	Asbestos Masters WA	Waste removal/services/fees	440.00
11171	Auscontact Association Limited	Membership Fee	740.00
10891	Australia Post General	Postage	1,141.17
11211	Australian Institute of Business Pty Ltd	Employee Training/professional development	4,485.00
10004	Australian Services Union	Union Membership	178.91
10001	Australian Taxation Office	Taxation	223,727.00
11010	Baldivis Transport Pty Ltd	Courier Service/transportation/removalist	185.00
10597	Beaver Tree Services Aust Pty Ltd	Tree Pruning/Removal/Clearance/Watering	39,581.52
12604	Before You Dig Australia Limited	Membership Fee	330.00
10750	BGC (Australia) Pty Ltd	Roadworks/upgrades/asphalt	635.36
10450	Blackwoods Pty Ltd	Safety Clothing/Equipment/Uniforms	69.87
80128	Brett Cammell	Staff reimbursements	70.14
10418	BullAnt Security Pty	Locksmith Services	347.10
10400	Bunnings Building Supplies	Hardware	1,089.12
11312	Burson Automotive Pty Ltd	Plant Repairs and Maintenance	634.70
10005	Child Support Agency	Child Support Agency Payments	932.85
11922	ChoiceOne Pty Ltd	Human Resources/Payroll	1,542.21
80080	Christopher Wells	Staff reimbursements	96.32
12579	Cindy Ballard	Provision of Consulting Services	150.00
10006	City of Kwinana - Xmas fund	City of Kwinana Christmas Saver	6,380.00
10704	Commercial Aquatics Australia	Requatic Expenses	4,277.39
10761	Complete Office Supplies Pty Ltd	Stationery	1,015.57
10740	Data #3 Limited	Membership Fee	851.73
11014	Department of Mines, Industry Regulation and Safety (DMIRS)	Building and Energy - Building Services Levy	40,192.31
10426	Department of Transport	Vehicle Ownership Searches	118.80
12454	Dinh Diem Phuong	Catering - Medina Meets Activation	180.00
12286	Donald Hospitality Pty Ltd	Catering - Walgen event	2,085.00
12580	Doris Getta	Provision of Consulting Services	150.00
10607	Dye & Durham - GlobalX Information Services P/L	Provision of Consulting Services	142.09
80129	Eddie Ma	Staff reimbursements	98.39
10432	EJ's Mini Excavator	Plant/Equipment Hire	1,633.50
10870	Elexacom	Electrical Services	8,645.91
10978	Envirosweep	Maintenance of Streetscapes/Landscapes	26,061.75
10912	Exit Waste	Facility Maintenance	704.00
12279	Expo Signage & Digital P/L	Advertising/Marketing Expenses	2,082.22
10972	Fire And Safety Australia Pty Ltd	Safety Clothing/Equipment/Uniforms	1,400.00
80088	Fran Windon	Staff reimbursements	30.00
12559	Future Forward Cooperative Limited	Phone/Internet expenses	1,980.00
11680	Galaxy 42 Pty Ltd (Attura)	Provision of Consulting Services	26,635.13
11870	Granicus Australia Pty Ltd	EHQ Engagement annual subscription	32,390.15
12243	Gravity Discovery Centre Foundation Inc.	Event expenses	450.00
10582	Hames Sharley Pty Ltd	Professional Fees - Kwinana City Centre precinct plan	15,477.00
10007	Health Insurance Fund of WA (HIF)	Health Insurance Fund of WA (HIF)	395.50
10077	Home Group WA	Sundry EFT - Bond refund	2,000.00
11244	i2C Design & Management	Engineering Design Works	3,300.00
11641	Illion Australia Pty Ltd	Advertising/Marketing Expenses	74.80
10855	Imagesource Digital Solutions	Printing/Graphic Design Expenses	1,590.60
11943	Inkspot Printing	Printing/Graphic Design Expenses	599.50
12429	Iru & Yug Pty Ltd	Catering - Huskee Cup and various events	429.82
10879	Isentia Pty Limited	Advertising/Marketing Expenses	864.88
10621	Ixom Operations Pty Ltd	Cleaning Products	1,247.40
11547	Jax Tyres Kwinana	Plant Repairs and Maintenance	275.00
10753	Jaycar Pty Ltd	Plant Repairs and Maintenance	135.80
12339	Jenga Pty Ltd	Facility Maintenance	123.70
10452	Jtagz Pty Ltd	Animal Services	2,770.08
80087	Kim Logue	Staff reimbursements	65.00
10571	Kyocera Document Solutions Australia Pty Ltd	Photocopy Expenses	1,829.98
10731	LD Total	Maintenance of Streetscapes/Landscapes	67,815.34
10470	Leisure Institute of WA (Aquatics)	Requatic Expenses - Conference for Staff	5,627.50
10003	LGRCEU	Union Membership	493.35
11976	Lifespan Dance	Performers/Entertainment	450.00
10472	Local Government Professionals Australia WA	Subscriptions	680.00
10011	Lo-Go Appointments	Labour/Personnel Hire	2,370.07

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Creditor No	Payee	Description	Amount
11313	Mackie Plumbing and Gas Pty Ltd	Plumbing Services	9,211.52
10475	Major Motors	Plant Repairs and Maintenance	133.33
10200	Marianne MacKay Headland	Professional Fees	150.00
10813	Master Lock Service	Locksmith Services	2,064.00
12267	Matrix Productions Australia Pty Ltd	Performers/Entertainment	1,100.00
10367	Maxxia Pty Ltd	Novated Leases	1,820.18
10156	McIntosh & Son	Hardware	1,782.00
12541	Michael R Ward	Survey Expenses	3,200.00
12543	Noah Technologies P/L	Advertising/Marketing Expenses	2,055.00
10484	Oakford Agricultural & Garden Supplies	Hardware	790.00
12002	Omnicom Media Group Aust P/L	Advertising/Marketing Expenses	1,156.67
11896	Otium Planning Group	Professional service -Business case Recquatic & Zone	27,984.00
11209	Outback Handyman	Facility Maintenance	2,127.40
11928	OverDrive Australia Pty Ltd	Computer Software Maintenance/equipment	5,000.00
10486	Paint Industries	Facility Maintenance	398.96
11589	Parkin Print	Printing/Graphic Design Expenses	1,083.50
10487	Parks And Leisure Australia	Professional development - PLAWA 2024 State Conference	15,479.20
12581	Paul Kevin Garlett	Welcome to Country	150.00
12557	Paul Manuel Basilio	Performers/Entertainment	1,000.00
11035	People Solutions Australasia Pty Ltd	Human Resources/Payroll	165.00
12146	Perth Energy P/L	Utility Service Locations	12,762.05
11019	Planning Institute of Australia Pty Ltd	Provision of Consulting Services	670.00
12150	Poolshop Online P/L	Recquatic Expenses	738.65
12400	Pretzos Holding P/L	Mower Parts & Repairs	181.35
10824	Programmed Property Services Pty Ltd	Mowing and Pruning - Callistemon and Banksia	14,998.87
11290	Red Oxygen Pty Ltd	Software Maintenance and Professional Fees	45.32
11060	Rosie O Entertainment Pty Ltd	Performers/Entertainment	770.00
10503	Royal Life Saving Society	Recquatic Expenses	175.00
12361	Sally Anne Bickford	Catering - Morning Melody Koorliny	655.00
12562	Showtools International P/L	Event expenses	526.20
10491	Sonic Health Plus	Medical Examinations	548.90
11148	Southern Quickscares	Maintenance of Streetscapes/Landscapes	28,210.84
10766	Spotlight Pty Ltd	Event expenses	221.15
10520	St John Ambulance Australia (WA) Inc	Employee Training/professional development	361.00
11382	Standards Australia Limited	Subscriptions	1,311.24
99999	Sundry EFT	Sundry EFT Rates, Bond refunds	4,897.00
12504	Sweets On The Run Pty Ltd	Catering - Council event	1,000.00
12594	Sydney Maguire	Building construction	138.00
11981	Sydney Tools Pty Ltd	Tools/Tool Repairs	5,358.94
10600	Synergy	Utilities	197,577.03
10572	Taylor Tyres Pty Ltd	Plant Repairs and Maintenance	728.20
10532	Team Global Express	Courier Service/transportation/removalist	128.21
10526	Telstra Limited	Phone/Internet expenses	26,822.43
11021	TenderLink	Advertising/Marketing Expenses	431.20
12575	The Factory (Australia) P/L	Signage Dazzle at Darius lights	19,250.00
12269	TicketSearch Pty Ltd	Event expenses	16.01
12578	TLS-Boca Systems Asia-Pac P/L	Performers/Entertainment	1,085.70
10534	Total Eden Pty Ltd (Nutrien Water)	Reticulation Parts & Repairs	1,621.29
12599	TPG Network Pty Ltd	Phone/Internet expenses	2,201.40
12529	Trustee for The Narasimha Swamy Family	Security Services	1,121.66
10551	Water Corporation of Western Australia	Utilities	2,521.00
12241	West Coast Spring Water Pty Ltd	Water/delivery	129.50
10554	Westbooks	Books/CDs/DVDs	1,180.95
10548	Western Australian Local Government Association	Employee Training/professional development	660.00
11970	Wildeye Monitoring	Camera Equipment	150.70
10422	Winc Australia Pty Ltd	Stationery	1,511.99
10072	Woolworths Group Online	Groceries - Catering expenses	1,358.21
11605	Woolworths Group Open Pay	Groceries - Catering expenses	641.81
10610	ZircoData Pty Ltd	Records Storage/Retrieval	1,176.95
EFT 09-Aug-2024			
10008	SuperChoice	Superannuation contribution	153,689.50
EFT 14-Aug-2024			
11927	Fiona Jayne Grieves	Staff reimbursements	321.23
80128	Brett Cammell	Staff reimbursements	717.00
80088	Fran Windon	Staff reimbursements	18.00
80132	Shae Mann	Staff reimbursements	38.20
EFT 15-Aug-2024			
10383	AAA Asphalt Surfaces	Roadworks/upgrades/asphalt	2,750.00
10613	ABCO Products	Cleaning Products	127.78
12552	ABN Residential WA T/A	Building construction - Bond refunds	6,000.00
10846	Adventure 4 x 4 Pty Ltd	Fleet management	242.00
11017	Air Liquide Australia	Recquatic Expenses	58.56
10848	ALSCO Pty Ltd	Linen hire	70.28
11157	Apple Pty Ltd	Computer Hardware	503.80
12453	Aussie Broadband Ltd	Phone/Internet expenses	570.00
10342	Axios Consulting Services Pty Ltd	Professional Fees - One Council	12,398.85
11145	Beards Security Doors and Awnings	Facility Maintenance	2,885.00
10597	Beaver Tree Services Aust Pty Ltd	Tree Pruning/Removal/Clearance/Watering	2,217.93
10764	Boffins Bookshop Pty Ltd	Books/CDs/DVDs	96.12
10400	Bunnings Building Supplies	Hardware	465.95
11312	Burson Automotive Pty Ltd	Plant Repairs and Maintenance	2,451.09
10114	Cabcharge Payments Pty Ltd	Taxi Fares	579.26
10404	Cannon Hygiene Australia Pty Ltd	Cleaning Services	2,438.08

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Creditor No	Payee	Description	Amount
10485	Canon Production Printing Australia	Photocopy Expenses	1,931.42
10805	Centrecare	Human Resources/Payroll	1,870.00
10204	CFW Australia (Earthsides Eco Bums)	Community Workshops/Facilitation	550.00
11922	ChoiceOne Pty Ltd	Human Resources/Payroll	2,214.88
10414	City of Rockingham	Waste removal/services/fees	160,142.64
10730	Cleverpatch Pty Ltd	Books/CDs/DVDs	89.59
10704	Commercial Aquatics Australia	Recreatic Expenses	880.00
12402	Crommelin Air & Power P/L	Plant/Equipment Hire	499.95
12286	Donald Hospitality Pty Ltd	Catering	421.00
10649	Downer EDI Works Pty Ltd	Roadworks/upgrades/asphalt	352.37
11246	Dowsing Group Pty Ltd	Roadworks/upgrades/asphalt	3,420.44
10870	Elexacom	Electrical Services	6,039.37
10978	Envirosweep	Maintenance of Streetscapes/Landscapes	1,002.38
10437	Fire & Emergency Services, Dept of	Emergency Services Levy	6,980.00
11680	Galaxy 42 Pty Ltd (Attura)	Provision of Consulting Services	1,860.10
10441	Green Skills Inc / Ecojobs Environmental Personnel	Labour/Personnel Hire	3,545.76
10691	HECS Fire	Fire Equipment/Service	98.92
10077	Home Group WA	Sundry EFT - Bond refund	2,000.00
12617	HUG Group (WA) Pty Ltd	Building construction - Bond refunds	4,000.00
11783	HWL Ebsworth Lawyers	Legal Expenses	2,006.40
10305	Iconic Property Services Pty Ltd	Cleaning Services	100.00
10855	Imagesource Digital Solutions	Printing/Graphic Design Expenses	159.50
10739	Industrial Roadpavers (WA) Pty Ltd	Roadworks/upgrades/asphalt	81,594.59
10621	Ixom Operations Pty Ltd	Cleaning Products	121.40
10086	Jane Li Art (Xiuzhen Li)	Recreatic Expenses	600.00
11753	KAGE Systems	Plant Repairs and Maintenance	1,682.20
10725	Kelyn Training Services	Employee Training/professional development	180.00
11344	Kits for Cars	Plant Repairs and Maintenance	880.00
11006	Landscape and Maintenance Solutions	Mowing and Pruning	18,519.10
10731	LD Total	Maintenance of Streetscapes/Landscapes	100,333.19
11976	Lifespan Dance	Performers/Entertainment	300.00
11005	Links Modular Solutions	Software Maintenance and Professional Fees	8,082.28
10727	Local Government Planners Association WA Division	Membership Fee	600.00
10011	Lo-Go Appointments	Labour/Personnel Hire	1,918.62
11313	Mackie Plumbing and Gas Pty Ltd	Plumbing Services	7,664.45
10475	Major Motors	Plant Repairs and Maintenance	1,460.64
10813	Master Lock Service	Locksmith Services	2,180.00
12584	McLeods Lawyers Pty Ltd	Legal Expenses	893.09
10261	Mums with Prams Fitness	Community Workshops/Facilitation	4,000.00
11674	Murray Forrest Friends Pty Ltd	Community Engagement	550.00
10639	Natural Area Consulting Management	Drainage Maintenance	1,672.00
12099	Oracle Customer Management Solutions	Phone/Internet expenses	2,037.83
12588	Outatime Pictures	Photography/Videography	750.00
11209	Outback Handyman	Facility Maintenance	3,699.30
10487	Parks And Leisure Australia	Employee Training/professional development	160.00
11019	Planning Institute of Australia Pty Ltd	Provision of Consulting Services	485.00
11225	Pool Robotics Perth	Recreatic Expenses	303.10
12150	Poolshop Online P/L	Recreatic Expenses	391.05
10425	Porter Consulting Engineers	Engineering Design Works	3,005.75
10864	Priority 1 Fire & Safety Pty Ltd	Fire Equipment/Service	1,320.00
10995	Purearth	Maintenance of Streetscapes/Landscapes	15,024.90
11846	Reads West Coast Maintenance Pty Ltd	Facility Maintenance	268.03
11183	Reconciliation WA	Community Grants/Funding	1,699.50
11869	Robinsons Welding Group P/L	Welding Equipment/Supplies	702.90
10500	Rockingham Betta Electrical & Gas	Electrical Goods	1,099.00
12601	RTV Computers Pty Ltd	Computer Hardware - Samsung mobile devices	63,195.00
10505	Satellite Security Services	Security Services	401.50
10491	Sonic Health Plus	Medical Examinations	535.70
11233	Sound Cabinets P/L	Facility Maintenance - Callistemon unit cabinets	10,197.00
10280	Source Separation Systems Pty Ltd	Waste removal/services/fees	1,341.68
11148	Southern Quickscapes	Maintenance of Streetscapes/Landscapes	3,887.86
10519	Sportsworld Of WA	Recreatic Expenses	110.00
10520	St John Ambulance Australia (WA) Inc	Employee Training/professional development	141.00
11201	Strategic DCP Consulting	Professional Fees	1,047.86
99999	Sundry EFT	Bond refund , Crossovers , Rates refunds	170,686.84
10207	Surefire Protection P/L	Fire Equipment/Service	242.00
10623	Technology One Limited	Technology/One SaaS Platform Fee/Consulting	16,191.85
10526	Telstra Limited	Phone/Internet expenses	6,982.23
12177	The Trustee Tan Family Trust	Computer Software Maintenance/equipment	80.00
10958	thinkproject Australia Pty Ltd	Software Maintenance and Professional Fees	13,700.12
12173	Toddville Prospecting Pty Ltd	Planning and Building Fees	6,828.80
11400	Tomlinson Energy Service	Electrical Services	1,067.03
10786	Tony Aveling & Associates Pty Ltd	Employee Training/professional development	1,089.00
10541	Truck & Car Panel & Paint	Plant Repairs and Maintenance	500.00
12596	Trustee for The Beal Family Trust	Photography/Videography	313.50
12529	Trustee for The Narasimha Swamy Family	Security Services	2,109.82
12487	Vedaz Group P/L	Plant/Equipment Hire	10,784.13
10599	Veolia - Recycling and Recovery P/L	Waste removal/services/fees	241,905.93
11009	Vocus Communications	Phone/Internet expenses	2,271.50
11932	West Sure Group P/L	Security Services	681.84
11149	Wheelee Clean	Cleaning Services	642.03
10422	Winc Australia Pty Ltd	Stationery	1,501.45
10072	Woolworths Group Online	Groceries - Catering expenses	369.36

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Payments made between 01-Aug-2024 and 31-Aug-2024

Creditor No	Payee	Description	Amount
11605	Woolworths Group Open Pay	Groceries - Catering expenses	2,306.12
12281	Workwear & Safety Solutions P/L	Safety Clothing/Equipment/Uniforms	887.21
10561	Wurth Australia Pty Ltd	Tools/Tool Repairs	1,286.58
EFT 22-Aug-2024			
11874	Willem Barend De Klerk	Staff reimbursements	20.80
10046	3 Monkeys Audiovisual	Audio Equipment Repairs	307.89
10735	AC Cooling Services	Airconditioning/Refrigeration Maintenance	2,583.90
80051	Alicia Mangalavite	Staff reimbursements	87.73
10848	ALSCO Pty Ltd	Linen hire	140.62
10889	Alyka Pty Ltd	Printing/Graphic Design Expenses	3,657.50
12603	Angela Ferolla	Community Workshops/Facilitation	3,000.00
12453	Aussie Broadband Ltd	Phone/Internet expenses	853.15
11355	Australian HVAC Services Pty Ltd	Airconditioning/Refrigeration Maintenance	4,704.89
10004	Australian Services Union	Union Membership	178.91
10001	Australian Taxation Office	Taxation	224,487.00
10450	Blackwoods Pty Ltd	Safety Clothing/Equipment/Uniforms	590.18
11975	Broderick & Associates	Consultancy Services - NRM services	10,639.37
10418	BullAnt Security Pty	Locksmith Services	326.50
10400	Bunnings Building Supplies	Hardware	2,539.56
11312	Burson Automotive Pty Ltd	Plant Repairs and Maintenance	330.00
10854	Castrol Lubricants	Fuel, Oil, Additives	2,432.93
10356	ChemCentre	Environmental and Health	478.28
10005	Child Support Agency	Child Support Agency Payments	925.28
11922	ChoiceOne Pty Ltd	Human Resources/Payroll	4,762.76
10006	City of Kwinana - Xmas fund	City of Kwinana Christmas Saver	6,380.00
10414	City of Rockingham	Waste removal/services/fees	2,643.20
12288	City of Wanneroo	Waste removal/services/fees	2,554.53
10761	Complete Office Supplies Pty Ltd	Stationery	793.99
10675	Daniels Printing Craftsmen	Printing/Graphic Design Expenses	737.00
12639	Deb Hamblin	Provision of Consulting Services	1,277.10
10773	Display Me	Recquatic Expenses	334.17
10168	Easifleet	Novated Leases	35,064.82
10870	Elxacom	Electrical Services	16,642.40
12618	EnvisionWare Aust P/L	Software Maintenance and Professional Fees	12,648.15
10433	Enzed Fremantle	Plant Repairs and Maintenance	381.87
10121	Europcar WA	Fleet management	323.58
11842	Fatal FX Panel and Paint	Plant Repairs and Maintenance	500.00
10972	Fire And Safety Australia Pty Ltd	Safety Clothing/Equipment/Uniforms	2,100.00
10319	Fire Rescue Safety Australia Pty Ltd	Fire Equipment/Service	220.94
12621	Footprint WA Pty Ltd	Printing/Graphic Design Expenses	154.00
10940	Frontline Fire and Rescue Equipment	Safety Clothing/Equipment/Uniforms	336.60
12638	Gail Bowman	Provision of Consulting Services	1,227.10
11680	Galaxy 42 Pty Ltd (Attura)	Provision of Consulting Services	11,550.00
12635	Glen Dougall	Provision of Consulting Services	1,227.10
10124	Good Samaritan Industries	Event expenses - Recquatic	518.99
11989	Gordon Smith	Performers/Entertainment	300.00
12636	Hannah Fitzhardinge	Provision of Consulting Services	1,227.10
10007	Health Insurance Fund of WA (HIF)	Health Insurance Fund of WA (HIF)	395.50
10447	Hunter Hyden Pty Ltd	Fire Equipment/Service	150.00
12142	Hydroquip Pumps & Pumps Irrigation P/L	Bore Drilling/Maintenance	9,207.02
10591	Institute of Public Works Engineering Australia Limited	Professional Fees	1,210.00
11117	InterFire Agencies	Fire Equipment/Service	1,674.75
80111	Jessica Properjohn	Staff reimbursements	1,288.20
11079	Kompan Playscape	Playground and Parks Equipment/Inspections/Repairs	3,246.10
10624	Konnect	Plant Repairs and Maintenance	648.09
11687	Larrikin House Pty Ltd	Books/CDs/DVDs	210.00
10003	LGRCEU	Union Membership	493.35
12270	Liam Eric Tickner	Audio Equipment Repairs	747.50
12637	Logan Kenneth Howlett	Provision of Consulting Services	1,227.10
10011	Lo-Go Appointments	Labour/Personnel Hire	1,678.80
12522	Luke O'Donohoe	Performers/Entertainment - Medina Mural Pace Rd shops	24,266.00
11313	Mackie Plumbing and Gas Pty Ltd	Plumbing Services	9,933.23
12364	Mantellato , Robert	Electrical Services	2,739.00
10367	Maxxia Pty Ltd	Novated Leases	1,725.59
12634	Michael Parker	Provision of Consulting Services	1,227.10
10717	MRP General Pest/Termite Division 43 07	Pest Control	6,506.97
11674	Murray Forrest Friends Pty Ltd	Community Engagement	550.00
11817	Netsight Consulting Pty Ltd ATF	Subscriptions	1,157.20
11623	Nordic Fitness Equipment	Recquatic Expenses	960.00
11393	Onpoint Strategy & Donna Bates Strategic Consultant	Provision of Consulting Services	550.00
11209	Outback Handyman	Facility Maintenance	7,678.00
10408	Perth Auto Alliance	Fleet management - New vehicles x 2	93,440.92
12146	Perth Energy P/L	Utility Service Locations	79.64
11124	Playmaster Pty Ltd	Playground and Parks Equipment/Inspections/Repairs	2,377.10
10490	Port Printing Works	Printing/Graphic Design Expenses	557.15
11954	Precast Civil Industries Pty Ltd (Civilmart)	Building construction	1,199.00
12400	Pretzos Holding P/L	Mower Parts & Repairs	2,361.00
12611	Pure Environmental WA Pty Ltd	Waste removal/services/fees	4,858.70
11175	QTM Pty Ltd	Traffic Management	1,928.97
12470	RC Vegetation Services Pty Ltd	Fire Equipment/Service - Chipper waste disposal	15,607.78
12565	Relativity Group Pty Ltd	Provision of Consulting Services	5,500.00
10499	Ridleys Towing & Transport	Incursions/Excursions	105.00
11154	Rockingham Toyota	Plant Repairs and Maintenance	440.00

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Payment Listing

Payments made between 01-Aug-2024 and 31-Aug-2024

Creditor No	Payee	Description	Amount
10505	Satellite Security Services	Security Services	12,476.82
11924	Sigma Telford Group (Cromag P/L)	Cleaning Products	189.42
10068	SMW&C	Recquatic Expenses	1,809.50
11233	Sound Cabinets P/L	Facility Maintenance	2,805.00
10520	St John Ambulance Australia (WA) Inc	Employee Training/professional development	2,246.46
11407	State Wide Turf Services	Turf Maintenance	38,225.15
99999	Sundry EFT	Sundry EFT - Bond refund - Crossovers - Rates	4,619.97
12193	Swell Fine Food Catering	Catering - Council meeting	560.00
10600	Synergy	Utilities	7,860.06
10745	T J Depiazzi & Sons	Gardening - Plants/Supplies	4,958.25
10532	Team Global Express	Courier Service/transportation/removalist	57.16
10526	Telstra Limited	Phone/Internet expenses	1,686.52
12280	The Critters Trust	Incursions/Excursions	570.00
11733	The Well Tavern & Bistro	Catering - Events	160.00
10228	Tool Kit Depot	Tools/Tool Repairs	5,705.24
10534	Total Eden Pty Ltd (Nutrien Water)	Reticulation Parts & Repairs	3,099.89
10957	Total Tools Rockingham	Tools/Tool Repairs	426.90
10701	Town of Victoria Park	Professional Fees	447.70
10535	T-Quip	Plant Repairs and Maintenance	1,768.05
12529	Trustee for The Narasimha Swamy Family	Security Services	1,551.55
12600	WA Association of Youth Workers Inc	Employee Training/professional development	2,000.00
10547	WA Hino Sales & Service	Fleet management	351.45
80058	Warwick Carter	Staff reimbursements	1,288.20
10551	Water Corporation of Western Australia	Utilities	885.54
80068	Wayne Jack	Staff reimbursements	1,227.10
12241	West Coast Spring Water Pty Ltd	Water/delivery	207.20
10554	Westbooks	Books/CDs/DVDs	741.78
10559	WH Locations Services Pty Ltd	Utility Service Locations	5,868.57
10422	Winc Australia Pty Ltd	Stationery	232.49
10072	Woolworths Group Online	Groceries - Catering expenses	259.38
11605	Woolworths Group Open Pay	Groceries - Catering expenses	233.91
12281	Workwear & Safety Solutions P/L	Safety Clothing/Equipment/Uniforms	812.23
EFT 23-Aug-2024			
12629	Guidde Knowledge Ltd	Software Maintenance and Professional Fees	32,367.69
10008	SuperChoice	Superannuation contribution	151,662.85
EFT 28-Aug-2024			
11965	Felicity Jayne Townsend	Staff reimbursements	6.50
11914	Jared Bert Veenendaal	Staff reimbursements	12.00
80032	Brian Cameron	Staff reimbursements	109.41
80125	Emma del Pino	Staff reimbursements	273.00
80088	Fran Windon	Staff reimbursements	8.00
80111	Jessica Properjohn	Staff reimbursements	3,000.00
80133	Kan Kwai YU	Staff reimbursements	144.49
EFT 29-Aug-2024			
11997	Adelaide Betty Trent	Tenure refund of Banskia Villa	244,060.13
11520	AE Hoskins Building Services	Cleaning Services - The Zone	6,339.85
10272	Agrimate Fencing	Fencing maintenance	4,345.00
11017	Air Liquide Australia	Recquatic Expenses	109.77
10848	ALSCO Pty Ltd	Linen hire	69.61
12644	Arboricultural Assoc of WA	Employee Training/professional development	539.00
10577	Arteil	Office Furniture	2,436.50
12453	Aussie Broadband Ltd	Phone/Internet expenses	299.00
11355	Australian HVAC Services Pty Ltd	Airconditioning/Refrigeration Maintenance	3,408.72
11676	Barry Charles Winmar	Elected Member Sitting Fees/reimbursements	5,089.17
10450	Blackwoods Pty Ltd	Safety Clothing/Equipment/Uniforms	278.74
11975	Broderick & Associates	Provision of Consulting Services	6,468.00
10418	BullAnt Security Pty	Locksmith Services	413.80
10400	Bunnings Building Supplies	Hardware	1,315.20
11312	Burson Automotive Pty Ltd	Plant Repairs and Maintenance	1,384.77
11922	ChoiceOne Pty Ltd	Human Resources/Payroll	4,291.43
11650	Chourasia Family Trust	Event expenses	250.00
12648	Daniel Simms	Provision of Consulting Services	1,227.10
11072	Datacom Systems (AU) Pty Ltd - WA Division	Software Maintenance and Professional Fees	4,416.61
12220	David Acker	Elected Member Sitting Fees/reimbursements	3,060.15
10426	Department of Transport	Vehicle Ownership Searches	159.25
10649	Downer EDI Works Pty Ltd	Roadworks/upgrades/asphalt	601.12
10166	DS Agencies Pty Ltd	Locksmith Services	2,926.00
10870	Elexacom	Electrical Services	13,696.09
10692	Envirocare Systems Pty Ltd	Plumbing Services	341.00
10978	Envirosweep	Maintenance of Streetscapes/Landscapes	1,821.88
12239	Erin Sergeant	Elected Member Sitting Fees/reimbursements	3,060.15
11840	FiftyFitness	Recquatic Expenses	2,475.00
10972	Fire And Safety Australia Pty Ltd	Safety Clothing/Equipment/Uniforms	2,100.00
10441	Green Skills Inc / Ecojobs Environmental Personnel	Labour/Personnel Hire	4,142.57
10579	Host Direct	Catering	173.80
10053	Integrated ICT	Computer Hardware	1,898.60
12429	Iru & Yug Pty Ltd	Catering	607.00
12421	Isobel Karen Bevis	Performers/Entertainment	938.00
12238	Ivy Penny	Elected Member Sitting Fees/reimbursements	3,060.15
10621	Ixom Operations Pty Ltd	Cleaning Products	1,248.48
10119	Jackson Asphalt	Roadworks/upgrades/asphalt	9,790.00
10885	John Phillips Consulting	Provision of Consulting Services	4,290.00
11477	Kadeklerk Photography (Wildfole)	Photography/Videography	445.00
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Payment Listing

Payments made between 01-Aug-2024 and 31-Aug-2024

Creditor No	Payee	Description	Amount
12647	Katherine Mair	Provision of Consulting Services	1,227.10
10624	Konnect	Plant Repairs and Maintenance	986.50
10427	Landgate	Title Searches/Valuations	31.60
10731	LD Total	Maintenance of Streetscapes/Landscapes	3,531.23
10195	Left Back Consulting Pty Ltd	Provision of Consulting Services - Data migration	24,369.20
12605	Local Government Supervisors Assoc	Employee Training/professional development	1,100.00
11313	Mackie Plumbing and Gas Pty Ltd	Plumbing Services	4,160.55
11351	Mailing Solutions Pty Ltd	Printing of Rates notices	15,015.27
11039	Manfred Surveys	Survey Expenses	4,125.00
12364	Mantellato , Robert	Electrical Services	3,701.50
12530	Martins Environmental Services Pty Ltd	Weed control various areas	37,367.00
10813	Master Lock Service	Locksmith Services	310.00
11046	Matthew James Rowse	Elected Member Sitting Fees/reimbursements	3,065.92
12584	McLeods Lawyers Pty Ltd	Legal Expenses	558.36
11210	Meta Maya Group	Waste removal/services/fees	6,033.50
11677	Michael Brown	Elected Member Sitting Fees/reimbursements	3,065.92
10717	MRP General Pest/Termite Division 43 07	Pest Control	1,070.07
11024	Natsales Advertising Pty Ltd	Advertising/Marketing Expenses	193.00
11197	Netstar Australia Pty Ltd	Subscriptions	634.81
10573	Officeworks BusinessDirect	Stationery	557.91
12620	Online Compliance Training Aust	Employee Training/professional development	15,570.50
11209	Outback Handyman	Facility Maintenance	1,219.90
12146	Perth Energy P/L	Utility Service Locations	13,767.76
10660	Peter Edward Feasey	Elected Member Sitting Fees/reimbursements	13,217.49
10490	Port Printing Works	Printing/Graphic Design Expenses	224.40
12400	Pretzos Holding P/L	Plant Purchase - mower	28,098.00
11175	QTM Pty Ltd	Traffic Management	18,310.95
11293	Repeco (GPC Asia Pacific)	Plant Repairs and Maintenance	453.20
10505	Satellite Security Services	Security Services	206.80
12412	Sean E Avery	Performers/Entertainment	1,054.00
12422	Sean Holland	Building construction	3,657.50
10198	Setonix Digital Pty Ltd	Consultancy services July	10,193.05
10568	Sherilyn Wood	Elected Member Sitting Fees/reimbursements	3,045.84
11533	Sifting Sands	Playground and Parks Equipment/Inspections/Repairs	543.95
10491	Sonic Health Plus	Medical Examinations	919.60
11148	Southern Quicksapes	Maintenance of Streetscapes/Landscapes	11,299.53
10520	St John Ambulance Australia (WA) Inc	Employee Training/professional development	280.38
99999	Sundry EFT	Sundry EFT - Bond refund - Crossovers - Rates	7,011.81
11675	Susan Edith Kearney	Elected Member Sitting Fees/reimbursements	3,065.92
12594	Sydney Maguire	Building construction	258.00
10600	Synergy	Utilities	4,541.19
10532	Team Global Express	Courier Service/transportation/removalist	63.82
12278	The Dyslexia-SPELD Foundation WA	Employee Training/professional development	230.00
11081	The Worm Shed	Community Workshops/Facilitation	695.00
10957	Total Tools Rockingham	Tools/Tool Repairs	25.90
10815	Totally Workwear Rockingham	Safety Clothing/Equipment/Uniforms	669.51
10081	Treasury Consolidated - Unclaimed Money	Transfer of unclaimed trust monies	26,791.38
12642	Trustee for Harris Family Trust	Building construction	1,475.20
10167	WA Rangers Association	Employee Training/professional development	1,500.00
10551	Water Corporation of Western Australia	Utilities	7,238.18
10553	West Australian Newspapers Limited	Advertising/Marketing Expenses	624.00
12241	West Coast Spring Water Pty Ltd	Water/delivery	38.85
10554	Westbooks	Books/CDs/DVDs	334.73
10556	Western Irrigation Pty Ltd	Reticulation Parts & Repairs	1,164.25
10640	Wilson Security Pty Ltd	Security Services	1,076.34
11605	Woolworths Group Open Pay	Groceries - Catering expenses	578.41
12586	Yirra Yaakin Aboriginal Corp	Performers/Entertainers - Naidoc	3,300.00
11788	Zipline.io Pty Ltd	Electrical Services	8,250.00
EFT 30-Aug-2024			
12640	James O'Neill	Provision of Consulting Services	1,227.10
12643	Johnathon Throssell	Provision of Consulting Services	1,227.10
Total EFT			3,997,675.59
Automatic Deductions			
Automatic Deductions 01-Aug-2024			
12610	Go Go Australia	Phone/Internet expenses	151.80
Automatic Deductions 06-Aug-2024			
10969	Commonwealth Bank	Credit cards	59,407.24
Automatic Deductions 08-Aug-2024			
10645	Toyota Fleet Management	Fleet management	635.24
Automatic Deductions 09-Aug-2024			
10438	Fines Enforcement Registry	Fines Enforcement Registry lodgment fees	602.00
Total Automatic Deductions			60,796.28
Payroll			
Payroll		KWINANA 26/07/2024	1,810.56
Payroll		KWINANA 30/07/2024	1,792.96
Payroll		KWINANA 02/08/2024	2,644.07
Payroll		KWINANA 04/08/2024	773,095.94
Payroll		KWINANA 16/08/2024	4,463.35
Payroll		KWINANA 18/08/2024	783,440.54
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Payment Listing

Payments made between 01-Aug-2024 and 31-Aug-2024



Creditor No	Payee	Description	Amount
		Total Payroll	1,567,247.42
		Grand Total	5,625,886.34



18.2 LOCAL LAW ADOPTION - ANIMAL, ENVIRONMENT AND AMENITY LOCAL LAW

DECLARATION OF INTEREST

There were no declarations of interest declared.

SUMMARY

At the Ordinary Council Meeting held 22 May 2024, Council resolved to undertake a second round of State-wide and local public notice of the City of Kwinana's proposal to adopt the *Animal, Environment and Amenity Local Law 2024* (Local Law). This was due to amendments having been made to the Local Law resulting from feedback received by the community and State Departments during an initial public submission period held 10 May 2023 to 26 June 2023.

Public notices were issued on 5 June 2024 seeking submissions on the proposed Local Law as amended. Copies of the Local Law were also submitted to the following State Government Department's for further comment:

- Department of Local Government, Sport and Cultural Industries (DLGSC);
- Department of Water and Environmental Regulations (DWER);
- Department of Biodiversity, Conservation and Attractions (DBCAs);
- Department of Primary Industries and Regional Development (DPIRD); and
- Department of Health (DoH).

The public submission period closed on 26 July 2024, with no community submissions received by the City. Further, no amendments were requested by any State Government Departments. However, minor changes are recommended to address grammar and formatting issues.

Pursuant to section 3.13 of the *Local Government Act 1995*, it is recommended that Council resolve to adopt the *Animal, Environment and Amenity Local Law 2024* as provided at Attachment A.

A 'tracked changes' version showing the minor amendments is provide at Attachment B.

OFFICER RECOMMENDATION

That Council:

1. Gives notice that the purpose of the *Animal, Environment and Amenity Local Law 2024* is:
 - to protect the environment and public health, safety and amenity within the district; and
 - to repeal redundant local laws.
2. Gives notice that the effect of the *Animal, Environment and Amenity Local Law 2024* is to:
 - to provide for the elimination or reduction of threats to the environment and public health, safety, and amenity through –
 - (a) the regulation of the keeping of animals (other than dogs and cats) in terms of types, number and how and where they can be kept;
 - (b) prescribing minimum standards for the keeping of all animals; and
 - (c) prescribing requirements for owners and occupiers of land to manage activities to prevent creating a nuisance including vermin control, dust prevention, refuse control, light, smoke, and odour emissions.
 - to repeal redundant provisions of certain City of Kwinana local laws.

3. Makes by absolute majority the *Animal, Environment and Amenity Local Law 2024* provided at Attachment A, in accordance with section 3.12(4) of the *Local Government Act 1995* subject to the Chief Executive Officer;
 - a) publishing the *Animal, Environment and Amenity Local Law 2024* in the Government Gazette in accordance with section 3.12(5) of the *Local Government Act 1995* and providing a copy to the Minister for Local Government; and
 - b) following Gazettal, providing local public notice in accordance with section 3.12(6) of the *Local Government Act 1995*, and providing a copy of the law and Explanatory Memorandum signed by the Mayor and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

VOTING REQUIREMENT

Absolute Majority.

DISCUSSION

A review has been conducted of the City's local laws regulating animal ownership (other than cats and dogs) as well as activities by owners and occupiers which have the potential to negatively impact community amenity via creating a nuisance or public health risk. It was identified as part of that review that there is a need for the City to implement a new local law aimed to:

- Repealing dated or redundant local laws.
- Consolidate existing local laws to simplify enforcement processes.
- Streamline the City's administration processes in relation to animal ownership by removing red tape where possible; and
- Introduce modified penalties over public health issues that are currently not effectively managed or controlled.

The proposed *Animal, Environment and Amenity Local Law 2024* provided at Attachment A was developed following extensive benchmarking with other local governments, community consultation and in consideration of the evolving needs of the community into the future. The version detailed at Attachment B shows all tracked changes. As the changes to the law are minor in nature, the proposed Local Law is not required to be advertised for public comment again prior to implementation by Council.

The primary intention of this new local law is to combine current City of Kwinana ('City') local laws addressing animal ownership (other than dogs and cats) as well as amenity of the community.

The Local Law additionally repeals a number of outdated and redundant provisions within several existing local laws. This included provisions that duplicate standards covered under the National Construction Code of Australia (NCA) or the *Food Act 2008*.

Provisions in the City's *Health By-Laws 1964* relating to sanitation, housing standards, and lodging houses will be required to remain in place pending anticipated amendments to the *Public Health Act 2016* by State Government.

In accordance with section 3.12 of the *Local Government Act 1995*, following a resolution by Council to adopt the Local Law, the City is required to publish a copy in the Government Gazette and give local public notice of it coming into effect. A copy is also to be provided to Parliamentary Joint Standing Committee on Delegated Legislation along with an Explanatory Memorandum signed by the Mayor and CEO.

STRATEGIC IMPLICATIONS

This proposal will support the achievement of the following outcome/s and objective/s detailed in the Strategic Community Plan and Corporate Business Plan.

Strategic Community Plan			
Outcome	Strategic Objective	Action in CBP (if applicable)	How does this proposal achieve the outcomes and strategic objectives?
1 – A naturally beautiful environment that is enhanced and protected	1.2 – Maintain and enhance our beautiful, natural environment through sustainable protection and conservation	N/A – There is no specific action in the CBP, yet this report will help achieve the indicated outcomes and strategic objectives	The local law promotes responsible animal ownership, prevent environmental degradation and control pollution, to maintain clean and healthy environment.

SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

Section 3.12 of the Act provides as follows:

3.12. Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2A) *Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *The local government is to —*
 - (a) *give Statewide public notice stating that —*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and*
 - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (3a) *A notice under subsection*
- (3) *is also to be published and exhibited as if it were a local public notice.*
- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) *After the local law has been published in the Gazette the local government is to give local public notice —*
 - (a) *stating the title of the local law; and*
 - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that copies of the local law may be inspected or obtained from the local government's office.*
- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) *In this section — making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.*

FINANCIAL/BUDGET IMPLICATIONS

The City is expected to incur approximately \$500.00 for the publication of the local public notice and around \$2,750.00 for the publication of the local law in the Government Gazette.

Minor costs will be incurred in the ongoing promotion of the law.

ASSET MANAGEMENT IMPLICATIONS

No asset management implications have been identified as a result of this report or recommendation.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

The local law will provide the City greater ability to regulate the causing of nuisances, diseases and environmental issues by owners and occupiers of private land throughout the district, including through issuing notices, infringements and undertaking prosecution action.

BOOLA MAARA ABORIGINAL CONSULTATIVE COMMITTEE RECOMENDATIONS

A report on the Adoption of the *Animal, Environment and Amenity Local Law 2024* was presented to the Boola Maara Aboriginal Consultative Committee at their meeting held on 2 September 2024, the Committee provided the following comment:

- Committee applauded the City's educational approach to enforcement of the local law rather than a punitive approach, noting the financial hardship experienced within the community at the moment.

COMMUNITY ENGAGEMENT

Community engagement is proposed to take place in the form required by section 3.12(3) of the *Local Government Act 1995* – Procedure for making local laws and includes the requirement to give state-wide public notice that the local government proposes to make a local law the purpose and effect of which is summarised in the notice.

COUNCIL DECISION

547

MOVED CR D ACKER

SECONDED CR S WOOD

That Council:

1. Gives notice that the purpose of the *Animal, Environment and Amenity Local Law 2024* is:
 - to protect the environment and public health, safety and amenity within the district; and
 - to repeal redundant local laws.
2. Gives notice that the effect of the *Animal, Environment and Amenity Local Law 2024* is to:
 - to provide for the elimination or reduction of threats to the environment and public health, safety, and amenity through –
 - (a) the regulation of the keeping of animals (other than dogs and cats) in terms of types, number and how and where they can be kept;
 - (b) prescribing minimum standards for the keeping of all animals; and
 - (c) prescribing requirements for owners and occupiers of land to manage activities to prevent creating a nuisance including vermin control, dust prevention, refuse control, light, smoke, and odour emissions.
 - to repeal redundant provisions of certain City of Kwinana local laws.
3. Makes by absolute majority the *Animal, Environment and Amenity Local Law 2024* provided at Attachment A, in accordance with section 3.12(4) of the *Local Government Act 1995* subject to the Chief Executive Officer;
 - a) publishing the *Animal, Environment and Amenity Local Law 2024* in the Government Gazette in accordance with section 3.12(5) of the *Local Government Act 1995* and providing a copy to the Minister for Local Government; and
 - b) following Gazettal, providing local public notice in accordance with section 3.12(6) of the *Local Government Act 1995*, and providing a copy of the law and Explanatory Memorandum signed by the Mayor and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL
9/0

ATTACHMENTS

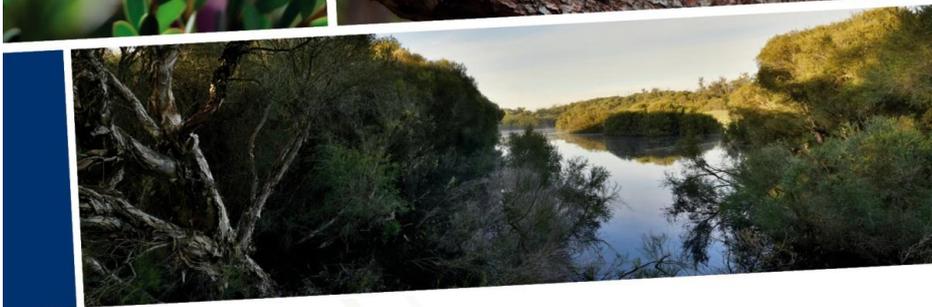
- A. Animal Environment and Amenity Local Law 2024 - Clean copy for adoption by Council - August 2024 [↓](#)
- B. Animal Environment and Amenity Local Law 2024 - Tracked Version - August 2024 - OCM 25 September 2024 [↓](#)



City of Kwinana

Animal, Environment and Amenity

Local Law 2024



City of Kwinana

ANIMAL, ENVIRONMENT AND AMENITY LOCAL LAW 2024

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- 3.3 Measures to be taken to eradicate cockroaches

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SCHEDULE 1 – PRESCRIBED OFFENCES

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Local Government Act 1995**City of Kwinana****Animal, Environment and Amenity Local Law
2024**

Under the powers conferred on it by the *Local Government Act 1995* and all other powers enabling it, the Council of the City of Kwinana resolved on 25 September 2024 to make the following local law.

PART 1 – PRELIMINARY**1.1 Citation**

This Local Law may be cited as the *City of Kwinana Animal, Environment and Amenity Local Law 2024*.

1.2 Commencement

This local law comes into operation 14 days after the day on which it is published in the *Government Gazette*.

1.3 Repeal

- (1) The *Town of Kwinana By-Law No. 29(B) Relating to the Keeping of Pigeons* published in the *Government Gazette* on 12 November 1996 is repealed.
- (2) The *Town of Kwinana Piggeries By-Laws* published in the *Government Gazette* on 9 September 1983 is repealed.
- (3) The *Town of Kwinana Health (Keeping of Horses and Equine Premises) Local Laws 1997* published in the *Government Gazette* on 11 February 1998 is repealed.
- (4) The *Town of Kwinana Urban Environment and Nuisance Local Law 2003* published in the *Government Gazette* on 18 July 2003 and amended from time to time is repealed.
- (5) The *Town of Kwinana Bee Keeping Local Law 2002* published in the *Government Gazette* on 7 May 2002 is repealed.
- (6) The following parts of the *Town of Kwinana Health By-Law 1963* published in the *Government Gazette* on 28 February 1964 and amended from time to time, are repealed —
 - (a) Part I General Sanitary Provisions by-laws 1 to 1B, 2, 4A, 4AB to 4AF, 5 to 35aA, 36 to 68 and Schedule A;
 - (b) Part II Infectious Diseases;
 - (c) Part III Private Hospitals;
 - (d) Part IV Dairies and Milk Shops;

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- (e) Part VII Food;
- (f) Part VIII Barbers Shops and Hairdressing Establishments; and
- (g) Part IX Offensive Trades.

1.4 Application

This local law applies throughout the district.

1.5 Definitions

- (1) In this local law unless the context specifies otherwise —

Act means the *Local Government Act 1995*;

affiliated person means a person that is a member of a pigeon or poultry association, which is an incorporated body under the *Associations Incorporation Act 2015*;

amusement means entertainment provided by equipment operated for hire or reward which provides entertainment or amusement through movement of the equipment, or part of the equipment, or when passengers travel on, around or along the equipment or move the equipment through self-powered motion;

associated building or facilities includes a feed room, gear room, shoeing area, hosing down area, lunging yard, rolling yard, veterinary treatment area, and a vehicle and float storage area used in the keeping, caring or management of horses;

authorisation includes a permit or approval granted under this local law;

authorised person means a person authorised by the CEO of the local government, under section 9.10 of the Act to administer or enforce this local law;

aviary bird means any bird kept or usually kept in an aviary, cage or enclosure other than poultry or pigeons;

beehive means a movable or fixed structure, container or object which contains a bees nest and in which bees are kept;

building site means any land for which a building permit issued under *Building Act 2011* is current and upon which building work has commenced;

CEO means the Chief Executive Officer of the local government;

Code of Practice means the *Code of Practice for Pigeon Keeping and Racing in Western Australia*, administered by the Department of Primary Industries and Regional Development/Agriculture and Food, as amended from time to time, in conjunction with the Pigeon Racing Federation WA Inc. and the Independent Racing Pigeon Federation Inc.;

demolition site means any land for which a demolition permit issued under the *Building Act 2011* is current and upon which the demolition work has commenced;

development has the meaning given to it in the *Planning and Development Act 2005*;

development site includes any land for which there is a current development or subdivision approval, and any land upon which, construction work, earthworks, clearing of scrub, trees or overgrowth or any other site works are taking or have taken place, whether or not such works are subject to a development or subdivision approval;

district means the district of the local government;

dust means any visible granular or particulate material which has or has the potential to become airborne and includes organic and non-organic matter and sand, but does not include smoke;

dwelling means a building or portion of a building being used, adapted or designed, or intended to be used, for the purpose of human habitation;

Environmental Management Guidelines means the Environmental Management Guidelines for Horse Facilities and Activities (Water Quality Protection Guideline 13), administered by the Department of Water and Environmental Regulation, as amended from time to time;

farm animal includes cow, sheep, goat, pig or other hoofed mammal, excluding a horse;

food business has the meaning given to it by the *Food Act 2008*;

horse includes any animal of the *Equidae* family, including a horse, ass, mule, donkey or pony;

Jandakot UWPCA means the Jandakot Underground Water Pollution Control Area, a gazetted public drinking water source area under the *Metropolitan Water Supply, Sewerage and Drainage Act 1909*;

land has the meaning given in clause 7 of the *Property Law Act 1969*. That definition includes a building or part of a building;

liquid waste means waste from any process or activity, whether useful or useless, that is in liquid form and includes paint, fuel, grease, fat, oil, degreaser solvent, detergent, chemical, animal waste, food waste, effluent and all discharges of liquid to land, air or water that are not otherwise authorised by a written law but does not include uncontaminated stormwater;

livestock means a farm animal;

local government means the City of Kwinana;

local planning scheme has the meaning given to it made by the local government under the *Planning and Development Act 2005*;

manure receptacle means a receptacle, of sufficient capacity to receive all manure produced in one week on land upon which a farm animal or farm animals, a horse or horses are kept, constructed of smooth, durable, impervious materials, fitted with a fly proof, hinged cover and with no part of the floor lower than the adjoining ground;

mosquito means any of the two-winged insect constituting the family *Diptera Culicidae* and commonly known as mosquito;

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 same meaning as in the Act;

owner has the same meaning as in the Act;

pigeon includes homing pigeons and other domesticated breeds of the family *Columba*, but does not include native pigeons or doves whether or not the keeping of such birds is subject to the approval of the Department of Biodiversity, Conservation and Attractions;

poultry includes fowls, roosters, ducks, peafowls, turkeys, geese, guinea fowls, pheasants and other birds commonly kept for the production of eggs or meat for domestic consumption;

refuse includes bricks, lime, cement, concrete, rubble, stones, iron, timber, tiles, bags, plastics, ashes, vegetation, wood or metal shavings, sawdust, and waste food, and includes any broken, used, derelict or discarded matter whatsoever, whether of the same type as, or a different type from, those mentioned here;

recycling means —

- (a) paper and cardboard;
- (b) plastic containers comprised of polyethylene terephthalate or high-density polyethylene;
- (c) glass containers;
- (d) steel containers;
- (e) aluminium containers;
- (f) liquid paper board; and
- (g) any other waste determined by the local government to be recycling waste;

Regulations means the *Local Government (Functions and General) Regulations 1996*;

residential zone includes any land zoned Residential or Special Residential under a local planning scheme;

rodents means those mammals belonging to the order *Rodentia* and includes rats and mice, but does not include mammals of that species kept as pets in an enclosure designed for the purpose of keeping pets;

rural zone means any land zoned Rural or Special Rural or otherwise zoned for rural purposes under a local planning scheme;

sand means granules or particles of rock, earth, clay, loam, silt and any other granular, particulate or like material, and includes dust and gravel;

slaughter means to kill an animal for food;

stable means any building used for the keeping, breeding, caring, feeding and rearing of horses;

stable shelter in relation to stabling of horses means a three or four walled and fully roofed structure with or without a concrete floor provided for the substantial protection of horses from inclement weather that is provided and approved in lieu of a stable;

Stocking Rate Guidelines means the Stocking Rate Guidelines For Rural Small Holdings, Swan Coastal Plain and Darling Scarp and surrounds, Western Australia Plain and Darling Scarp and surrounds, Western Australia, administered by the Department of Primary Industries and Regional Development, as amended from time to time;

stormwater means any naturally occurring water that results from rainfall on or around a site, or water flowing onto the site;

street means any highway or thoroughfare which the public are entitled to use, and includes every part of the highway or thoroughfare, including the verge and other things including bridges and culverts appurtenant to it;

unreasonable noise has the meaning given to it by the *Environmental Protection Act 1986*;

vermin includes rats, mice, flies, fleas, mites, lice, cockroaches and any other animal, whether vertebrate or invertebrate, which is known to be a vector of disease or is likely to cause damage to human food, habitation or possessions;

water resources includes watercourses, waterways and their estuaries, inlets and floodplains, wetlands, groundwater, surface water, stormwater and drainage.

- (2) Any word or term used in this local law that is not defined in subclause (1) shall have the meaning given to it in the Act.
- (3) Where under this local law the local government is authorised to carry out actions or cause works to be undertaken as a consequence of the failure of any person to comply with the terms of a notice or other conduct, the right to enter land is at all times subject to the provisions of Part 3, Division 3, Subdivision 3 of the Act.
- (4) Where, in this local law, a duty or liability is imposed on an owner or occupier, or on an owner and occupier, the duty or liability is taken to be imposed jointly and severally on each of the owners or occupiers.

PART 2 – KEEPING OF ANIMALS**Division 1– Keeping of animals****2.1 Cleanliness**

- (1) An owner or occupier of land on which an animal is kept shall keep such land —
- (a) free from excrement, filth, food waste and all other matter which causes, or is likely to cause a nuisance, become offensive or injurious to health or to attract vermin; and
 - (b) so far as possible, free from flies or other vermin, by spraying with a residual insecticide or other effective means.
- (2) When directed by an authorised officer, an owner or occupier of land upon which an animal is kept shall clean and disinfect any portion of such land.

2.2 Disposal of dead animals

- (1) An owner or occupier of land, other than a veterinary practice, on which there is a dead animal, must dispose of the dead animal —
- (a) as soon as practicable; and
 - (b) in a manner that does not
 - (i) create a nuisance;
 - (ii) become offensive; or
 - (iii) attract vermin.
- (2) A dead animal must not be disposed of within 100 metres of any water resources or within the Jandakot UWPCA.

Division 2 – Keeping of farm animals**2.3 Keeping of farm animals**

An owner or occupier of land in a residential zone shall not keep, or permit to be kept, any farm animals on such land.

2.4 Keeping of pigs

An owner or occupier of land shall not keep any pig —

- (a) within a residential zone; or
- (b) within the Jandakot UWPCA.

2.5 Conditions for keeping farm animals

The owner or occupier of land upon which farm animals are kept shall ensure —

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- (a) all farm animals are prevented from approaching within 18 metres of any dwelling, public building, building used for commercial purposes or food business;
- (b) that the land on which the farm animals are enclosed is fenced or walled in a manner capable of confining such animals and, having regard to the species, age, size and condition of the animals, capable of preventing the animals from escaping; and
- (c) such animals are kept in accordance with the provisions of any local planning scheme applicable to that zone.

2.6 Requirements for farm animal shelters

The owner or occupier of land on which farm animals are kept shall ensure that any stable, enclosure or shelter provided for the keeping of farm animals is —

- (a) not situated within 18 metres of any dwelling, public building, building used for commercial purposes or food business; and
- (b) maintained in a manner so as to provide adequate shelter, drainage and ventilation.

2.7 Slaughter of farm animals

- (1) Subject to subclause (2), a person shall not slaughter any farm animal on any land.
- (2) Subclause (1) does not apply to euthanasia of animals by veterinarians, abattoirs, animal food processing premises, vermin control or any premises approved for slaughtering purposes.

Division 3 – Keeping of horses

2.8 Keeping of horses

An owner or occupier of land shall not keep, or permit to be kept, any horse —

- (a) on land other than within a rural zone; and
- (b) contrary to the provisions of any local planning scheme applicable.

2.9 Requirements for construction of stable, stable shelter, paddock, yards, training/walking rings and associated buildings or facilities

- (1) Any stable or stable shelter shall not be situated within —
 - (a) 18 metres of any dwelling, building used for commercial purposes or food business on an adjacent lot;
 - (b) 9 metres of any dwelling, building used for commercial purposes or food business within the same lot;
 - (c) a 30 metre radius of any private bore, well or dam;

- (d) 18 metres from the property boundary; and
 - (e) 9 metres of any street in the case of a corner site.
- (2) Any stable or stable shelter situated within the Jandakot UWPCA are to be in accordance with the requirements of Environmental Management Guidelines.
- (3) Any stable or stable shelter shall —
- (a) have a separate stall for each horse in accordance with subclause (4);
 - (b) have each wall and roof constructed of an impervious material;
 - (c) have on all sides of the building between the top of the wall and the roof a clear opening of at least 150 millimetres in height, unless otherwise approved by the local government; and
 - (d) have walls that are not less than 3 metres in height and in length.
- (4) Subject to subclause (5), a stable must have —
- (a) a roof that covers the entire floor area of the stall; and
 - (b) a floor with an upper surface that —
 - (i) is raised at least 75 millimetres above the surface of the surrounding ground;
 - (ii) is constructed of cement, concrete or other similar impervious materials;
 - (iii) has an adequate fall to a drain which shall empty into a trapped gully situated outside the stable that discharges to sewer or an approved effluent disposal system; and
 - (iv) has an area of not less than 12 square metres for each stall.
- (5) A stable or stable shelter constructed with a sand floor shall be constructed as follows —
- (a) the site must be well drained with the highest known water table no closer than 2 metres to the sand floor level which may be achieved artificially;
 - (b) the footings to each stable are to be a minimum of 450 millimetres below ground level;
 - (c) the roof is to be not less than 50% of the floor area; and
 - (d) in all other respects, the requirements of subclause (3) apply to the stable building.
- (6) Any associated building or facility shall not be closer than 9 metres to any dwelling.
- (7) Any paddock, yards or training/walking rings shall not be situated within —
- (a) 18 metres of any dwelling, building used for commercial purposes or food business on an adjacent land;

- (b) 9 metres of any dwelling, building used for commercial purposes or food business within the same land;
- (c) a 30 metre radius of any private bore, well or dam; and
- (d) the minimum buffer distances set within the Environmental Management Guidelines for land situated within the Jandakot UWPCA.

2.10 Maintenance

The owner or occupier of land where any horse is kept shall —

- (a) ensure that stables, stable shelters and any associated building or facilities are —
 - (i) maintained in good working order;
 - (ii) in sound, weatherproof condition; and
 - (iii) are fit for use,
including but not limited to their roofs, walls, floors, guttering, downpipes (including on-site storm water disposal systems), doors and windows.
- (b) maintain fences, railings and gates in the stables, stable shelters, paddocks, yards, training/walking rings in good working order and repair; and
- (c) ensure any paddock is fenced or walled in a manner capable of confining any horse contained therein.

2.11 Waste and manure management

The owner or occupier of land where any horse is kept shall ensure that —

- (a) no manure receptacle is situated closer than 10 metres from any dwelling on an adjacent property;
- (b) waste and manure are not permitted to accumulate unless stored or treated so as not to create a nuisance, become offensive or injurious to health or attract vermin; and
- (c) manure is managed in accordance with the planning approval under the under the local planning scheme.

Division 4 – Keeping of poultry, pigeons and birds

2.12 Keeping of poultry and pigeons

- (1) Subject to subclause (2), an owner or occupier of land must not keep or permit to be kept on such land —
 - (a) more than 10 poultry or pigeons in a residential zone; or

- (b) more than 25 poultry or 50 pigeons in a rural zone without the approval of the local government in accordance with clause 2.20.
- (2) Subclause (1) shall not apply to premises approved by the local government for veterinary purposes or intensive agriculture.

2.13 Requirements for keeping of poultry

An owner or occupier of land upon which poultry are kept, other than for veterinary purposes or intensive agriculture, must ensure that —

- (a) all poultry are kept in a properly constructed and securely fastened enclosure;
- (b) poultry are prevented from approaching within 9 metres of a street, or any dwelling on any other lot, or land used for public building or commercial purposes or food business;
- (c) the enclosure is kept in clean condition and in good repair at all times; and
- (d) effective measures are taken to control vermin and eradicate offensive odours.

2.14 Requirement for keeping of pigeons

- (1) An owner or occupier of land upon which pigeons are kept shall ensure that —
- (a) all pigeons are kept in a properly constructed enclosure and confined in that enclosure except where registered homing pigeons are freed for exercise;
 - (b) no opening to an enclosure, including openings for ventilation, is within 9 metres of any street, dwelling, public building, building used for commercial purposes or food business; and
 - (c) the enclosure is kept in a clean condition and in good repair at all times, with effective measures taken to control vermin and eradicate offensive odours.
- (2) An affiliated person shall ensure that all pigeons are kept in accordance with the Code of Practice for Pigeon Keeping and Racing in Australia and subject to the provisions of this local law.

2.15 Roosters, geese, turkeys and peafowl

Other than land within a rural zone, an owner or occupier of land must not keep or permit to be kept, any —

- (a) roosters;
- (b) geese;
- (c) turkeys; or
- (d) peafowl.

2.16 Requirements for keeping of aviary birds

An owner or occupier of land shall ensure that any enclosure used for the keeping of aviary birds is —

- (a) of sound, weatherproof construction as follows —
 - (i) the framework and roost are to be smooth sealed timber or metal;
 - (ii) the walls and roof are to be constructed of galvanised iron or other approved material; and
 - (iii) the floor is to be constructed in a manner that facilitates the hygienic removal of waste matter, husks, seeds, feathers, dead birds and faecal matter;
- (b) kept in clean condition and good repair at all times; and
- (c) kept at least 5 metres from any premises on any other land.

2.17 Nuisance caused by birds or poultry

An owner or occupier of land shall not keep any bird or poultry which —

- (a) causes, or is likely to cause a nuisance; or
- (b) emits an unreasonable noise.

2.18 Restrictions on feeding of uncaged birds

- (1) A person shall not feed or permit the feeding of any uncaged bird unless otherwise approved by the local government.
- (2) Where an authorised person is satisfied that a person has not complied with subclause (1) the authorised person may serve the person a notice of breach requiring the person to clean up and properly dispose of any feed or waste products specified in the notice.
- (3) Where approval has been given by the local government to feed or permit the feeding of any uncaged bird, the approval can be withdrawn by the local government in the event that —
 - (a) the holder does not comply or cause compliance with the conditions;
 - (b) there is a change in the circumstances upon which the approval was granted; or
 - (c) the feeding or permission to feed any uncaged bird causes a nuisance.

2.19 Restrictions on pigeons nesting or perching

An authorised person may order an owner or occupier of land on which pigeons nest or perch, to take adequate steps to prevent them from continuing to do so.

2.20 Application for approval for keeping of poultry or pigeons contrary to clause 2.12(1)(b)

- (1) An owner or occupier of land may apply in writing to the local government for approval to keep poultry or pigeons otherwise than in accordance with clause 2.12(1)(b).
- (2) An application to the local government for approval pursuant to subclause (1) is to include —

- (a) a statement outlining the reasons why approval is sought;
 - (b) the number of poultry or pigeons proposed to be kept;
 - (c) a site plan showing land size, location of enclosure, the distance of the enclosure from any boundaries and buildings on adjoining land and any nearby water resources;
 - (d) where applicable, proof affiliation to a poultry or pigeon keeping association;
 - (e) proof of registration as a livestock owner where required by the *Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*; and
 - (f) any fee determined by the local government.
- (3) Prior to determining an application for approval, the local government may seek and consider the views and concerns of any owner or occupier of an adjoining property.
- (4) The local government may grant approval of an application pursuant to subclause (1), with or without conditions, or refuse to grant approval.
- (5) Where an approval pursuant to subclause (1) is granted subject to conditions, the holder of the approval shall comply with those conditions.
- (6) A grant of approval is personal to the applicant and applies only to the land described in the approval.
- (7) The applicant shall notify the local government of any change in the circumstances on which the grant of an approval was based as soon as any change occurs.
- (8) An approval can be cancelled by the local government in the event that –
- (a) the holder does not comply with any conditions set by the local government;
 - (b) there is a change in the circumstances upon which the approval was granted; or
 - (c) the granting of the approval causes a nuisance in the opinion of the local government.

Division 5 – Keeping of bees

2.21 Keeping of bees

An owner or occupier of land shall not keep, or permit to be kept, bees in more than two bee hives, unless approval is granted by the local government in accordance with clause 2.24.

2.22 Requirements for keeping of bees

An owner or occupier of land shall not keep, or permit to be kept, bees in any beehive unless –

- (a) a good and sufficient water supply is located on the land which is readily accessible by the bees situated at distance of less than 5 metres from the hive;

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- (b) a screen or other barrier prevents the bees flying low over a street, public place or adjoining land;
- (c) each beehive is kept as follows —
 - (i) at least 9 metres from any building on any other land;
 - (ii) at least 9 metres from any footpath, street, private street or public place;
 - (iii) at least 5 metres from the boundary of the land; and
- (d) where required, the owner or occupier is registered under the *Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*.

2.23 Nuisance caused by bees

A person shall not keep, or allow bees or beehives to be kept, on land so as to create a nuisance.

2.24 Application for approval for keeping of more than two bee hives

- (1) An owner or occupier of land may apply in writing to the local government for approval to keep more than two bee hives on such land.
- (2) An application for approval should include —
 - (a) a statement outlining the reasons why an approval is sought;
 - (b) the number of bee hives proposed to be kept;
 - (c) a site plan showing land size, the location of bee hives, and the distance of the enclosure from any boundaries and buildings on adjoining land;
 - (d) where required, proof of registration as a beekeeper under the *Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*; and
 - (e) payment of any fee determined by the local government.
- (3) Prior to determining an application, the local government may seek and consider the views and concerns of the owners and occupiers of adjoining land.
- (4) The local government may grant approval, with or without conditions, or refuse to grant approval.
- (5) Where approval is granted subject to conditions, the holder of the approval shall comply with those conditions.
- (6) A grant of approval is personal to the applicant and applies only to the land described in the approval.
- (7) The applicant shall notify the local government of any change in the circumstances on which the approval was based as soon as any change occurs.
- (8) An approval can be cancelled by the local government in the event that —

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- (a) the holder does not comply with the conditions of approval;
- (b) there is a change in the circumstances upon which the approval was granted; or
- (c) the granting of the approval causes a nuisance.

Division 6 – Previous approvals

2.25 Previous approvals by local government

- (1) Every registration or approval granted by the local government relating to the keeping of poultry, pigeons, pigs, horses and bees under the former provisions and in force immediately before the commencement of local laws, has effect as if granted under this local law and notwithstanding any of the provisions in this local law, may be renewed or transferred, on application made under this local law, at the discretion of the local government subject to such conditions or restrictions, if any, that the local government may deem necessary to impose.
- (2) In clause 2.25(1), “former provisions” means the *Town of Kwinana Health (Keeping of Horses and Equine Premises) Local Laws 1997*, *Town of Kwinana Bee Keeping Local Law 2002*, *Town of Kwinana Bee Keeping Local Law 2002*, *Town of Kwinana Piggeries By-laws*, *Town of Kwinana By-Law No. 29(B), Relating to the Keeping of Pigeons or Town of Kwinana Health By-Law 1963* as repealed.

PART 3 – VERMIN CONTROL

Division 1 – Mosquitoes

3.1 Mosquito control

- (1) An owner or occupier of land must keep the land free of water located so as to be, or be liable to become, a breeding place for mosquitoes.
- (2) An authorised person may order an owner or occupier of land to take adequate and reasonable measures to prevent the pooling of water or undertake control measures to prevent mosquito breeding.

Division 2 – Rodents

3.2 Measures to be taken to eradicate rodents

- (1) Where there are indications of the presence of rodents, the owner or occupier of land must take adequate and reasonable measures to keep such land free from rodents and prevent rodent breeding.
- (2) An authorised person may order an owner or occupier of land to take adequate and reasonable measures to eradicate rodents or undertake control measures to prevent rodent breeding.

Division 3 – Cockroaches

3.3 Measures to be taken to eradicate cockroaches

- (1) Where there are indications of the presence of cockroaches in, on or about land, the owner or occupier of such land must take adequate and reasonable measures to keep the land free from cockroaches and prevent cockroach breeding.
- (2) An authorised person may order an owner or occupier of land to take adequate and reasonable measures to eradicate cockroaches or undertake control measures to prevent breeding of cockroaches.

PART 4 – NUISANCES

Division 1 – Amusements

4.1 Operation of amusements

A person shall not provide or conduct any amusements on land so as to create or cause a nuisance to any owner or occupier of land in the district, without the approval of the local government.

Division 2 – Light

4.2 Emission or reflection of light

An owner or occupier of land must not —

- (a) permit artificial light to be emitted or reflected from anything on the land so as to illuminate premises outside that land at a level that interferes unreasonably with normal activities; or
- (b) permit natural light to be reflected from anything on the land so as to create or be a nuisance to any owner or occupier of adjoining land or person using a street as a thoroughfare.

4.3 Use of exterior lighting

An owner and or occupier of land on which floodlights, lighting installations or other exterior lights are erected or used must not allow the floodlights or other exterior lights to shine directly onto adjoining land so as to cause a nuisance.

4.4 Notice

The local government may give a notice to the owner or occupier of land to abate a nuisance arising from a contravention of clause 4.2 or 4.3 within the time specified in the notice by —

- (a) preventing artificial light from being emitted or reflected from the land;
- (b) treating any reflective surfaces;
- (c) restricting the hours of use of the floodlights, lighting installations or other exterior lights; or

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- (d) requiring alterations to the direction in which any lights are shining.

Division 3 – Smoke, fumes, odours, and other emissions

4.5 Burning rubbish, refuse or other material

- (1) An owner or occupier of land must not set fire to, or cause to be set on fire, any rubbish, refuse or other material listed in Schedule 2 on the land, unless approved under a written law.
- (2) Subclause (1) does not apply to any barbeque, solid fuel water heater, space heater or ovens fired with dry paper, dry wood, synthetic charcoal or charcoal type fuel.

4.6 Escape of smoke, fumes, odours, and other emissions

An owner or occupier of land must take reasonable steps to prevent the escape of smoke, fumes or odours from the land in such quantity or of such a nature as to cause or to be a nuisance to any person, unless that owner or occupier has approval under a written law that permits the escape of smoke, fumes or odours from the land.

PART 5 – UNSIGHTLY LAND AND DISUSED MATERIALS

5.1 Removal of refuse and disused materials

The owner or occupier of land shall not keep, or permit to remain on the land, any refuse, rubbish or disused material of whatsoever nature or kind which in the opinion of an authorised person is likely to give the land an untidy appearance and does not conform with the general appearance of other land in that particular part of the district.

5.2 Removal of unsightly overgrowth of vegetation

The owner or occupier of land shall not permit any unsightly overgrowth of vegetation on the land that gives the premises an untidy appearance and does not conform with the general appearance of other land or premises in that particular part of the district.

5.3 Fencing unsightly land

The local government may give notice to an owner or occupier of land to ensure that unsightly land is enclosed, to the satisfaction of the local government, with a fence or other means suitable to prevent the land, so far as is practicable, from being unsightly.

5.4 Storage of vehicles and machinery

The owner or occupier of land shall not —

- (a) wreck, dismantle or break up any vehicle or machinery (or any part thereof); or
- (b) store or allow to remain on any land any vehicle or machinery (or any part thereof) in a state of disrepair or disuse,

unless inside a building within an area enclosed by a fence or wall of not less than 1.8 metres in height and of such a nature as to screen all vehicles, parts or bodies of vehicles or machinery from the street and from adjoining land.

PART 6 – STORMWATER AND WASTEWATER MANAGEMENT

6.1 Containment of stormwater, rainwater, and wastewater

An owner or occupier of land shall ensure that all rainwater and stormwater received on the land, and all wastewater generated on the land is contained on the land or discharged into an approved drainage structure or sewerage apparatus.

6.2 Containment and disposal of swimming pool and other wastewater

An owner or occupier of land shall ensure that all wastewater and backwash water from any swimming pool or spa filtration systems or other water storage systems on the land is contained within the land and diverted to the storm water drainage system on the land.

PART 7 — HAZARDOUS MATERIALS

7.1 Hazardous plants and trees

- (1) Where a plant or tree situated on land presents a hazard, or endangers or may endanger any person or thing on adjoining land, an authorised person may give a notice to the owner or the occupier of the land to remove, cut, move or otherwise deal with the plant or tree so as to remove the danger or hazard.
- (2) Where a plant or tree situated on land presents a serious and immediate danger to any person or thing on adjoining land, an authorised person may take any remedial action considered appropriate in order to make a plant or tree safe without having given the owner or occupier notice under subclause (1).

7.2 Cyclonic activities or severe weather conditions

Where there is likely to be a danger to the public or property which may result from cyclonic activity or severe weather, an authorised person may give a notice to the owner or the occupier of land specifying measures to be taken in relation to the premises to prevent or minimise any danger or hazard.

PART 8 – BUILDING, DEVELOPMENT AND LAND CARE

Division 1 – Litter and refuse on building sites, development sites and demolition sites

8.1 Provision of refuse and recycling receptacles

- (1) The owner or occupier of a building site, development site or demolition site shall at all times provide and maintain a refuse receptacle and recycling receptacle, available for use on the land.

- (2) A refuse receptacle and recycling receptacle under subclause (1) shall include a suitable cover, to the satisfaction of an authorised officer, of such design as will –
- (a) contain any refuse and recycling waste likely to be produced on the land; and
 - (b) prevent refuse and recycling waste being blown from the receptacle by wind.

8.2 Requirements to control refuse and recycling waste

- (1) From the time of commencement of works on a building site, development site or demolition site until the time of completion of such work, the owner or occupier of the land shall take reasonable steps to –
- (a) ensure all refuse on the land is placed and contained in the refuse waste receptacle;
 - (b) ensure all recycling waste on the land is placed and contained in the recycling waste receptacle;
 - (c) keep the site as free as is reasonably practicable from any refuse and recycling waste;
 - (d) ensure all refuse and recycling waste are contained in the receptacles are prevented from being blown from the site by wind;
 - (e) maintain the street verge immediately adjacent to the land free of refuse and recycling waste from the site; and
 - (f) ensure the refuse and recycling waste receptacle is emptied when full.
- (2) The owner or occupier of a building site, development site or demolition site must ensure that within 2 days of completion of works on the site or when directed by an authorised officer –
- (a) the land and the street verge immediately adjacent to it is cleared of all refuse; and recycling waste; and
 - (b) all recycling and refuse receptacles are removed from the land.

Division 2 – Prevention of dust and liquid waste

8.3 Containment of dust and liquid waste

- (1) An owner or occupier of land must take effective measures to –
- (a) stabilise dust on the land;
 - (b) contain all liquid waste on the land; and
 - (c) ensure no dust or liquid waste is released or escapes from the land whether by means of wind, water, or any other cause.

- (2) An owner or occupier of land must notify the owners or occupiers of adjoining land in writing 48 hours prior to the commencement of any activity that has the potential to cause the release or escape of dust or liquid waste from the land, giving details of —
- (a) the nature of the activity;
 - (b) the proposed commencement time, frequency, duration time and location of the activity; and
 - (c) the name of the person responsible for carrying out the activity and how and where that person may be contacted.
- (3) Where an authorised person is satisfied that an owner or occupier has not complied with subclause (1), the local government may serve on the owner and or occupier of the land a notice requiring the owner and or occupier to do one or more of the following —
- (a) comply with subclause (1);
 - (b) clean up and properly dispose of any released or escaped dust or liquid waste;
 - (c) clean up and make good any damage resulting from the released or escaped dust or liquid waste; or
 - (d) take effective measures to stop any further release or escape of dust or liquid waste.
- (4) The requirements set out in a notice served under subclause (3) must be complied with —
- (a) within 48 hours of service of the notice where no other time is specified;
 - (b) within such other period as is specified in the notice; or
 - (c) immediately, if the notice so specifies.
- (5) Where an authorised person is satisfied that dust or liquid waste has escaped or has been released from an activity undertaken on land or as a consequence of the use of equipment on land, the local government may serve a notice on the owner and or occupier of the land and or the operator of the equipment, as the case may be, requiring that the activity or use of the equipment on the land be ceased immediately, for such period as is specified in such notice.
- (6) Where an authorised person is satisfied that dust or liquid waste is likely to be released or escape as a result of an activity to be carried out on any land, the local government may give to the owner and or occupier a notice providing that the activity may only be carried on subject to conditions specified in the notice.

PART 9 – OBJECTIONS AND APPEALS

9.1 Objections and appeals

When the local government decides under this local law whether it will —

- (a) grant a person an authorisation;
- (b) renew, vary, or cancel an authorisation; or
- (c) give a person a notice,

the provisions of Division 1 of Part 9 of the Act and Regulation 33 of the Regulations shall apply to that decision.

PART 10 – ENFORCEMENT

Division 1 – Notices given under this local law

10.1 Notice of Breach

- (1) Where a breach of any provision of this local law has occurred, the local government may give a notice in writing to the person alleged to be responsible for such breach directing them to take such actions as an authorised person considers necessary within the timeframe specified in the notice.
- (2) A notice given under subclause (1) shall —
 - (a) specify the provision of this local law which has been breached;
 - (b) specify the particulars of the breach; and
 - (c) state that the manner in which the person is required to remedy the breach to the satisfaction of the local government within the time specified in the notice.
- (3) If a person fails to comply with a notice given to him or her under this local law, the local government may do, or arrange to be done, the thing specified in the notice and recover from the person to whom the notice was given, as a debt, the costs incurred in doing so.
- (4) This local law is subject to sections 3.25, 3.27 and Schedules 3.1 and 3.2 of the Act and any powers of entry exercised by the local government under this local law is subject to Part 3, Division 3, Subdivision 3 of the Act.

Division 2 – Offences and penalties

Subdivision 1 – General

10.2 Offences and penalties

- (1) A person who —
 - (a) fails to do anything required or directed to be done under this local law;
 - (b) fails to comply with the requirements of a notice issued under this local law; or
 - (c) does anything prohibited under this local law,

commits an offence.

- (2) A person who commits an offence under this local law is liable to a maximum penalty of \$5,000 and a maximum daily penalty of \$500 in respect of each day or part of a day during which the offence has continued.

Subdivision 2 – Infringement notices and modified penalties

10.3 Prescribed offences

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.15 of the Act.
- (2) The amount of the modified penalty for a prescribed offence —
 - (a) for a first offence is that specified adjacent to the clause in the fourth column of Schedule 1; and
 - (b) for a subsequent offence is that specified adjacent to the clause in the fifth column of Schedule 1.

10.4 Form of infringement notices

For the purposes of this local law —

- (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
- (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
- (c) the form of the notice given under section 9.20 of the Act withdrawing an infringement notice is that of Form 3 in Schedule 1 of the Regulations.

SCHEDULE 1 – PRESCRIBED OFFENCES

[clause 10.3(1)]

Item No.	Clause No.	Nature of offence	Modified Penalty First Offence (\$)	Modified Penalty Subsequent Offence (\$)
1	2.1(1)	Failure to keep land upon which an animal is kept to the required standard	150	300
2	2.1(2)	Failure to comply with a direction to clean and disinfect land upon which an animal is kept	150	300
3	2.2(1) and (2)	Failure to disposing of a dead animal in approved manner	150	300
4	2.3	Keeping a farm animal within a residential zone	150	300
5	2.4	Keeping of a pig within a non-permitted area	150	300
6	2.5(a)	Failure to ensure a farm animal is prevented from approaching a dwelling, public building, building used for commercial premises or food business	150	300
7	2.5(b)	Failure to ensure that land where a farm animal is kept is fenced or walled to the required standard	150	300
8	2.5(c)	Failure to keep a farm animal in accordance with planning scheme	150	300
9	2.6(a)	On land where farm animals are kept, failing to ensure any stable, enclosure or shelter is not situated within 18 metres of any dwelling, public building, building used for commercial purposes or food business	150	300
10	2.6(b)	On land where farm animals are kept, failing to ensure any stable, enclosure or shelter is maintained in a manner so as to provide adequate shelter, drainage and ventilation	150	300
11	2.7(1)	Slaughtering an animal other than at an approved premises	150	300
12	2.8(a)	Keeping of a horse outside of a rural zone	150	300
13	2.8(b)	Keeping of a horse contrary to the provisions of any local planning scheme	150	300
14	2.9(1) and (2)	Failure to ensure a stable or stable shelter is sited to the required standard	150	300
15	2.9(3), (4) and (5)	Stable or stable shelter contrary to the required standard	150	300

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16	2.9(6)	Associated building or facility situated within 9 metres of any dwelling	150	300
17	2.9(7)	Failure to ensure a paddock, yard or training/walking ring is sited to the required standard	150	300
18	2.10(a)	Failure to maintain any stable, stable shelter, associated building or facility where any horse is kept to the required standard	150	300
19	2.10(b)	Failure to maintain fences, railings and gates to the required standard	150	300
20	2.10(c)	Failure to ensure any paddock where horses are kept is fenced or walled in a manner capable of confining a horse	150	300
21	2.11(a)	Manure receptacle on land where horses are kept situated within 10 metres of a dwelling on adjacent property	150	300
22	2.11(b) and (c)	On land where horses are kept, failing to handle waste and manure to the required standard	150	300
23	2.12(1)(a)	Exceeding the permitted number of poultry or pigeons in a residential zone	150	300
24	2.12(1)(b)	Exceeding the permitted number of poultry or pigeons in a rural zone without approval	150	300
25	2.13	Failure to comply with requirements for keeping of poultry	150	300
26	2.14(1) and (2)	Failure to comply with requirements for keeping of pigeons	150	300
27	2.15	Keeping a rooster, geese, turkey or peafowl outside of a rural zone	150	300
28	2.16	Failure to comply with requirements for keeping of aviary birds	150	300
29	2.17(a)	Keeping a bird or poultry that causes or is likely to cause a nuisance	150	300
30	2.17(b)	Keeping a bird or poultry which emits an unreasonable noise	150	300
31	2.18(1)	Feeding of uncaged bird without approval	150	300
32	2.18(2)	Failure to comply with a notice to clean up and dispose of feed or waste product	150	300
33	2.20(5)	Failure to comply with a condition of approval for keeping poultry or pigeons	150	300
34	2.20(7)	A holder of a permit to keep poultry or pigeons failing to notify of any change in circumstances	150	300
35	2.21	Keeping bees in more than two beehives on land without approval	150	300

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36	2.22	Failure to comply with requirement for keeping of bees	150	300
37	2.23	Keeping bees so as to create a nuisance	150	300
38	2.24(5)	Failure to comply with a condition of approval for keeping bees	150	300
39	3.1(1)	Failure to keep land free of water that is or is liable to become a breeding place mosquito breeding	150	300
40	3.2(1)	Where there are indications of the presence of rodents, failure to take measures to keep land free from rodents and prevent breeding	150	300
41	3.3(1)	Where there are indications of the presence of cockroaches, failure to take measures to keep land free from cockroaches and prevent breeding	150	300
42	4.1	Providing or conducting amusements so as to create or cause a nuisance without approval	250	500
43	4.2(a)	Permitting artificial light to be emitted or reflected so as to illuminate premises at a level that interferes unreasonably with normal activities	250	500
44	4.2(b)	Permit natural light to be reflected so as to create or be a nuisance	250	500
45	4.3	Allowing floodlights or other exterior lights to shine into adjoining land so as to cause a nuisance	250	500
46	4.5(1)	Setting fire to rubbish, refuse or other material listed in Schedule 2 on the land without approval	250	500
47	4.6	Failure to take reasonable steps to prevent the escape of smoke, fumes, odours or other emissions so as to cause a nuisance	250	500
48	5.1	Refuse, rubbish or disused material on land so as to give untidy appearance	250	500
49	5.2	Failure to prevent unsightly overgrowth of vegetation	250	500
50	5.4(a)	Wrecking, dismantling or breaking up a vehicle or machinery outside of a building or enclosed area	250	500
51	5.4(b)	Storing or allowing any vehicle or machinery to remain outside of a building or enclosed area	250	500
52	6.1	Failure to ensure rainwater, wastewater or stormwater is contained, discharged to an approved drainage structure or sewage apparatus	250	500
53	6.2	Failure to ensure water from a swimming pool, spa filtration system or	250	500

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		other water storage system is contained and diverted to storm water drainage		
54	8.1(1)	Failure to provide and maintain a refuse receptacle and a recycling receptacle at a building site, development site or demolition site	250	500
55	8.1(2)	Receptacle at a building site, development site or demolition site not to the required standard	250	500
56	8.2(2)(a)	Failure to clear refuse or recycling from a building site, development site or demolition site	250	500
57	8.2(2)(b)	Failure to remove receptacle from a building site, development site or demolition site	250	500
58	8.3(1)(a)	Failure to take effective measures to stabilise dust on the land	250	500
59	8.3(1)(b)	Failure to take effective measures to contain liquid waste on the land	250	500
60	8.3(1)(c)	Failure to take effective measures to ensure no dust or liquid waste is released or escapes from the land	250	500
61	8.3(2)	Failure to notify an owner or occupier of adjoining land of an activity with the potential to cause the release or escape of dust or liquid waste	250	500
62	10.2(1)(a)	Failure to do anything required or directed to be done	250	500
63	10.2(1)(b)	Failure to comply with a notice	250	500
64	10.2(1)(c)	Doing anything prohibited under local law	250	500

SCHEDULE 2 – MATERIALS NOT TO BE SET ON FIRE OR TO BE BURNT

[clause 4.5]

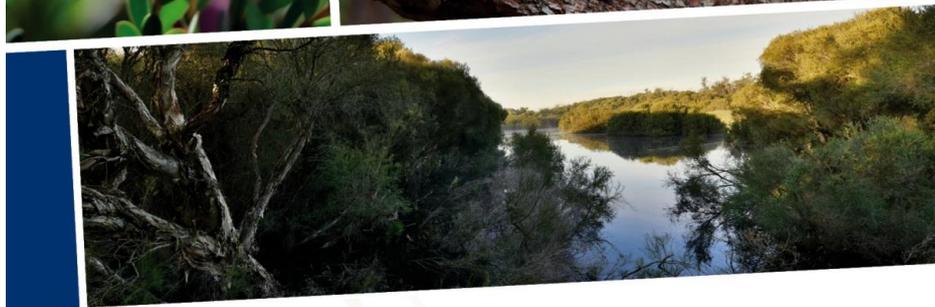
- (1) Batteries
- (2) Carpet
- (3) Electrical products
- (4) Fabrics or textiles
- (5) Solvent
- (6) Paint
- (7) Plastic, including polystyrene and the like
- (8) Rubber
- (9) Timber that has been treated with preservatives
- (10) Tyres
- (11) Vehicles or vessels and their parts
- (12) Waste oil, fats or grease



City of Kwinana

Animal, Environment and Amenity

Local Law 2024



City of Kwinana

ANIMAL, ENVIRONMENT AND AMENITY LOCAL LAW 2024

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SCHEDULE 2 – MATERIALS NOT TO BE SET ON FIRE OR TO BE BURNT

Local Government Act 1995**City of Kwinana****Animal, Environment and Amenity Local Law
2024**

Under the powers conferred on it by the *Local Government Act 1995* and all other powers enabling it, the Council of the City of Kwinana resolved on **[date]** to make the following local law.

PART 1 – PRELIMINARY**1.1 Citation**

This Local Law may be cited as the *City of Kwinana Animal, Environment and Amenity Local Law 2024*.

1.2 Commencement

This local law comes into operation 14 days after the day on which it is published in the *Government Gazette*.

1.3 Repeal

- (1) The Town of Kwinana By-Law No. 29(B) Relating to the Keeping of Pigeons published in the *Government Gazette* on 12 November 1996 is repealed.
- (2) The Town of Kwinana Piggeries By-Laws published in the *Government Gazette* on 9 September 1983 is repealed.
- (3) The Town of Kwinana Health (Keeping of Horses and Equine Premises) Local Laws 1997 published in the *Government Gazette* on 11 February 1998 is repealed.
- (4) The Town of Kwinana Urban Environment and Nuisance Local Law 2003 published in the *Government Gazette* on 18 July 2003, and amended from time to time is repealed.
- (5) The Town of Kwinana Bee Keeping Local Law 2002 published in the *Government Gazette* on 7 May 2002 is repealed.
- (6) The following parts of the Town of Kwinana Health By-Law 1963 published in the *Government Gazette* on 28 February 1964, and amended from time to time, are repealed —
 - (a) Part I General Sanitary Provisions by-laws 1 to 1B, 2, 4A, 4AB to AF, 5 – 35aA, 36 to 68, Schedule A;
 - (b) Part II Infectious Diseases;
 - (c) Part III Private Hospitals;
 - (d) Part IV Dairies and Milk Shops;

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- (e) Part VII Food;
- (f) Part VIII Barbers Shops and Hairdressing Establishments; and
- (g) Part IX Offensive Trades.

1.4 Application

This local law applies throughout the district.

1.5 Definitions

- (1) In this local law unless the context specifies otherwise –

Act means the *Local Government Act 1995*;

affiliated person means a person that is a member of a pigeon or poultry association, which is an incorporated body under the *Associations Incorporation Act 2015*;

amusement means entertainment provided by equipment operated for hire or reward which provides entertainment or amusement through movement of the equipment, or part of the equipment, or when passengers travel on, around or along the equipment or move the equipment through self-powered motion;

associated building or facilities includes a feed room, gear room, shoeing area, hosing down area, lunging yard, rolling yard, veterinary treatment area, and a vehicle and float storage area used in the keeping, caring or management of horses;

authorisation includes a permit or approval granted under this local law;

authorised person means a person authorised by the CEO of the local government, under section 9.10 of the Act to administer or enforce this local law;

aviary bird means any bird, other than poultry or pigeons, kept or usually kept in an aviary, cage or enclosure;

beehive means a movable or fixed structure, container or object which contains a bees nest and in which bees are kept;

~~**Building Code** means the latest edition of the Building Code of Australia published by, or on behalf of, the Australian Building Codes Board, as amended from time to time, but not including explanatory information published with the Building Code;~~

building site means any land for which a building permit issued under *Building Act 2011* is current and upon which building work has commenced;

CEO means the Chief Executive Officer of the local government;

Code of Practice means the *Code of Practice for Pigeon Keeping and Racing in Western Australia*, administered by the Department of Primary Industries and Regional Development/Agriculture and Food, as amended from time to time, in conjunction with the Pigeon Racing Federation WA Inc. and the Independent Racing Pigeon Federation Inc.;

demolition site means any land for which a demolition permit issued under the *Building Act 2011* is current and upon which the demolition work has commenced;

development has the meaning given to it in the *Planning and Development Act 2005*;

development site includes any land for which there is a current development or subdivision approval, and any land upon which, construction work, earthworks, clearing of scrub, trees or overgrowth or any other site works are taking or have taken place, whether or not such works are subject to a development or subdivision approval;

district means the district of the local government;

dust means any visible granular or particulate material which has or has the potential to become airborne and includes organic and non-organic matter and sand, but does not include smoke;

dwelling means a building or portion of a building being used, adapted or designed, or intended to be used, for the purpose of human habitation;

Environmental Management Guidelines means the Environmental Management Guidelines for Horse Facilities and Activities (Water Quality Protection Guideline 13), administered by the ~~Water and Rivers Commission~~ Department of Water and Environmental Regulation, as amended from time to time;

farm animal includes cow, sheep, goat, pig or other hoofed mammal, excluding a horse;

food business has the meaning given to it by the *Food Act 2008*;

horse includes any animal of the *Equidae* family, including a horse, ass, mule, donkey or pony;

Jandakot UWPCA means the Jandakot Underground Water Pollution Control Area, a gazetted public drinking water source area under the *Metropolitan Water Supply, Sewerage and Drainage Act 1909*;

land has the meaning given in clause 7 of the *Property Law Act 1969*. That definition includes a building or part of a building;

liquid waste means waste from any process or activity, whether useful or useless, that is in liquid form and includes paint, fuel, grease, fat, oil, degreaser solvent, detergent, chemical, animal waste, food waste, effluent and all discharges of liquid to land, air or water that are not otherwise authorised by a written law but does not include uncontaminated stormwater;

livestock means a farm animal;

local government means the City of Kwinana;

local planning scheme has the meaning given to it made by the local government under ~~by~~ the *Planning and Development Act 2005*;

manure receptacle means a receptacle, of sufficient capacity to receive all manure produced in one week on land upon which a farm animal or farm animals, a horse or horses are kept, constructed of smooth, durable, impervious materials, fitted with a fly proof, hinged cover and with no part of the floor lower than the adjoining ground;

mosquito means any of the two-winged insect constituting the family *Diptera Culicidae* and commonly known as mosquito;

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 same meaning as in the Act;

owner has the same meaning as in the Act;

pigeon includes homing pigeons and other domesticated breeds of the family *Columba*, but does not include native pigeons or doves whether or not the keeping of such birds is subject to the approval of the Department of Biodiversity, Conservation and Attractions;

poultry includes fowls, roosters, ducks, peafowls, turkeys, geese, guinea fowls, pheasants and other birds commonly kept for the production of eggs or meat for domestic consumption;

refuse includes bricks, lime, cement, concrete, rubble, stones, iron, timber, tiles, bags, plastics, ashes, vegetation, wood or metal shavings, sawdust, and waste food, and includes any broken, used, derelict or discarded matter whatsoever, whether of the same type as, or a different type from, those mentioned here;

recycling waste means –

- (a) paper and cardboard;
- ~~(a)~~(b) plastic containers comprised of polyethylene terephthalate or high-density polyethylene;
- ~~(b)~~(c) glass containers;
- ~~(c)~~(d) steel containers;
- ~~(d)~~(e) aluminium containers;
- ~~(e)~~(f) liquid paper board; and
- ~~(f)~~(g) any other waste determined by the local government to be recycling waste;

Regulations means the *Local Government (Functions and General) Regulations 1996*;

residential zone includes any land zoned Residential or Special Residential under a local planning scheme;

rodents means those mammals belonging to the order *Rodentia* and includes rats and mice, but does not include mammals of that species kept as pets in an enclosure designed for the purpose of keeping pets;

rural zone means any land zoned Rural or Special Rural or otherwise zoned for rural purposes under a local planning scheme;

sand means granules or particles of rock, earth, clay, loam, silt and any other granular, particulate or like material, and includes dust and gravel;

slaughter means to kill an animal for food;

stable means any building used for the keeping, breeding, caring, feeding and rearing of horses;

stable shelter in relation to stabling of horses means a three or four walled and fully roofed structure with or without a concrete floor provided for the substantial protection of horses from inclement weather that is provided and approved in lieu of a stable;

Stocking Rate Guidelines means the Stocking Rate Guidelines For Rural Small Holdings, Swan Coastal Plain and Darling Scarp and surrounds, Western Australia Plain and Darling Scarp and surrounds, Western Australia, administered by the Department of Primary Industries and Regional Development, as amended from time to time;

stormwater means any naturally occurring water that results from rainfall on or around a site, or water flowing onto the site;

street means any highway or thoroughfare which the public are entitled to use, and includes every part of the highway or thoroughfare, including the verge and other things including bridges and culverts appurtenant to it;

unreasonable noise has the meaning given to it by the *Environmental Protection Act 1986*;

vermin includes rats, mice, flies, fleas, mites, lice, cockroaches and any other animal, whether vertebrate or invertebrate, which is known to be a vector of disease or is likely to cause damage to human food, habitation or possessions;

water resources includes watercourses, waterways and their estuaries, inlets and floodplains, wetlands, groundwater, surface water, stormwater and drainage.

- (2) Any word or term used in this local law that is not defined in subclause (1) shall have the meaning given to it in the Act.
- (3) Where under this local law the local government is authorised to carry out actions or cause works to be undertaken as a consequence of the failure of any person to comply with the terms of a notice or other conduct, the right to enter land is at all times subject to the provisions of Part 3, Division 3, Subdivision 3 of the Act.
- (4) Where, in this local law, a duty or liability is imposed on an owner or occupier, or on an owner and occupier, the duty or liability is taken to be imposed jointly and severally on each of the owners or occupiers.

PART 2 – KEEPING OF ANIMALS**Division 1– Keeping of animals****2.1 Cleanliness**

- (1) An owner or occupier of land on which an animal is kept shall keep such land —
- (a) free from excrement, filth, food waste and all other matter which causes, or is likely to cause a nuisance, become offensive or injurious to health or to attract vermin; and
 - (b) so far as possible, free from flies or other vermin, by spraying with a residual insecticide or other effective means.
- (2) When directed by an authorised officer, an owner or occupier of land upon which an animal is kept shall clean and disinfect any portion of such land.

2.2 Disposal of dead animals

- (1) An owner or occupier of land, other than a veterinary practice, on which there is a dead animal, must dispose of the dead animal —
- (a) as soon as practicable; and
 - (b) in a manner that does not
 - (i) create a nuisance;
 - (ii) become offensive; or
 - (iii) attract vermin.
- (2) A dead animal must not be disposed of within 100 metres of any water resources or within the Jandakot UWPCA.

Division 2 – Keeping of farm animals**2.3 Keeping of farm animals**

An owner or occupier of land in a residential zone shall not keep, or permit to be kept, any farm animals on such land.

2.4 Keeping of pigs

An owner or occupier of land shall not keep any pig —

- (a) within a residential zone; or
- (b) within the Jandakot UWPCA.

2.5 Conditions for keeping farm animals

The owner or occupier of land upon which farm animals are kept shall ensure —

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- (a) all farm animals are prevented from approaching within 18 metres of any dwelling, public building, building used for commercial purposes or food business;
- (b) that the land on which the farm animals are enclosed is fenced or walled in a manner capable of confining such animals and, having regard to the species, age, size and condition of the animals, capable of preventing the animals from escaping; and
- (c) such animals are kept in accordance with the provisions of any local planning scheme applicable to that zone.

2.6 Requirements for farm animal shelters

The owner or occupier of land on which farm animals are kept shall ensure that any stable, enclosure or shelter provided for the keeping of farm animals is —

- (a) not situated within 18 metres of any dwelling, public building, building used for commercial purposes or food business; and
- (b) maintained in a manner so as to provide adequate shelter, drainage and ventilation.

2.7 Slaughter of farm animals

- (1) Subject to subclause (2), a person shall not slaughter any farm animal on any land.
- (2) Subclause (1) does not apply to euthanasia of animals by veterinarians, abattoirs, animal food processing premises, vermin control or any premises approved for slaughtering purposes.

Division 3 – Keeping of horses

2.8 Keeping of horses

An owner or occupier of land shall not keep, or permit to be kept, any horse —

- (a) on land other than within a rural zone; and
- (b) contrary to the provisions of any local planning scheme applicable.

2.9 Requirements for construction of stable, stable shelter, paddock, yards, training/walking rings and associated buildings or facilities

- (1) Any stable or stable shelter shall not be situated within —
 - (a) 18 metres of any dwelling, building used for commercial purposes or food business on an adjacent lot;
 - (b) 9 metres of any dwelling, building used for commercial purposes or food business within the same lot;
 - (c) a 30 metre radius of any private bore, well or dam;

- (d) 18 metres from the property boundary; and
 - (e) 9 metres of any street in the case of a corner site.
- (2) Any stable or stable shelter situated within the Jandakot UWPCA ~~shall not be situated are to be in accordance within the minimum buffer distances~~ as set out in the Environmental Management Guidelines.
- (3) Any stable or stable shelter shall —
- (a) have a separate stall for each horse in accordance with subclause (4);
 - (b) have each wall and roof constructed of an impervious material;
 - (c) have on all sides of the building between the top of the wall and the roof a clear opening of at least 150 millimetres in height, unless otherwise approved by the local government; and
 - (d) have walls that are not less than 3 metres in height and in length.
- (4) Subject to subclause (5), a stable must have —
- (a) a roof that covers the entire floor area of the stall; and
 - (b) a floor with an upper surface that —
 - (i) is raised at least 75 millimetres above the surface of the surrounding ground;
 - (ii) is constructed of cement, concrete or other similar impervious materials;
 - (iii) has an adequate fall to a drain which shall empty into a trapped gully situated outside the stable that discharges to sewer or an approved effluent disposal system; and
 - (iv) has an area of not less than 12 square metres for each stall.
- (5) A stable or stable shelter constructed with a sand floor shall be constructed as follows —
- (a) the site must be well drained with the highest known water table no closer than 2 metres to the sand floor level which may be achieved artificially;
 - (b) the footings to each stable are to be a minimum of 450 millimetres below ground level;
 - (c) the roof is to be not less than 50% of the floor area; and
 - (d) in all other respects, the requirements of subclause (3) apply to the stable building.
- (6) Any associated building or facility shall not be closer than 9 metres to any dwelling.
- (7) Any paddock, yards or training/walking rings shall not be situated within —

- (a) 18 metres of any dwelling, building used for commercial purposes or food business on an adjacent land;
- (b) 9 metres of any dwelling, building used for commercial purposes or food business within the same land;
- (c) a 30 metres radius of any private bore, well or dam; and
- (d) the minimum buffer distances set within the Environmental Management Guidelines for land situated within the Jandakot UWPCA.

2.10 Maintenance

The owner or occupier of land where any horse is kept shall —

- (a) ensure that stables, stable shelters and any associated building or facilities are —
 - (i) maintained in good working order;
 - (ii) in sound, weatherproof condition; and
 - (iii) are fit for use,including but not limited to their roofs, walls, floors, guttering, downpipes (including on-site storm water disposal systems), doors and windows.
- (b) maintain fences, railings and gates in the stables, stable shelters, paddocks, yards, training/walking rings in good working order and repair; and
- (c) ensure any paddock is fenced or walled in a manner capable of confining any horse contained therein.

2.11 Waste and manure management

The owner or occupier of land where any horse is kept shall ensure that —

- (a) no manure receptacle is situated closer than 10 metres from any dwelling on an adjacent property;
- (b) waste and manure are not permitted to accumulate unless stored or treated so as not to create a nuisance, become offensive or injurious to health or attract vermin; and
- (c) manure is managed in accordance with the planning approval under the under the local planning scheme.

Division 4 – Keeping of poultry, pigeons and birds

2.12 Keeping of poultry and pigeons

- (1) Subject to subclause (2), an owner or occupier of land must not keep or permit to be kept on such land —

- (a) more than 10 poultry or pigeons in a residential zone; or
 - (b) more than 25 poultry or 50 pigeons in a rural zone without the approval of the local government in accordance with clause 2.20.
- (2) Subclause (1) shall not apply to premises approved by the local government for veterinary purposes or intensive agriculture.

2.13 Requirements for keeping of poultry

An owner or occupier of land upon which poultry are kept, other than for veterinary purposes or intensive agriculture, must ensure that —

- (a) all poultry are kept in a properly constructed and securely fastened enclosure;
- (b) poultry are prevented from approaching within 9 metres of a street, or any dwelling on any other lot, or land used for public building or commercial purposes or food business;
- (c) the enclosure is kept in clean condition and in good repair at all times; and
- (d) effective measures are taken to control vermin and eradicate offensive odours.

2.14 Requirement for keeping of pigeons

- (1) An owner or occupier of land upon which pigeons are kept shall ensure that —
- (a) all pigeons are kept in a properly constructed enclosure and confined in that enclosure except where registered homing pigeons are freed for exercise;
 - (b) no opening to an enclosure, including openings for ventilation, is within 9 metres of any street, dwelling, public building, building used for commercial purposes or food business; and
 - (c) the enclosure is kept in a clean condition and in good repair at all times, with effective measures taken to control vermin and eradicate offensive odours.
- (2) An affiliated person shall ensure that all pigeons are kept in accordance with the Code of Practice for Pigeon Keeping and Racing in Australia and subject to the provisions of this local law.

2.15 Roosters, geese, turkeys and peafowl

Other than land within a rural zone, an owner or occupier of land must not keep or permit to be kept, any —

- (a) roosters;
- (b) geese;
- (c) turkeys; or
- (d) peafowl.

2.16 Requirements for keeping of aviary birds

An owner or occupier of land shall ensure that any enclosure used for the keeping of aviary birds is —

- (a) of sound, weatherproof construction as follows —
 - (i) the framework and roost are to be smooth sealed timber or metal;
 - (ii) the walls and roof are to be constructed of galvanised iron or other approved material; and
 - (iii) the floor is to be constructed in a manner that facilitates the hygienic removal of waste matter, husks, seeds, feathers, dead birds and faecal matter;
- (b) kept in clean condition and good repair at all times; and
- (c) kept at least 5 metres from any premises on any other land.

2.17 Nuisance caused by birds or poultry

An owner or occupier of land shall not keep any bird or poultry which —

- (a) causes, or is likely to cause a nuisance; or
- (b) emits an unreasonable noise.

2.18 Restrictions on feeding of uncaged birds

- (1) A person shall not feed or permit the feeding of any uncaged bird unless otherwise approved by the local government.
- (2) Where an authorised person is satisfied that a person has not complied with subclause (1) the authorised person may serve the person a notice of breach requiring the person to clean up and properly dispose of any feed or waste products specified in the notice.
- (3) Where approval has been given by the local government to feed or permit the feeding of any uncaged bird, the approval can be withdrawn by the local government in the event that —
 - (a) the holder does not comply or cause compliance with the conditions;
 - (b) there is a change in the circumstances upon which the approval was granted; or
 - (c) the feeding or permission to feed any uncaged bird causes a nuisance.

2.19 Restrictions on pigeons nesting or perching

An authorised person may order an owner or occupier of land on which pigeons nest or perch, to take adequate steps to prevent them from continuing to do so.

2.20 Application for approval for keeping of poultry or pigeons contrary to clause ~~2.12(1)(a)~~ and 2.12(1)(b)

- (1) An owner or occupier of land may apply in writing to the local government for approval to keep poultry or pigeons otherwise than in accordance with clause 2.12(1)(b).
- (2) An application to the local government for approval pursuant to subclause (1) is to include —
 - (a) a statement outlining the reasons why approval is sought;
 - (b) the number of poultry or pigeons proposed to be kept;
 - (c) a site plan showing land size, location of enclosure, the distance of the enclosure from any boundaries and buildings on adjoining land and any nearby water resources;
 - (d) where applicable, proof affiliation to a poultry or pigeon keeping association;
 - (e) proof of registration as a livestock owner where required by the *Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*; and
 - (f) any fee determined by the local government.
- (3) Prior to determining an application for approval, the local government may seek and consider the views and concerns of any owner or occupier of an adjoining property.
- (4) The local government may grant approval of an application pursuant to subclause (1), with or without conditions, or refuse to grant approval.
- (5) Where an approval pursuant to subclause (1) is granted subject to conditions, the holder of the approval shall comply with those conditions.
- (6) A grant of approval is personal to the applicant and applies only to the ~~premises~~ land described in the approval.
- (7) The applicant shall notify the local government of any change in the circumstances on which the grant of an approval was based as soon as any change occurs.
- (8) An approval can be cancelled by the local government in the event that —
 - (a) the holder does not comply with any conditions set by the local government;
 - (b) there is a change in the circumstances upon which the approval was granted; or
 - (c) the granting of the approval causes a nuisance in the opinion of the local government.

Division 5 – Keeping of bees

2.21 Keeping of bees

An owner or occupier of land shall not keep, or permit to be kept, bees in more than two bee hives, unless approval is granted by the local government in accordance with clause 2.24.

2.22 Requirements for keeping of bees

An owner or occupier of land shall not keep, or permit to be kept, bees in any beehive unless

- (a) a good and sufficient water supply is located on the land which is readily accessible by the bees situated at distance of less than 5 metres from the hive;
- (b) a screen or other barrier prevents the bees flying low over a street, public place or adjoining land;
- (c) each beehive is kept as follows —
 - (i) at least 9 metres from any building on any other land;
 - (ii) at least 9 metres from any footpath, street, private street or public place; and
 - (iii) at least 5 metres from the boundary of the land; and
- (d) where required, the owner or occupier is registered under the *Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*.

2.23 Nuisance caused by bees

A person shall not keep, or allow bees or beehives to be kept, on land so as to create a nuisance.

2.24 Application for approval for keeping of more than two bee hives

- (1) An owner or occupier of land may apply in writing to the local government for approval to keep more than two bee hives on such land.
- (2) An application for approval should include —
 - (a) a statement outlining the reasons why an approval is sought;
 - (b) the number of bee hives proposed to be kept;
 - (c) a site plan showing land size, the location of bee hives, and the distance of the enclosure from any boundaries and buildings on adjoining land;
 - (d) where required, proof of registration as a beekeeper under the *Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*; and
 - (e) payment of any fee determined by the local government.

- (3) Prior to determining an application, the local government may seek and consider the views and concerns of the owners and occupiers of adjoining land.
- (4) The local government may grant approval, with or without conditions, or refuse to grant approval.
- (5) Where approval is granted subject to conditions, the holder of the approval shall comply with those conditions.
- (6) A grant of approval is personal to the applicant and applies only to the land described in the approval.
- (7) The applicant shall notify the local government of any change in the circumstances on which the approval was based as soon as any change occurs.
- (8) An approval can be cancelled by the local government in the event that —
 - (a) the holder does not comply with the conditions of approval;
 - (b) there is a change in the circumstances upon which the approval was granted; or
 - (c) the granting of the approval causes a nuisance.

Division 6 – Previous approvals

2.25 Previous approvals by local government

- (1) Every registration or approval granted by the local government relating to the keeping of poultry, pigeons, pigs, horses and bees under the former provisions and in force immediately before the commencement of local laws, has effect as if granted under this local law and notwithstanding any of the provisions in this local law, may be renewed or transferred, on application made under this local law, at the discretion of the local government subject to such conditions or restrictions, if any, that the local government may deem necessary to impose.
- (2) In clause ~~2.31~~2.25(1), “former provisions” means the *Town of Kwinana Health (Keeping of Horses and Equine Premises) Local Laws 1997*, *Town of Kwinana Bee Keeping Local Law 2002*, *Town of Kwinana Bee Keeping Local Law 2002*, *Town of Kwinana Piggeries By-laws*, *Town of Kwinana By-Law No. 29(B), Relating to the Keeping of Pigeons* or *Town of Kwinana Health By-Law 1963* as repealed.

PART 3 – VERMIN CONTROL

Division 1 – Mosquitoes

3.1 Mosquito control

- (1) An owner or occupier of land must keep the land free of water located so as to be, or be liable to become, a breeding place for mosquitoes.

- (2) An authorised person may order an owner or occupier of land to take adequate and reasonable measures to prevent the pooling of water or undertake control measures to prevent mosquito breeding.

Division 2 – Rodents

3.2 Measures to be taken to eradicate rodents

- (1) Where there are indications of the presence of rodents, the owner or occupier of land must take adequate and reasonable measures to keep such land free from rodents and prevent rodent breeding.
- (2) An authorised person may order an owner or occupier of land to take adequate and reasonable measures to eradicate rodents or undertake control measures to prevent rodent breeding.

Division 3 – Cockroaches

3.3 Measures to be taken to eradicate cockroaches

- (1) Where there are indications of the presence of cockroaches in, on or about land, the owner or occupier of such land must take adequate and reasonable measures to keep the land free from cockroaches and prevent cockroach breeding.
- (2) An authorised person may order an owner or occupier of land to take adequate and reasonable measures to eradicate cockroaches or undertake control measures to prevent breeding of cockroaches.

PART 4 – NUISANCES

Division 1 – Amusements

4.1 Operation of amusements

A person shall not provide or conduct any amusements on land so as to create or cause a nuisance to any owner or occupier of land in the district, without the approval of the local government.

Division 2 – Light

4.2 Emission or reflection of light

An owner or occupier of land must not —

- (a) permit artificial light to be emitted or reflected from anything on the land so as to illuminate premises outside that land at a level that interferes unreasonably with normal activities; or

- (b) permit natural light to be reflected from anything on the land so as to create or be a nuisance to any owner or occupier of adjoining land or person using a street as a thoroughfare.

4.3 Use of exterior lighting

An owner and or occupier of land on which floodlights, lighting installations or other exterior lights are erected or used must not allow the floodlights or other exterior lights to shine directly onto adjoining land so as to cause a nuisance.

4.4 Notice

The local government may give a notice to the owner or occupier of land to abate a nuisance arising from a contravention of clause 4.2 or 4.3 within the time specified in the notice by —

- (a) preventing artificial light from being emitted or reflected from the land;
- (b) treating any reflective surfaces;
- (c) restricting the hours of use of the floodlights, lighting installations or other exterior lights; or
- (d) requiring alterations to the direction in which any lights are shining.

Division 3 – Smoke, fumes, odours, and other emissions

4.5 Burning rubbish, refuse or other material

- (1) An owner or occupier of land must not set fire to, or cause to be set on fire, any rubbish, refuse or other material listed in Schedule 2 on the land, unless approved under a written law.
- (2) Subclause (1) does not apply to any barbeque, solid fuel water heater, space heater or ovens fired with dry paper, dry wood, synthetic charcoal or charcoal type fuel.

4.6 Escape of smoke, fumes, odours, and other emissions

An owner or occupier of land must take reasonable steps to prevent the escape of smoke, fumes or odours from the land in such quantity or of such a nature as to cause or to be a nuisance to any person, unless that owner or occupier has approval under a written law that permits the escape of smoke, fumes or odours from the land.

PART 5 – UNSIGHTLY LAND AND DISUSED MATERIALS

5.1 Removal of refuse and disused materials

The owner or occupier of land shall not keep, or permit to remain on the land, any refuse, rubbish or disused material of whatsoever nature or kind which in the opinion of an authorised person is likely to give the land an untidy appearance and does not conform with the general appearance of other land in that particular part of the district.

5.2 Removal of unsightly overgrowth of vegetation

The owner or occupier of land shall not permit any unsightly overgrowth of vegetation on the land that gives the premises an untidy appearance and does not conform with the general appearance of other land or premises in that particular part of the district.

5.3 Fencing unsightly land

The local government may give notice to an owner or occupier of land to ensure that unsightly land is enclosed, to the satisfaction of the local government, with a fence or other means suitable to prevent the land, so far as is practicable, from being unsightly.

5.4 Storage of vehicles and machinery

The owner or occupier of land shall not —

- (a) wreck, dismantle or break up any vehicle or machinery (or any part thereof); or
- (b) store or allow to remain on any land any vehicle or machinery (or any part thereof) in a state of disrepair or disuse,

unless inside a building within an area enclosed by a fence or wall of not less than 1.8 metres in height and of such a nature as to screen all vehicles, parts or bodies of vehicles or machinery from the street and from adjoining land.

PART 6 – STORMWATER AND WASTEWATER MANAGEMENT

6.1 Containment of stormwater, rainwater, and wastewater

An owner or occupier of land shall ensure that all rainwater and stormwater received on the land, and all wastewater generated on the land is contained on the land or discharged into an approved drainage structure or sewerage apparatus.

6.2 Containment and disposal of swimming pool and other wastewater

An owner or occupier of land shall ensure that all wastewater and backwash water from any swimming pool or spa filtration systems or other water storage systems on the land is contained within the land and diverted to the storm water drainage system on the land.

PART 7 — HAZARDOUS MATERIALS

7.1 Hazardous plants and trees

- (1) Where a plant or tree situated on land presents a hazard, or endangers or may endanger any person or thing on adjoining land, an authorised person may give a notice to the owner or the occupier of the land to remove, cut, move or otherwise deal with the plant or tree so as to remove the danger or hazard.
- (2) Where a plant or tree situated on land presents a serious and immediate danger to any person or thing on adjoining land, an authorised person may take any remedial action considered appropriate in order to make a plant or tree safe without having given the owner or occupier notice under subclause (1).

7.2 Cyclonic activities or severe weather conditions

Where there is likely to be a danger to the public or property which may result from cyclonic activity or severe weather, an authorised person may give a notice to the owner or the occupier of land specifying measures to be taken in relation to the premises to prevent or minimise any danger or hazard.

PART 8 – BUILDING, DEVELOPMENT AND LAND CARE

Division 1 – Litter and refuse on building sites, development sites and demolition sites

8.1 Provision of refuse and recycling receptacles

- (1) The owner or occupier of a building site, development site or demolition site shall at all times provide and maintain a refuse receptacle and recycling receptacle, available for use on the land.
- (2) A refuse receptacle and recycling receptacle under subclause (1) shall include a suitable cover, to the satisfaction of an authorised officer, of such design as will –
 - (a) contain any refuse and recycling waste likely to be produced on the land; and
 - (b) prevent refuse and recycling waste being blown from the receptacle by wind.

8.2 Requirements to control refuse and recycling waste

- (1) From the time of commencement of works on a building site, development site or demolition site until the time of completion of such work, the owner or occupier of the land shall take reasonable steps to –
 - (a) ensure all refuse on the land is placed and contained in the refuse waste receptacle;
 - (b) ensure all recycling waste on the land is placed and contained in the recycling waste receptacle;
 - (c) keep the site as free as is reasonably practicable from any refuse and recycling waste;
 - (d) ensure all refuse and recycling waste are contained in the receptacles are prevented from being blown from the site by wind;
 - (e) maintain the street verge immediately adjacent to the land free of refuse and recycling waste from the site; and
 - (f) ensure the refuse and recycling waste receptacle is emptied when full.
- (2) The owner or occupier of a building site, development site or demolition site must ensure that within 2 days of completion of works on the site or when directed by an authorised officer –
 - (a) the land and the street verge immediately adjacent to it is cleared of all refuse; and recycling waste; and

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- (b) all recycling and refuse receptacles are removed from the land.

Division 2 – Prevention of dust and liquid waste

8.3 Containment of dust and liquid waste

- (1) An owner or occupier of land must take effective measures to –
 - (a) stabilise dust on the land;
 - (b) contain all liquid waste on the land; and
 - (c) ensure no dust or liquid waste is released or escapes from the land whether by means of wind, water, or any other cause.
- (2) An owner or occupier of land must notify the owners or occupiers of adjoining land in writing 48 hours prior to the commencement of any activity that has the potential to cause the release or escape of dust or liquid waste from the land, giving details of —
 - (a) the nature of the activity;
 - (b) the proposed commencement time, frequency, duration time and location of the activity; and
 - (c) the name of the person responsible for carrying out the activity and how and where that person may be contacted.
- (3) Where an authorised person is satisfied that an owner or occupier has not complied with subclause (1), the local government may serve on the owner and or occupier of the land a notice requiring the owner and or occupier to do one or more of the following —
 - (a) comply with subclause (1);
 - (b) clean up and properly dispose of any released or escaped dust or liquid waste;
 - (c) clean up and make good any damage resulting from the released or escaped dust or liquid waste; or
 - (d) take effective measures to stop any further release or escape of dust or liquid waste.
- (4) The requirements set out in a notice served under subclause (3) must be complied with —
 - (a) within 48 hours of service of the notice where no other time is specified;
 - (b) within such other period as is specified in the notice; or
 - (c) immediately, if the notice so specifies.
- (5) Where an authorised person is satisfied that dust or liquid waste has escaped or has been released from an activity undertaken on land or as a consequence of the use of equipment on land, the local government may serve a notice on the owner and or

occupier of the land and or the operator of the equipment, as the case may be, requiring that the activity or use of the equipment on the land be ceased immediately, for such period as is specified in such notice.

- (6) Where an authorised person is satisfied that dust or liquid waste is likely to be released or escape as a result of an activity to be carried out on any land, the local government may give to the owner and or occupier a notice providing that the activity may only be carried on subject to conditions specified in the notice.

PART 9 – OBJECTIONS AND APPEALS

9.1 Objections and appeals

When the local government decides under this local law whether it will —

- (a) grant a person an authorisation;
- (b) renew, vary, or cancel an authorisation; or
- (c) give a person a notice,

the provisions of Division 1 of Part 9 of the ~~Local Government Act 1995~~ Act and Regulation 33 of the Regulations shall apply to that decision.

PART 10 – ENFORCEMENT

Division 1 – Notices given under this local law

10.1 Notice of Breach

- (1) Where a breach of any provision of this local law has occurred, the local government may give a notice in writing to the person alleged to be responsible for such breach directing them to take such actions as an authorised person considers necessary within the timeframe specified in the notice.
- (2) A notice given under subclause (1) shall —
 - (a) specify the provision of this local law which has been breached;
 - (b) specify the particulars of the breach; and
 - (c) state that the manner in which the person is required to remedy the breach to the satisfaction of the local government within the time specified in the notice.
- (3) If a person fails to comply with a notice given to him or her under this local law, the local government may do, or arrange to be done, the thing specified in the notice and recover from the person to whom the notice was given, as a debt, the costs incurred in doing so.

- (4) This local law is subject to sections 3.25, 3.27 and Schedules 3.1 and 3.2 of the Act and any powers of entry exercised by the local government under this local law is subject to Part 3, Division 3, Subdivision 3 of the Act.

Division 2 – Offences and penalties

Subdivision 1 – General

10.2 Offences and penalties

- (1) A person who —
- (a) fails to do anything required or directed to be done under this local law;
 - (b) fails to comply with the requirements of a notice issued under this local law; or
 - (c) does anything prohibited under this local law,
- commits an offence.
- (2) A person who commits an offence under this local law is liable to a maximum penalty of \$5,000 and a maximum daily penalty of \$500 in respect of each day or part of a day during which the offence has continued.

Subdivision 2 – Infringement notices and modified penalties

10.3 Prescribed offences

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of Section 9.15 of the Act.
- (2) The amount of the modified penalty for a prescribed offence —
- (a) for a first offence is that specified adjacent to the clause in the fourth column of Schedule 1; and
 - (b) for a subsequent offence is that specified adjacent to the clause in the fifth column of Schedule 1.

10.4 Form of infringement notices

For the purposes of this local law —

- (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
- (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
- (c) the form of the notice given under section 9.20 of the Act withdrawing an infringement notice is that of Form 3 in Schedule 1 of the Regulations.

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SCHEDULE 1 – PRESCRIBED OFFENCES

[Clause 10.3(1)]

Item No.	Clause No.	Nature of offence	Modified Penalty First Offence (\$)	Modified Penalty Subsequent Offence (\$)
1	2.1(1)	Failure to keep land upon which an animal is kept to the required standard	150	300
2	2.1(2)	Failure to comply with a direction to clean and disinfect land upon which an animal is kept	150	300
3	2.2(1) and (2)	Failure to disposing of a dead animal in approved manner	150	300
4	2.3	Keeping a farm animal within a residential zone	150	300
5	2.4	Keeping of a pig within a non-permitted area	150	300
6	2.5(a)	Failure to ensure a farm animal is prevented from approaching a dwelling, public building, building used for commercial premises or food business	150	300
7	2.5(b)	Failure to ensure that land where a farm animal is kept is fenced or walled to the required standard	150	300
8	2.5(c)	Failure to keep a farm animal in accordance with planning scheme	150	300
9	2.6(a)	On land where farm animals are kept, failing to ensure any stable, enclosure or shelter is not situated within 18 metres of any dwelling, public building, building used for commercial purposes or food business	150	300
10	2.6(b)	On land where farm animals are kept, failing to ensure any stable, enclosure or shelter is maintained in a manner so as to provide adequate shelter, drainage and ventilation	150	300
11	2.7(1)	Slaughtering an animal other than at an approved premises	150	300
12	2.8(a)	Keeping of a horse outside of a rural zone	150	300
13	2.8(b)	Keeping of a horse contrary to the provisions of any local planning scheme	150	300
14	2.9(1) and (2)	Failure to ensure a stable or stable shelter is sited to the required standard	150	300

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15	2.9(3)- and , (4) and (5)	Stable or stable shelter contrary to the required standard	150	300
16	2.9(6)	Associated building or facility situated within 9 metres of any dwelling	150	300
17	2.9(7)	Failure to ensure a paddock, yard or training/walking ring is sited to the required standard	150	300
18	2.10(a)	Failing Failure to maintain any stable, stable shelter, associated building or facility where any horse is kept to the required standard-	150	300
19	2.10(b)	Failing Failure to maintain fences, railings and gates to the required standard	150	300
20	2.10(c)	Failure to ensure any paddock where horses are kept is fenced or walled in a manner capable or confining a horse	150	300
21	2.11(a)	Manure receptacle on land where horses are kept situated within 10 metres of a dwelling on adjacent property	150	300
22	2.11(b) and (c)	On land where horses are kept, failing to handle waste and manure to the required standard	150	300
23	2.12(1)(a)	Exceeding the permitted number of poultry or pigeons in a residential zone	150	300
24	2.12(1)(b)	Exceeding the permitted number of poultry or pigeons in a rural zone without approval	150	300
25	2.13	Failure to comply with requirements for keeping of poultry	150	300
26	2.14(1) and (2)	Failure to comply with requirements for keeping of pigeons	150	300
27	2.15	Keeping a rooster, geese, turkey or peafowl outside of a rural zone	150	300
28	2.16	Failure to comply with requirements for keeping of aviary birds	150	300
29	2.17(a)	Keeping a bird or poultry that causes or is likely to cause a nuisance	150	300
30	2.17(b)	Keeping a bird or poultry which emits an unreasonable noise	150	300
31	2.18(1)	Feeding of uncaged bird without approval	150	300
32	2.18(2)	Failure to comply with a notice to clean up and dispose of feed or waste product	150	300
33	2.20(5)	Failure to comply with a condition of approval for keeping poultry or pigeons	150	300

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34	2.20(7)	A holder of a permit to keep poultry or pigeons failing to notify of any change in circumstances	150	300
35	2.21	Keeping bees in more than two beehives on land without approval	150	300
36	2.22	Failure to comply with requirement for keeping of bees	150	300
37	2.23	Keeping bees so as to create a nuisance	150	300
38	2.24(5)	Failure to comply with a condition of approval for keeping bees	150	300
39	3.1(1)	Failure to keep land free of water that is or is liable to become a breeding place mosquito breeding	150	300
40	3.2(1)	Where there are indications of the presence of rodents, failure to take measures to keep land free from rodents and prevent breeding	150	300
41	3.3(1)	Where there are indications of the presence of cockroaches, failure to take measures to keep land free from cockroaches and prevent breeding	150	300
42	4.1	Providing or conducting amusements so as to create or cause a nuisance without approval	250	500
43	4.2(a)	Permitting artificial light to be emitted or reflected so as to illuminate premises at a level that interferes unreasonably with normal activities	250	500
44	4.2(b)	Permit natural light to be reflected so as to create or be a nuisance	250	500
45	4.3	Allowing floodlights or other exterior lights to shine into adjoining land so as to cause a nuisance	250	500
46	4.5(1)	Setting fire to rubbish, refuse or other materials listed in Schedule 2 on the land without approval	250	500
47	4.6	Failure to take reasonable steps to prevent the escape of smoke, fumes, odours or other emissions so as to cause a nuisance	250	500
48	5.1	Refuse, rubbish or disused material on land so as to give untidy appearance	250	500
49	5.2	Failure to prevent unsightly overgrowth of vegetation	250	500
50	5.4(a)	Wrecking, dismantling or breaking up a vehicle or machinery outside of a building or enclosed area	250	500
51	5.4(b)	Storing or allowing any vehicle or machinery to remain outside of a building or enclosed area	250	500
52	6.1	Failure to ensure rainwater, wastewater or stormwater is	250	500

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		contained, discharged to an approved drainage structure or sewage apparatus		
53	6.2	Failure to ensure water from a swimming pool, spa filtration system or other water storage system is contained and diverted to storm water drainage	250	500
54	8.1(1)	Failure to provide and maintain a refuse receptacle and a recycling receptacle at a building site, development site or demolition site	250	500
55	8.1(2)	Receptacle at a building site, development site or demolition site not to the required standard	250	500
56	8.2(2)(a)	Failure to clear refuse or recycling from a building site, development site or demolition site	250	500
57	8.2(2)(b)	Failure to remove receptacle from a building site, development site or demolition site	250	500
58	8.3(1)(a)	Failure to take effective measures to stabilise dust <u>on the land</u>	250	500
59	8.3(1)(b)	Failure to take effective measures to contain liquid waste <u>on the land</u>	250	500
60	8.3(1)(c)	Failure to take effective measures to ensure no dust or liquid waste is released or escapes <u>from the land</u>	250	500
61	8.3(2)	Failure to notify an owner or occupier of adjoining land of an activity with the potential to cause the release or escape of dust or liquid waste	250	500
62	10.2(1)(a)	Failure to do anything required or directed to be done	250	500
63	10.2(1)(b)	Failure to comply with a notice	250	500
64	10.2(1)(c)	Doing anything prohibited under local law	250	500

SCHEDULE 2 – MATERIALS NOT TO BE SET ON FIRE OR TO BE BURNT

[Clause 4.5]

- (1) Batteries
- (2) Carpet
- (3) Electrical products
- (4) Fabrics or textiles
- (5) Solvent
- (6) Paint
- (7) Plastic, including polystyrene and the like
- (8) Rubber
- (9) Timber that has been treated with preservatives
- (10) Tyres
- (11) Vehicles or vessels and their parts
- (12) Waste oil, fats or grease

18.3 COUNCIL POLICY REVIEW

DECLARATION OF INTEREST

There were no declarations of interest declared.

SUMMARY

Council policies are high-level statements articulating the intent of the City's strategic objectives as well as guiding the City's operations. Appropriate policies help strengthen the City's governance as well as support consistency in decision-making and outcomes.

High-risk policies are to be reviewed every two years, while lower-risk policies may be reviewed every four years. Policies are required to be updated as needed even if the review timeframe is not due, in response to changes in legislation, procedures, and other relevant factors. The City's commitment to policy review ensures that no policy exceeds a four-year review timeframe, with the respective review dates clearly stated within the Policies reference section.

As part of the City's ongoing policy review process, the following existing policies have undergone a thorough review and are recommended for adoption by Council:

- Recordkeeping (**Attachment A**);
- Pavement and Drainage for Residential, Commercial and Industrial Areas (**Attachment C**); and
- Crossover (**Attachment E**).

A tracked changes version of the Recordkeeping Policy is provided at **Attachment B** for ease of reference.

The Half Mast Flags as detailed at **Attachment G** has been reviewed and determined to be no longer necessary due to internal processes and communications received by State Government.

OFFICER RECOMMENDATION

That in accordance with the *Local Government Act 1995*, Council resolves as follows:

- (a) To adopt the following amended Council policies:
 - Recordkeeping (Attachment A);
 - Pavement and Drainage for Residential, Commercial and Industrial Areas (Attachment C); and
 - Crossover (Attachment E);
- (b) To revoke Council policy Half Mast Flags as detailed in Attachment G.

VOTING REQUIREMENT

Simple majority.

DISCUSSION

As part of the City’s policy review process, the following policies have been subject to review and assessment. After careful consideration the policies are now recommended for adoption or to be revoked by Council. To facilitate this decision-making process, City officers have provided comments and insights related to each policy, these comments have been included in the table below.

Amended Policies for Adoption:

In accordance with the *Local Government Act 1995*, the following policies have been reviewed and are recommended for adoption:

Policy Name	Comment
Recordkeeping Policy	<p>The City’s Recordkeeping Policy has been thoroughly reviewed and updated to ensure compliance with the <i>State Records Act 2000</i>. The review included a gap analysis to align all practices with legislative requirements. The revised Policy clarifies objectives, ensuring compliance with the <i>State Records Act 2000</i> and the <i>Local Government Act 1995</i>, and the facilitation of data collection through various means such as physical mail, emails, digital images, and social media posts. It expands the scope to include all records created or received by Council Members, employees, and contractors, ensuring comprehensive coverage.</p> <p>The updated Policy also introduces detailed provisions for the creation, capture, control, security, protection, access, use, storage, preservation, appraisal, retention, disposal, and digitisation of records. These changes aim to enhance record management efficiency and effectiveness, protect the City’s information assets, and ensure all records are preserved and disposed of appropriately. The revisions address recordkeeping challenges, such as managing digital records and social media posts, ensuring that all forms of records are captured and preserved in line with best practice standards and legislative requirements.</p>
Pavement and Drainage for Residential, Commercial and Industrial Areas Policy	<p>The Pavement and Drainage for Residential, Commercial, and Industrial Areas Policy establishes the standards and procedures for constructing and maintaining paved areas, such as yards, driveways, and car parks within the City. It addresses issues related to dust control and drainage management to ensure these areas remain serviceable and do not adversely impact adjacent properties.</p> <p>The changes made to the Policy are minimal and do not alter the overall effect. The policy has also been amended to ensure it aligns with the City’s policy template</p>
Crossover Policy	<p>The Crossover Policy provides clarity and compliance, including the requirement for a detailed crossover plan submission before construction, emphasising the identification and preservation of existing trees. It specifies the conditions under which trees can be removed and replaced, mandates that crossovers adhere to approved plans before occupancy permits are issued, and clarifies the rebate eligibility criteria, particularly for first-time</p>

	<p>crossovers. The Policy reinforces the importance of adhering to the City’s specifications and includes provisions for non-compliant crossovers to be corrected at the owner’s expense.</p> <p>The changes made to this Policy are minimal and do not alter the overall effect of the Policy. The Policy has also been amended to ensure it aligns with the City’s policy template.</p>
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Policy to be Revoked:

In accordance with the *Local Government Act 1995*, the following policy is recommended to be revoked:

Policy Name	Comment
Half Mast Flags	<p>The City’s process for flying flags, including the Half Mast Flags Policy, has been reviewed. It was determined that the Policy is no longer required, as the City receives guidance from the Department of Local Government, Sport and Cultural Industries through their LGAAlert emails, these emails are in accordance with the Australian National Flag protocol. The emails detail the requirements for flying flags, including the significance of specific days, dates, and timeframes. They also provide a link to the Australian National Flag protocol.</p> <p>The LGAAlerts are saved in the City’s record-keeping system and forwarded to the appropriate Officers for action.</p>

STRATEGIC IMPLICATIONS

This proposal will support the achievement of the following outcome/s and objective/s detailed in the Strategic Community Plan and Corporate Business Plan.

Strategic Community Plan			
Outcome	Strategic Objective	Action in CBP (if applicable)	How does this proposal achieve the outcomes and strategic objectives?
5 – Visionary leadership dedicated to acting for its community	5.1 – Model accountable and ethical governance, strengthening trust with the community	N/A – There is no specific action in the CBP, yet this report will help achieve the indicated outcomes and strategic objectives	Although there is no specific action to the City’s SCP or CBP the review, adoption and revoking of Council Policies should reflect the City desired achievements of the outcomes and objective of the visionary leadership of the City.

SOCIAL IMPLICATIONS

There are no social implications as a result of this proposal.

LEGAL/POLICY IMPLICATIONS

Local Government Act 1995

2.7. Role of council

- (2) *Without limiting subsection (1), the council is to —*
 - (a) *oversee the allocation of the local government's finances and resources; and*
 - (b) *determine the local government's policies.*

FINANCIAL/BUDGET IMPLICATIONS

There are no financial implications that have been identified as a result of this report or recommendation.

ASSET MANAGEMENT IMPLICATIONS

No asset management implications have been identified as a result of this report or recommendation.

ENVIRONMENTAL/PUBLIC HEALTH IMPLICATIONS

No environmental or public health implications have been identified as a result of this report or recommendation.

COMMUNITY ENGAGEMENT

There are no community engagement implications as a result of this report or recommendation.

COUNCIL DECISION

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MOVED CR E SERGEANT

SECONDED DEPUTY MAYOR B WINMAR

That in accordance with the *Local Government Act 1995*, Council resolves as follows:

- (a) To adopt the following amended Council policies:**
 - **Pavement and Drainage for Residential, Commercial and Industrial Areas (Attachment C); and**
 - **Crossover (Attachment E);**
- (b) To revoke Council policy Half Mast Flags as detailed in Attachment G.**
- (c) To defer the Record Keeping Policy (Attachment A) to a later Ordinary Council Meeting, to allow for further review.**

**CARRIED
9/0**

NOTE – That the Officer Recommendation has been amended by Council to defer Attachment A, Record Keeping Policy.

ATTACHMENTS

- A. Policy - Recordkeeping [↓](#)
- B. Policy - Recordkeeping - Tracked Changed [↓](#)
- C. Policy - Pavement and Drainage for Residential, Commercial and Industrial Areas [↓](#)
- D. Attachment - Policy - Pavement and Drainage for Residential, Commercial and Industrial Areas - Tracked Changed [↓](#)
- E. Policy - Crossovers [↓](#)
- F. Attachment - Policy - Crossovers - Tracked Changed [↓](#)
- G. Policy - Half Mast Flags - 2016 [↓](#)



Council Policy

Recordkeeping



Legislation/local law requirements	<i>State Records Act 2000</i>
Relevant Delegation	See Delegated Authority Register
Related policy procedures and documents	Corporate Information Management Handbook Information Management Operations Manual

Introduction

This policy ensures that the City of Kwinana has appropriate practices established to manage the creation, capture, preservation, retention and disposal of all recorded business-related documents, in accordance with the *State Records Act 2000*.

Purpose

The purpose of this policy is to define the principles of the City’s information management function and provide guidance and direction on the creation and management of information and records for the individuals who are responsible for managing or performing those processes on behalf of the City.

This Policy should be read in conjunction with the following documents:

- City of Kwinana Recordkeeping Plan
- City of Kwinana Disaster Recovery Plan
- Vital Records Register
- Information Management Operations Manual
- Information Management Handbook

This suite of documents is the framework for the reliable and systematic management of the City’s records and information and ensures records are created and retained appropriately to meet accountability requirements of the *State Records Act 2000*, other legislation, and best practice standards.

Objectives

The objectives of this policy are:

- To keep records and facilitate the collection of data through the City’s business record keeping system, which includes but is not limited to physical mail, publications, emails, digital images, website and social media posts, text messages and information contained on the shared network drives.
- To ensure compliance with the requirements of the *State Records Act 2000* and the *Local Government Act 1995*.

Scope

This Policy applies in relation to all records created or received by City of Kwinana employees and contractors. This includes all full-time, part-time, temporary and casual staff, contractors, work experience students and volunteers employed either directly by the City or engaged through a recruitment agency, labour hire organisation or any other third party.

Policy Provisions

Definitions

Term	Definition
<i>ephemeral records</i>	Any record that has short term value to the City, with little or no ongoing administrative, fiscal, legal, evidential, or historical value and is generally only needed for a few hours or a few days. The City uses the guidelines contained within the General Disposal Authority for Local Government Records to determine which records are considered ephemeral.
<i>General Disposal Authority (GDA)</i>	The General Disposal Authority for Local Government records is issued by the State Records Office of Western Australia and designed to provide consistency throughout Local Government in disposal activities and decisions. It establishes the minimum retention period for each type of record listed in the schedule regardless of medium and dictates the final action for the record.
<i>General Disposal Authority for Source Records (GDASR)</i>	The General Disposal Authority for Source Records is issued by the State Records Office of Western Australia and provides for the digitisation of records and the retention of reproductions that meet the specific requirements of the <i>State Records Act 2000</i> .
<i>record</i> <i>(May also referred to as a corporate or business record)</i>	A record is information recorded in any form that is created, received, and maintained by an organisation in the course of conducting its business activities and kept as evidence of such activity. It includes any hardcopy, digital or online record that meets one or more of the following criteria: <ul style="list-style-type: none"> a. It conveys information essential or relevant in decision making processes. b. It conveys information upon which others will, or may, use to make decisions affecting the City’s operations, rights, and obligations under legislation. c. It commits the City to certain courses of action, the commitment of resources or provision of services. d. It conveys information about matters of public safety or public interest or involves information upon which contractual undertakings are entered into. e. The information is likely to be needed for future use or is of historical value.
<i>Recordkeeping Plan</i>	Ensures records are created, managed, and maintained over time and disposed in accordance with principles and standards issued by the State Records Commission. It is the primary means of providing evidence of compliance with the <i>State Records Act 2000</i> and shows how best practices have been implemented within the organisation.
<i>Recordkeeping System / eDRMS</i>	A system to capture, maintain and provide access to records over time that displays features for ensuring authentic, reliable, complete, and usable records that function as evidence of business transactions. (State Records Office)
<i>Significant Records</i>	Significant records contain information which is of administrative, legal, fiscal, evidential, or historical value, and are not recorded elsewhere on the public record.

<i>State Archive</i>	Means a State record that is to be retained permanently. (State Records Office)
<i>State Records Act 2000</i>	The <i>State Records Act 2000 Act</i> has specific provisions relating to the responsibility to create, manage and dispose of records in accordance with principles and standards issues by the State Records Commission. In accordance with Section 19 of the Act, the City will ensure it endorses and maintains a Recordkeeping Plan approved by the State Records Commission.
<i>source record</i>	Records that have been identified as suitable for digitisation under GDASR.
<i>vital record</i>	Records that have been identified as essential to the continuing business of the City. These include those that protect the rights of individuals and the City and are essential for reconstruction in the event of a disaster.

Policy Statement

Records are recognised as an important information resource within the City of Kwinana, and it is accepted that sound records management practices will contribute to the overall efficiency and effectiveness of the organisation.

The effective management of records will also:

- Protect the interests of the City and the rights of its employees, customers and stakeholders;
- Support informed decision making;
- Provide evidence of achievements; and
- Increase efficiency in administration and service delivery across the organisation.

1.1 Responsibilities

Chief Executive Officer

In accordance with section 5.41(h) of the *Local Government Act 1995*, ‘the Chief Executive Officer is to ensure that records and documents of the local government are properly kept for the purpose of this act and any other written law.’

The Chief Executive Officer shall ensure that the City maintains a system for the capture and management of records that is compliant with legislative requirements and best practice standards; that facilitate effective and efficient management of records in accordance with the City’s statutory and operational obligations.

Management Team or Management

Managers and coordinators are responsible for:

- Ensuring that all employees under their supervision comply with this policy and associated records management procedures.
- Ensuring that all new employees attend compulsory induction training to their record keeping responsibilities.

Staff and Contractors

All staff and Contractors are required to:

- Complete compulsory records management education initiatives within designated timeframes.
- Create, receive, maintain and store records relating to the business activities they perform in accordance with this Policy, the City's Recordkeeping Plan and established procedures, guidelines and practices.

Information Management Team

The Information Management team are responsible for:

- Providing an information management service that complies with this policy, associated procedures and any legislative requirements;
- The development, maintenance, promotion, and support of an organisational system for the capture and management of records that is compliant with legislative requirements and best practice standards;
- Assisting and supporting all City employees in meeting their recordkeeping responsibilities by defining strategies that will support and document accountability and responsibility throughout the organisation;
- Providing education in relation to recordkeeping compliance, recordkeeping practices, policies and the records management system; and
- Monitoring and reporting on compliance with this policy.

1.2 Ownership

Records created or received by employees are to be managed in accordance with the relevant legislation, the City's revised Recordkeeping Plan, this policy and associated guidelines and procedures. The City's records are corporate assets, and the City is the owner of all records and as such records are not the property of individual employees.

Outsourced Functions performed on behalf of the City

Contractual agreements or other similar arrangements must include appropriate recordkeeping clauses that specify requirements for external providers. They are to create, manage, store and transfer records in accordance with the City of Kwinana's Recordkeeping Plan, Procurement policy, the City's Terms and Conditions for the Supply of Goods and Services and the State Records Commission Standard 6 – Outsourcing.

1.3 Creation of Records

All employees, contractors and elected members will ensure that full and accurate records are created to provide evidence of business transactions and decisions and that these records will be registered in the City's recordkeeping system.

Creation, Capture and Control of Records

All records created and received in the course of City business are to be captured at the point of creation, regardless of format, with required metadata into the recordkeeping or approved business system, that contains appropriate security and retention and disposal functionality. All records must be titled in a way that is easily retrievable and in line with the City's document naming and titling conventions.

1.4 Security and Protection of Records

All records are to be categorised according to their level of sensitivity and adequately secured and protected from violation, unauthorised access, or destruction, and kept in accordance with necessary retrieval, preservation, and storage requirements.

1.5 Access Use and Disclosure of Records

Access to the City's records by staff and contractors will be in accordance with designated access and security classifications and in accordance the City's Recordkeeping Operational Guidelines.

The public's access to the City's records will be in accordance with the *Local Government Act 1995* and the *Freedom of Information Act 1992* and any other relevant legislation.

Access to the City's records by Elected Members will be via the Chief Executive Officer in accordance with the *Local Government Act 1995*.

1.6 Storage

Digital records must not be maintained in email folders, shared folders (unless authorised), personal drives, external storage media or cloud storage not approved for use as these lack the necessary functionality to protect business information and records over time.

Physical vital records are to be stored in secure fire-resistant locations using documented protocols designed to secure and protect the records from a disaster.

1.7 Preservation

Where records, regardless of format, are no longer used but because of their legal, evidential or informational value have been selected for permanent retention, will be managed in accordance with relevant industry storage specifications and standards to maximise their longevity and preservation.

The City has implemented a vital records program to assist with safeguarding its vital information assets. Staff responsible for the ongoing management of these records and information are required to familiarise themselves with the guidelines and abide by the counter disaster measures in place.

Preservation of records also entails the migration of data. All migrations of data must produce authentic, complete, accessible records. The City requires that implementation plans for new or upgraded electronic recordkeeping and business systems have a data migration strategy that includes the methodology for migration of

data, metadata, and records. The outcome expected is that migrated records retain the same level of useability and the methodology for implementation ensures where occur they may be reverse engineered to protect the original record.

1.8 Appraisal, Retention and Disposal of Records

Records will be disposed of in accordance with the General Disposal Authority for Local Government Records, published by the State Records Commission of Western Australia.

Staff, contractors and elected members must not personally undertake destruction of any records. Records identified for destruction will be subject to review and approval by the Information Management Coordinator, the Manager of the business unit the records relate to, and the Chief Executive Officer.

Ephemeral records are not required to be placed within the City’s official recordkeeping system. Staff or contractors may dispose of such ephemeral records once reference ceases.

Copies/duplicates may be disposed of after use ensuring any such records that contain personally identifiable information or information that is not publicly available are placed into confidential destruction bins or given to the Information Management Team for secure disposal.

Digitisation

All hardcopy records that are digitised must be in accordance with the General Disposal Authority for Source Records (RD 2016002) and internal guidelines established for this process. The digitised record will become the City's original record. Both the digitised and paper record will be managed in accordance with sound recordkeeping principles.

OFFICER USE ONLY

Officers may amend this section without council approval.

Responsible Team	Governance and Legal (Information Management)	
Initial Council adoption	Date: 28 October 2015	Ref#: 011
Reviewed/amended	Date: September 2024	Ref#: **
Next Review Date	Date: September 2026	
Policy Document Number	D15/55036[v7]	



Council Policy

Recordkeeping



Council Policy	
Legal Authority	<i>State Records Act 2000</i>
Department	Governance and Legal — Records
<u>Legislation/local law requirements</u>	<u>State Records Act 2000</u>
<u>Relevant Delegation</u>	<u>See Delegated Authority Register</u>
<u>Related policy procedures and documents</u>	<u>Corporate Information Management Handbook</u> <u>Information Management Operations Manual</u>

Introduction

*This policy ensures that the **City of Kwinana** has appropriate practices established to manage the creation, capture, preservation, retention and disposal of all recorded business-related documents, in accordance with the State Records Act 2000.*

1. — Title
Recordkeeping

2. — Purpose

~~The purpose of this policy is to guide record keeping practices within the City of Kwinana to ensure that all business decisions and transactions are retained in accordance with legislative requirements and best practice standards.~~

The purpose of this policy is to define the principles of the City’s information management function and provide guidance and direction on the creation and management of information and records for the individuals who are responsible for managing or performing those processes on behalf of the City.

This Policy should be read in conjunction with the following information management document suite referenced at the end of this d.s:

- City of Kwinana Recordkeeping Plan
- City of Kwinana Disaster Recovery Plan
- Vital Records Register
- Information Management Operations Manual
- Information Management Handbook

This suite of documents is the framework for the reliable and systematic management of the City’s records and information and ensures records are created and retained appropriately to meet accountability requirements of the *State Records Act 2000*, other legislation, and best practice standards.

Objectives

The objectives of this policy are:

- To keep records and facilitate the collection of data through the City's business record keeping system, which includes but is not limited to physical mail, publications, emails, digital images, website and social media posts, text messages and information contained on the shared network drives.
- To ensure compliance with the requirements of the *State Records Act 2000* and the *Local Government Act 1995*.

3. Scope

This Policy applies in relation to all records created or received by City of Kwinana ~~elected members~~, employees and contractors. This includes

aAll full-time, part-time, temporary and casual staff, contractors, work experience students and volunteers employed either directly by the City or engaged through a recruitment agency, labour hire organisation or any other third party.

Policy Provisions

~~4.~~ Definitions

~~'Record' is defined under the State Records Act 2000 as any record of information however recorded and includes:~~

- ~~a) anything on which there is writing or Braille; and~~
- ~~b) a map, plan, diagram or graph; and~~
- ~~c) a drawing, pictorial or graphic work, or photograph; and~~
- ~~d) anything on which there are figures, marks, perforations or symbols, having a meaning for persons qualified to interpret them; and~~
- ~~e) anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and~~
- ~~f) anything on which information has been stored or recorded, either mechanically, magnetically, or electronically.~~

Term	Definition
<p>e<u>Ephemeral records</u></p>	<p>Any record that has short term value to the City, with little or no ongoing administrative, fiscal, legal, evidential, or historical value and is generally only needed for a few hours or a few days.</p> <p>The City uses the guidelines contained within the General Disposal Authority for Local Government Records to determine which records are considered ephemeral.</p>
<p>General Disposal Authority (GDA)</p>	<p>The General Disposal Authority for Local Government records is <u>issued by the State Records Office of Western Australia and</u> designed to provide consistency throughout Local Government in disposal activities and decisions. It establishes the minimum retention period for each type of record listed in the schedule regardless of medium and dictates the final action for the record.</p>
<p>General Disposal Authority for Source Records (GDASR)</p>	<p><u>The</u> General Disposal Authority for Source Records <u>is issued by the State Records Office of Western Australia and</u> provides for the digitisation of records and the retention of reproductions that meet the specific requirements of the <i>State Records Act 2000</i>.</p>
<p>Record<u>record</u> (May <u>Also</u> referred to as a corporate or business record)</p>	<p>A record is information recorded in any form that is created, received, and maintained by an organisation in the course of conducting its business activities and kept as evidence of such activity.</p> <p>It includes any hardcopy, digital or online record that meets one or more of the following criteria:</p> <p><u>a.</u></p> <ul style="list-style-type: none"> a. It conveys information essential or relevant in decision-making processes. b. It conveys information upon which others will, or may, use to make decisions affecting the City's operations, rights, and obligations under legislation. c. It commits the City to certain courses of action, the commitment of resources or provision of services. d. It conveys information about matters of public safety or public interest or involves information upon which contractual undertakings are entered into. e. The information is likely to be needed for future use or is of historical value. <u>It conveys information essential or relevant in decision making processes.</u> <p><u>b.</u> It conveys information upon which others will, or may, use to make decisions affecting the City's operations, rights, and obligations under legislation.</p> <p><u>c.</u> It commits the City to certain courses of action, the commitment of resources or provision of services.</p> <p><u>d.</u> It conveys information about matters of public safety or public interest or involves information upon which contractual undertakings are entered into.</p>

	<u>e. The information is likely to be needed for future use or is of historical value.</u>
<i>Recordkeeping Plan</i>	Ensures records are created, managed, and maintained over time and disposed in accordance with principles and standards issued by the State Records Commission. It is the primary means of providing evidence of compliance with the <i>State Records Act 2000</i> and shows how best practices have been implemented within the organisation.
<i>Recordkeeping System / eDRMS</i>	A system to capture, maintain and provide access to records over time that displays features for ensuring authentic, reliable, complete, and usable records that function as evidence of business transactions. (State Records Office)
<i>Significant Records</i>	Significant records contain information which is of administrative, legal, fiscal, evidential, or historical value, and are not recorded elsewhere on the public record.
<i>State Archive</i>	Means a State record that is to be retained permanently. (State Records Office)
<i>State Records Act 2000</i>	The <i>State Records Act 2000 Act</i> has specific provisions relating to the responsibility to create, manage and dispose of records in accordance with principles and standards issues by the State Records Commission. In accordance with Section 19 of the Act, the City will ensure it endorses and maintains a Recordkeeping Plan approved by the State Records Commission.
Source <u>source Record</u>	Records that have been identified as suitable for digitisation under GDASR.
Vital <u>vital Record</u>	Records that have been identified as essential to the continuing business of the City. These include those that protect the rights of individuals and the City and are essential for reconstruction in the event of a disaster.

5. Policy Statement

Records are recognised as an important information resource within the City of Kwinana, and it is accepted that sound records management practices will contribute to the overall efficiency and effectiveness of the organisation.

The effective management of records will also:

- Protect the interests of the City and the rights of its employees, customers and stakeholders;
- Support informed decision making;
- Provide evidence of achievements; and
- Increase efficiency in administration and service delivery across the organisation.

1.1 5.1 Responsibilities

Chief Executive Officer

~~In accordance with section 5.41 of the Local Government Act 1995, 'the Chief Executive Officer shall ensure there is a system for the capture and management of records that is compliant with the State Records Act 2000 and best practice standards.~~

In accordance with section 5.41(h) of the *Local Government Act 1995*, 'the Chief Executive Officer is to ensure that records and documents of the local government are properly kept for the purpose of this act and any other written law.'

The Chief Executive Officer shall ensure that the City maintains a system for the capture and management of records that is compliant with legislative requirements and best practice standards; that facilitate effective and efficient management of records in accordance with the City's statutory and operational obligations.

~~**Elected Members**~~

~~Elected Members will create and keep records of communications or transactions which convey information relating to the City's business or functions. These records will be provided to the Council Administration Officer for capture into the City's recordkeeping system.~~

~~**Management Team or Management**~~

~~Managers and coordinators are responsible for;~~

- Ensuring that all employees under their supervision comply with this policy and associated records management procedures.

~~Managers and coordinators are to~~

- Ensuring that all new employees attend compulsory induction training to their record keeping responsibilities.

~~**Staff and Contractors**~~

~~All staff and contractors will create and receive records relating to the business activities they perform and are required to:~~

- a) ~~Make records to document and support business activities;~~
- b) ~~Ensure that records are captured and registered into the recordkeeping system or appropriate business system;~~
- c) ~~Ensure that records are secure at all times; and~~
- d) ~~Ensure that only authorised disposal of records occur in accordance with the General Disposal Authority for Local Government.~~

Staff and Contractors

All staff and Contractors are required to:

- Complete compulsory records management education initiatives within designated timeframes.
- Create, receive, maintain and store records relating to the business activities they perform in accordance with this Policy, the City's Recordkeeping Plan and established procedures, guidelines and practices.

Information Management Team

The Information Management team are responsible for:

- Providing an information management service that complies with this policy, associated procedures and any legislative requirements;
- The development, maintenance, promotion, and support of an organisational system for the capture and management of records that is compliant with legislative requirements and best practice standards;
- Assisting and supporting all City employees in meeting their recordkeeping responsibilities by defining strategies that will support and document accountability and responsibility throughout the organisation;
- Providing education in relation to recordkeeping compliance, recordkeeping practices, policies and the records management system; and
- Monitoring and reporting on compliance with this policy.

1.2 ~~51.2~~ — Ownership

~~All records created or received during the course of business belong to the City, not to the individuals who created them.~~

~~All contractual arrangements entered into by the City are to ensure the City's ownership of records.~~

Records created or received by employees are to be managed in accordance with the relevant legislation, the City's revised Recordkeeping Plan, this policy and associated guidelines and procedures. The City's records are corporate assets, and the City is the owner of all records and as such records are not the property of individual employees.

Outsourced Functions performed on behalf of the City

Contractual agreements or other similar arrangements must include appropriate recordkeeping clauses that specify requirements for external providers. They are to create, manage, store and transfer records in accordance with the City of Kwinana's Recordkeeping Plan, Procurement policy, the City's Terms and Conditions for the Supply of Goods and Services **Procurement and Contract Management Framework** and the State Records Commission Standard 6 – Outsourcing.

1.3 ~~51.3~~ — Creation of Records

All employees, contractors and elected members will ensure that full and accurate records are created to provide evidence of business transactions and decisions and that these records will be registered in the City's recordkeeping system.

Creation, Capture and Control of Records

All records created and received in the course of City business are to be captured at the point of creation, regardless of format, with required metadata into the recordkeeping or approved business system, that contains appropriate security and retention and disposal functionality. All records must be titled in a way that is easily retrievable and in line with the City's document naming and titling conventions.

~~5.4 — Capture and Control of Records~~

~~All records created and received in the course of City business will be captured at the point of creation (wherever possible), regardless of format, with required metadata into the recordkeeping system.~~

~~Records created when using social media and related applications will be captured in the City's recordkeeping system.~~

~~Records will not be maintained outside the City's recordkeeping system, including email folders, shared drives, personal drives, external storage media or personal cloud services (such as Dropbox, OneDrive, Box, Google Drive), as these lack the necessary functionality to protect business information and records over time.~~

1.4 ~~51.54~~ — Security and Protection of Records

~~Records will be maintained in a safe and secure environment ensuring their usability, reliability, authenticity and preservation for as long as they are needed.~~

~~Physical records will not be removed from the City's sites unless in accordance with the approved retention and disposal schedule, they are being transferred to the City's archive storage provider, or they are in the custody of an officer performing official business. It is preferred that wherever possible only copies of records are removed by those officers performing official business.~~

All records are to be categorised according to their level of sensitivity and adequately secured and protected from violation, unauthorised access, or destruction, and kept in accordance with necessary retrieval, preservation, and storage requirements.

1.5 ~~51.65~~ — Record Access — Access Use and Disclosure of Records

Access to the City's records by staff and contractors will be in accordance with designated access and security classifications and in accordance the City's Recordkeeping Operational Guidelines.

The public's access to the City's records will be in accordance with the *Local Government Act 1995* and the *Freedom of Information Act 1992* and any other relevant legislation.

Access to the City's records by Elected Members will be via the Chief Executive Officer in accordance with the *Local Government Act 1995*.

1.6 ~~51.76~~ — Storage

Digital records must not be maintained in email folders, shared folders (unless authorised), personal drives, external storage media or cloud storage not approved for use as these lack the necessary functionality to protect business information and records over time.

Physical ~~Vital-vital~~ records are to be stored in secure fire-resistant locations using documented protocols designed to secure and protect the records from a disaster.

1.7 ~~51.8 — 7~~ — Preservation

Where records, regardless of format, are no longer used but because of their legal, evidential or informational value have been selected for permanent retention, will be managed in accordance with relevant industry storage specifications and standards to maximise their longevity and preservation.

The City has implemented a vital records program to assist with safeguarding its vital information assets. Staff responsible for the ongoing management of these records and information are required to familiarise themselves with the guidelines and abide by the counter disaster measures in place.

Preservation of records also entails the migration of data. All migrations of data must produce authentic, complete, accessible records. The City requires that implementation plans for new or upgraded electronic recordkeeping and business systems have a data migration strategy that includes the methodology for migration of data, metadata, and records. The

outcome expected is that migrated records retain the same level of useability and the methodology for implementation ensures where occur they may be reverse engineered to protect the original record.

1.8 ~~51.8~~ Appraisal, Retention and Disposal of Records

Records will be disposed of in accordance with the General Disposal Authority for Local Government Records, published by the State Records Commission of Western Australia.

Staff, contractors and elected members must not personally undertake destruction of any records. Records identified for destruction will be subject to review and approval by the Information Management Coordinator, the Manager of the business unit the records relate to, and the Chief Executive Officer.

Ephemeral records are not required to be placed within the City’s official recordkeeping system. Staff or contractors may dispose of such ephemeral records once reference ceases.

Copies/duplicates may be disposed of after use ensuring any such records that contain personally identifiable information or information that is not publicly available are placed into confidential destruction bins or given to the Information Management Team for secure disposal.

Digitisation

All hardcopy records that are digitised must be in accordance with the General Disposal Authority for Source Records (RD 2016002) and internal guidelines established for this process. The digitised record will become the City's original record. Both the digitised and paper record will be managed in accordance with sound recordkeeping principles.

~~6.~~ References

OFFICER USE ONLY

Officers may amend this section without council approval.

<u>Responsible Team</u>	<u>Governance and Legal (Information Management)</u>
<u>Initial Council adoption</u>	<u>Date: 28 October 2015 Ref#: 011</u>
<u>Reviewed/amended</u>	<u>Date: September 2024 Ref#: **</u>
<u>Next Review Date</u>	<u>Date: September 2026</u>
<u>Policy Document Number</u>	<u>D15/55036[v7]</u>

Date of adoption and resolution No:	28/10/2015 #011
Review dates and resolution No:	13/12/2017 #054 24/07/2019 #504 14/12/2022 #263
Next review due date	November 2024
Legal Authority:	Local Government Act Section 2.7—The Role of Council
Legislation	Acts/Regulations State Records Act 2000 Freedom of Information Act 1992 State Records Principles and Standards 2002
Related documents	
	City of Kwinana Recordkeeping Plan
	City of Kwinana Disaster Recovery Plan
	Vital Records Register
	Information Management Operations Manual
	Information Management Handbook
	Work Instructions City of Kwinana Recordkeeping Operational Guidelines D16/67823[v7]



Council Policy

Pavement and Drainage for Residential, Commercial and Industrial Areas



Legislation/local law requirements	<i>Local Government Act 1995</i>
Relevant Delegation	Please see Delegated Authority Register
Related policy procedures and documents	Specifications for Pavement and Drainage of Non - Trafficable areas in industrial areas Specifications for Pavement and Drainage of Trafficable areas in industrial areas

Introduction

The "Pavement and Drainage for Residential, Commercial, and Industrial Areas" policy outlines the standards and procedures required for the construction and maintenance of paved areas, such as yards, driveways, and car parks, within the City. The policy along with its related documents is intended to address issues related to dust control and drainage management, ensuring that these areas are serviceable and do not negatively impact adjacent properties.

Purpose

To set down standards for yards, driveways, car parks, and other paved areas in order to standardise controls required by the City’s Manager of Engineering Services.

Objective

The primary objective of this policy is to establish clear and consistent standards for the construction and maintenance of trafficable and non-trafficable paved areas in residential, commercial, and industrial developments.

Scope

Provide direction for the construction of traffic and non-trafficable areas in residential, commercial, and industrial developments to manage dust and drainage, referring to the City’s specifications to be adhered to.

Policy Provisions

Definitions

Nil.

Policy

1. Car parks and driveways on all private properties are to be maintained so as to be dust free and drained on site.
2. In addition, car parks and driveways on commercial and industrial Lots are to be constructed and maintained in accordance with the City's:
 - 2.1. "Specification for Pavement and Drainage of Trafficable Areas in Industrial Areas";
or
 - 2.2. "Specification for Pavement and Drainage of Non-Trafficable Areas in Industrial Areas",

as appropriate for that Lot or part of that Lot so as to be serviceable and not be detrimental to adjacent properties.
3. All stormwater within private property is to be contained within the property boundaries to the satisfaction of the City's Manager Engineering Services.

Risk Assessment

A risk assessment conducted as part of this Policy review indicates that the risk to the City by not providing an adequate Policy for the Pavement and Drainage for Residential, Commercial and Industrial Areas would result in a high risk rating.

Associated risks would include drainage infrastructure not being installed or sealing and paving of parking, traffic and laydown areas not being undertaken and adequately maintained. This would potentially result in dust emission from sites, loose sand, gravel or rock material discharging from sites and stormwater flow off sites. This may present a safety and health hazard, contamination or flooding issue to neighbouring properties or road reserves/public land.

It is assessed that the risk rating following implementation of this Policy would result in a low risk rating.

OFFICER USE ONLY

Officers may amend this section without council approval.

Responsible Team	Engineering Services
Initial Council adoption	Date: 26 February 1992 Ref#: 347
Reviewed/amended	Date: September 2024 Ref#: <CM Ref>
Next Review Date	Date: September 2026
Policy Document Number	D13/69951[v3]



Council Policy

Pavement and Drainage for Residential, Commercial and Industrial Areas



Pavement and Drainage for Residential, Commercial and Industrial Areas

Adopted:	26/02/92 #347
Last reviewed:	27/09/2006 #519 28/04/2010 #105 11/07/2012 #163 09/09/2015 #562 14/02/2018 #088
New review date:	14/02/2020
Legal Authority:	Local Government Act Section 2.7 – The Role of Council
Directorate:	City Infrastructure City Regulation
Department:	Engineering Services Environmental Health
Related documents:	Acts/Regulations Local Government Act 1995 Section 2.7 – Role of Council Plans/Strategies Nil Policies Policy – Crossovers Work Instructions Nil Other documents Specifications for Pavement and Drainage of Non-trafficable areas <u>Areas in Industrial Areas</u> Specifications for Pavement and Drainage of Trafficable areas <u>Areas in Industrial Areas</u>

Note: Changes to References may be made without the need to take the Policy to Council for review.

Policy:

1. Title

~~Pavement and Drainage for Residential, Commercial, and Industrial Areas.~~

<u>Legislation/local law requirements</u>	<u>Local Government Act 1995</u>
<u>Relevant Delegation</u>	<u>Please see Delegated Authority Register</u>
<u>Related policy procedures and documents</u>	<u>Specifications for Pavement and Drainage of Non - Trafficable areas in industrial areas</u> <u>Specifications for Pavement and Drainage of Trafficable areas in industrial areas</u>

Introduction

The "Pavement and Drainage for Residential, Commercial, and Industrial Areas" policy outlines the standards and procedures required for the construction and maintenance of paved areas, such as yards, driveways, and car parks, within the City. The policy along with its related documents is intended to address issues related to dust control and drainage management, ensuring that these areas are serviceable and do not negatively impact adjacent properties.

2. Purpose

To set down standards for yards, driveways, car parks, and other paved areas in order to standardise controls required by the City’s Manager of Engineering Services.

Objective

The primary objective of this policy is to establish clear and consistent standards for the construction and maintenance of trafficable and non-trafficable paved areas in residential, commercial, and industrial developments.

3. Scope

Provide direction for the construction of traffic and ~~non-traffic~~non-trafficable areas in residential, commercial, and industrial developments to manage dust and drainage, referring to the City’s specifications to be adhered to.

Policy Provisions

~~4. Definitions~~

Nil.

~~5. Policy Statement~~

~~1. 5.1~~ Car parks and driveways on all private properties are to be maintained so as to be dust free and drained on site.

~~1.~~

~~2. 5.2~~ In addition, car parks and driveways on commercial and industrial Lots are to be constructed and maintained in accordance with the City's:

~~2.~~

~~2.1. i.~~ "Specification for Pavement and Drainage of Trafficable Areas in Industrial Areas"; or

~~2.1.~~

~~2.2. ii.~~ "Specification for Pavement and Drainage of ~~Non-Trafficable~~Non-Trafficable Areas in Industrial Areas",

as appropriate for that Lot or part of that Lot so as to be serviceable and not be detrimental to adjacent properties.

~~3. 5.3~~ All ~~storm water~~stormwater within private property is to be contained within the property boundaries to the satisfaction of the City's Manager Engineering Services.

~~6. Financial/Budget Implications~~

~~There are no specific financial or budget implications associated with this Policy.~~

~~7. Asset Management Implications~~

~~There are no specific asset management implications associated with this Policy.~~

~~8. Environmental Implications~~

~~There are no specific environmental implications associated with this Policy.~~

~~9. Strategic/Social Implications~~

~~Strategic Community Plan 2017-2021 — 20272031~~

~~-Objective 2.41.2: The Western Trade Coast Precinct is developed with maximum leverage being gained from investments in new infrastructure~~Maintain and enhance our beautiful, natural environment through sustainable protection and conservation.

~~Objective 3.2: Achieve high levels of environmental protection in new developments~~

~~10.—Occupational Safety and Health Implications~~

~~There are no specific OSH implications associated with this Policy.~~

11.—Risk Assessment

A risk assessment conducted as part of this Policy review indicates that the risk to the City by not providing an adequate Policy for the Pavement and Drainage for Residential, Commercial and Industrial Areas would result in a high risk rating.

Associated risks would include drainage infrastructure not being installed or sealing and paving of parking, traffic and laydown areas not being undertaken and adequately maintained. This would potentially result in dust emission from sites, loose sand, gravel or rock material discharging from sites and stormwater flow off sites. This may present a safety and health hazard, contamination or flooding issue to neighbouring properties or road reserves/public land.

It is assessed that the risk rating following implementation of this Policy would result in a low risk rating.

OFFICER USE ONLY

Officers may amend this section without council approval.

<u>Responsible Team</u>	<u>Engineering Services</u>
<u>Initial Council adoption</u>	<u>Date: 26 February 1992</u> <u>Ref#: 347</u>
<u>Reviewed/amended</u>	<u>Date: September 2024</u> <u>Ref#: <CM Ref></u>
<u>Next Review Date</u>	<u>Date: September 2026</u>
<u>Policy Document Number</u>	<u>D13/69951[v3]</u>



Council Policy

Crossovers



Legislation/local law requirements	Local Government Act 1995
Relevant Delegation	Please see Delegated Authority Register
Related policy procedures and documents	Crossover rebate inspection administration cross over site inspection Vehicle Crossover specifications and Design Plans Crossover subsidy rebate application EFT form.

Introduction

The City is committed to ensuring the construction and maintenance of crossovers adhere to high standards and regulatory requirements. This policy provides clear guidelines for property owners, developers, and contractors regarding the construction, maintenance, and design of crossovers within the City. By implementing this policy, the City aims to maintain uniformity, safety, and aesthetic appeal across all residential areas.

Purpose

To encourage construction and maintenance of crossovers to adequate standards and timeframes.

Objective

The objectives of this policy are to:

- guarantee that all crossovers are constructed in a manner that ensures the safety and accessibility of pedestrians, cyclists, and motorists.
- establish standardised construction practices for crossovers that align with the City’s specifications and design plans, ensuring consistency and quality.
- encourage property owners and developers to comply with the City’s regulations and specifications, thereby minimising non-compliant crossovers.
- provide a clear framework for the rebate process, ensuring that property owners are aware of the criteria and procedures for obtaining financial rebates for compliant crossover construction.
- protect existing trees and environmental features during the construction of crossovers, promoting sustainable urban development practices.

By adhering to these objectives, the City aims to foster a well-planned, safe, and visually appealing urban environment.

Scope

To provide direction for the construction of crossovers on residential lots by adhering to the Vehicle Crossover Specification and Design Plans when designing crossover locations for new and existing residential properties.

Policy Provisions

Definitions

For the purpose of this Policy, the meaning of 'Crossover' has the same meaning as 'Crossing' referred to in the *Local Government Act 1995*.

Policy Statement

- 1 All crossovers should be constructed and maintained in accordance with the City's "Vehicle Crossover Specifications and Design Plans"
- 2 A crossover plan shall be submitted for approval prior to construction commencing. The submitted plan shall also show the proposed route of the driveway, and:
 - 2.1 The plan should accurately identify the location of existing and nearby trees in the road verge, and where practicable, should minimise disruption to these trees;
 - 2.2 Where trees are to be removed, written approval from the City is required. Replacement trees should, where practicable, be planted as close as possible to the location of the removed tree with the submitted plan indicating the proposed locations and species of the replacement tree/s; and
 - 2.3 Where a Local Development Plan is in place over the land, the submitted crossover plan shall be consistent with the Local Development Plan, or any subsequent planning consent.
- 3 The builder or owner shall construct the crossover for newly constructed dwellings as indicated on the approved plan prior to an occupancy permit being issued for the property, or by a date mutually agreed upon by the City and the owner.
- 4 Where an established property does not have a crossover which complies with the current specifications, and the owner requests and receives the City's approval for a new one, the owner is to construct or arrange to construct the crossover, as per the approved plan.
- 5 In respect to a first crossover to the land or private thoroughfare, a rebate equivalent to 50% of the cost, as estimated by the City, of a standard crossover, will be made to the applicant when the crossover has been constructed in accordance with the City's "Vehicle Crossover Specifications and Design Plans".
- 6 The City will not provide a rebate towards construction of a second crossover, or when a rebate has already been paid for a previously approved crossover on that land (Lot).
- 7 Property owners can engage a private contractor to build their crossover. (This does not prevent property owners with adequate skills building their own crossover to Council specifications).
- 8 Where a footpath exists and a crossover is to cross it, the footpath is to remain in situ and is not to be modified or any part of it removed. The crossover is to end at the footpath edge.
- 9 Any crossover constructed without approval of the City, and not constructed to the City's specifications will not be entitled to any rebate. The City may also issue a Notice requiring the crossover to be removed and any damage to the verge repaired at the owner's expense.
- 10 Irregular shaped lots, steep grades or other irregularities may mean that it is not always practicable or the safest option to achieve exactly the specifications required

by the Vehicle Crossover Specifications and Design Plans. In this case, discretion to approve a non-compliant crossover will remain with the City.

- 11 If some variation is sought to the City’s standards for a crossover design and prior arrangement has been made with a developer and the City in writing and endorsed on the property title, the property owner will be eligible to receive the rebate, (e.g. if a developer puts in place restrictive covenants that require crossovers to be constructed of a material other than concrete or brick paving).
- 12 Council will supply one 6-meter length of 225mm or 300mm diameter PVC stormwater pipe to the owner of a rural or special rural lot where a crossover is to be constructed over an open drain in the road verge. The pipe will enable construction of a 3m wide crossover and is to be installed by the owner, or contractor constructing the crossover. Additional pipe for a wider or second crossover may be supplied at the owners cost. The City will deliver the pipe to the property.

Financial/Budget Implications

A crossover rebate is available on application to the Manager of Engineering Services. The rebate is calculated as:

- a) In respect to the first crossover to the land or private thoroughfare, a rebate equivalent to 50% of the total cost of a standard 3m wide, 100mm thick concrete crossover, as estimated by the City, will be paid to the applicant when the crossover has been constructed in accordance with the City’s “Vehicle Crossover Specifications and Design Plans”.
- b) The rebate figure is revised and may change each financial year. The actual amount payable per meter is listed in Council’s fees and charges schedule and is based on the supply and placement of a 100mm thick concrete crossover. The method of calculating the rebate is based on the distance measured between the property boundary and the back of kerb or footpath excluding any footpath area.

Risk Assessment

A risk assessment conducted as part of this Policy review indicates that the risk to the City by not providing an adequate Crossover Policy would result in a moderate risk rating. Associated risks would include not constructing crossovers or construction of non-conforming crossovers. This would potentially result in uneven and varying verge levels or loss of materials, all of which may present a hazard or risk to road users.

It is assessed that the risk rating following implementation of this Policy would result in a low risk rating.

OFFICER USE ONLY

Officers may amend this section without council approval.

Responsible Team	Engineering Services	
Initial Council adoption	Date: 29 April 1992	Ref#: 422
Reviewed/amended	Date: September 2024	Ref#: <CM Ref>
Next Review Date	Date: September 2026	
Policy Document Number	D12/62162[v6]	



Council Policy

Doliv Crossovers



Crossovers

Adopted:	29/04/1992 #422
Last reviewed:	23/07/2008 #260 28/04/2010 #105 11/07/2012 #163 24/06/2015 #499 14/02/2020 #088
New review date:	24/06/2017
Legal Authority:	Local Government Act Section 2.7 — The Role of Council Local Government (Uniform Local Provisions) Regulations 1996 — Regulations 13, 14 & 15
Directorate:	City Infrastructure
Department:	Engineering Services
Related documents:	Acts/Regulations Local Government Act 1995 Section 2.7 — The Role of Council Local Government (Uniform Local Provisions) Regulations 1996 — Regulations 13, 14 & 15 Plans/Strategies Nil Policies Nil Work Instructions Crossover Rebate Inspection Administration Crossover Site Inspection Other documents Vehicle Crossover Specifications and Design Plans Crossover Subsidy Rebate Application EFT Form

Note: Changes to References may be made without the need to take the Policy to Council for review.

Policy:

1. Title

Crossovers

<u>Legislation/local law requirements</u>	<u>Local Government Act 1995</u>
<u>Relevant Delegation</u>	<u>Please see Delegated Authority Register</u>
<u>Related policy procedures and documents</u>	<u>Crossover rebate inspection administration cross over site inspection</u> <u>Vehicle Crossover specifications and Design Plans</u> <u>Crossover subsidy rebate application EFT form.</u>

Introduction

The City is committed to ensuring the construction and maintenance of crossovers adhere to high standards and regulatory requirements. This policy provides clear guidelines for property owners, developers, and contractors regarding the construction, maintenance, and design of crossovers within the City. By implementing this policy, the City aims to maintain uniformity, safety, and aesthetic appeal across all residential areas.

2. Purpose

To encourage construction and maintenance of crossovers to adequate standards and timeframes.

Objective

The objectives of this policy are to:

- guarantee that all crossovers are constructed in a manner that ensures the safety and accessibility of pedestrians, cyclists, and motorists.
- establish standardised construction practices for crossovers that align with the City’s specifications and design plans, ensuring consistency and quality.
- encourage property owners and developers to comply with the City’s regulations and specifications, thereby minimising non-compliant crossovers.
- provide a clear framework for the rebate process, ensuring that property owners are aware of the criteria and procedures for obtaining financial rebates for compliant crossover construction.
- protect existing trees and environmental features during the construction of crossovers, promoting sustainable urban development practices.

By adhering to these objectives, the City aims to foster a well-planned, safe, and visually appealing urban environment.

3. Scope

To provide direction for the construction of crossovers on residential lots by adhering to the Vehicle Crossover Specification and Design Plans when designing crossover locations for new and existing residential properties.

Policy Provisions

4. Definitions

For the purpose of this Policy, the meaning of 'Crossover' has the same meaning as 'Crossing' referred to in the *Local Government Act 1995*.

5. Policy Statement

1 ~~5.1~~ All crossovers should be constructed and maintained in accordance with the City's "Vehicle Crossover Specifications and Design Plans"

~~4~~ ~~5.2~~ A crossover plan shall be submitted for approval prior to construction commencing. The submitted plan shall also show the proposed route of the driveway, and:

2

~~1.1~~ ~~i.~~ The plan should accurately identify the location of existing and nearby ~~affected~~ trees in the road verge, and where practicable, should minimise disruption to these trees;

2.1

~~1.2~~ ~~ii.~~ Where trees are to be removed, written approval from the City is required. Replacement trees should, where practicable, be planted as close as possible to the location of the removed tree with the submitted plan indicating the proposed locations and species of the replacement tree/s; and

2.2

2.3 ~~iii.~~ Where a Local Development Plan is in place over the land, the submitted crossover plan shall be consistent with the Local Development Plan, or any subsequent planning consent.

3 ~~5.3~~ The builder or owner shall construct the crossover for newly constructed dwellings as indicated on the approved plan prior to an occupancy permit being issued for the property, or by a date mutually agreed upon by the City and the owner.

4 ~~5.4~~ Where an established property does not have a crossover which complies with the current specifications, and the owner requests and receives the City's approval for a new one, the owner is to construct or arrange to construct the crossover, as per the approved plan.

5 ~~5.5~~ In respect to ~~the~~ a first crossover to the land or private thoroughfare, a rebate equivalent to 50% of the cost, as estimated by the City, of a standard crossover, will be made to the applicant when the crossover has been constructed in accordance with the City's "Vehicle Crossover Specifications and Design Plans".

- 6 ~~5.6~~—The City will not provide a rebate towards construction of a second crossover, or when a rebate has already been paid for a previously approved crossover on that land (Lot).
- 7 ~~5.7~~—Property owners can engage a private contractor to build their crossover. (This does not prevent property owners with adequate skills building their own crossover to Council specifications).
- 8 ~~5.8~~—Where a footpath exists and a crossover is to cross it, the footpath is to remain in situ and is not to be modified or any part of it removed. The crossover is to end at the footpath edge.
- 9 ~~5.9~~—Any crossover constructed without approval of the City, and not constructed to the City’s specifications will not be entitled to any rebate. The City may ~~also issue~~ ~~also issue~~ a Notice requiring the crossover to be removed and any damage to the verge repaired at the owner’s expense.
- 10 ~~5.10~~—Irregular shaped lots, steep grades or other irregularities may mean that it is not always practicable or the safest option to achieve exactly the specifications required by the Vehicle Crossover Specifications and Design Plans. In this case, discretion to approve a non-compliant crossover will remain with the City.
- 11 ~~5.11~~—If some variation is sought to the City’s standards for a crossover design and prior arrangement has been made with a developer and the City in writing and endorsed on the property title, the property owner will be eligible to receive the rebate, (e.g. if a developer puts in place restrictive covenants that require crossovers to be constructed of a material other than concrete or brick paving).
- 12 ~~5.12~~—Council will supply one 6-meter length of 225mm or 300mm diameter PVC stormwater pipe to the owner of a rural or special rural lot where a crossover is to be constructed over an open drain in the road verge. The pipe will enable construction of a 3m wide crossover and is to be installed by the owner, or contractor constructing the crossover. Additional pipe for a wider or second crossover may be supplied at the owners cost. The City will deliver the pipe to the property.

~~6.~~ Financial/Budget Implications

A ~~C~~crossover rebate is available on application to the Manager of Engineering Services. The rebate is calculated as:

- a) ~~6.1~~—In respect to the first crossover to the land or private thoroughfare, a rebate equivalent to 50% of the total cost of a standard 3m wide, 100mm thick concrete crossover, as estimated by the City, will be paid to the applicant when the crossover has been constructed in accordance with the City’s “Vehicle Crossover Specifications and Design Plans”.
- b) ~~6.2~~—The rebate figure is revised and may change each financial year. The actual amount payable per meter is listed in Council’s fees and charges schedule~~7~~, and is based on the supply and placement of a 100mm thick concrete crossover. The method of calculating the rebate is based on the distance measured between the property boundary and the back of kerb or footpath excluding any footpath area.

~~7.~~ Asset Management Implications

~~There are no specific asset management implications associated with this Policy.~~

~~8.~~ Environmental Implications

~~There are no specific environmental implications associated with this Policy.~~

~~9.~~ Strategic/Social Implications

~~There are no specific strategic/social implications associated with this Policy.~~

~~10.~~ Occupational Safety and Health Implications

~~There are no specific OSH implications associated with this Policy.~~

~~11.~~ Risk Assessment

A risk assessment conducted as part of this Policy review indicates that the risk to the City by not providing an adequate Crossover Policy would result in a moderate risk rating. Associated risks would include not constructing crossovers or construction of non-conforming crossovers. This would potentially result in uneven and varying verge levels or ~~loss~~ of materials, all of which may present a hazard or risk to ~~any~~ road users.

It is assessed that the risk rating following implementation of this Policy would result in a low risk rating.

OFFICER USE ONLY

Officers may amend this section without council approval.

<u>Responsible Team</u>	<u>Engineering Services</u>
<u>Initial Council adoption</u>	<u>Date: 29 April 1992</u> <u>Ref#: 422</u>
<u>Reviewed/amended</u>	<u>Date: September 2024</u> <u>Ref#: <CM Ref></u>
<u>Next Review Date</u>	<u>Date: September 2026</u>

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Policy

Half Mast Flags



Half Mast Flags

Adopted:	28/04/2010 #105
Last reviewed:	11/07/2012 #163 10/12/2014 #347 14/12/2016 #414
Next review date:	14/12/2018
Legal Authority:	Local Government Act Section 2.7 – The Role of Council
Directorate:	Corporate and Engineering Services
Department:	City Assist
Related documents:	<p>Acts/Regulations Local government Act 1995 Flag Act 1953</p> <p>Plans/Strategies Strategic Community Plan 2015 – 2025</p> <p>Policies D13/64401[v3] Policy Development</p> <p>Work Instructions D16/5833 – GCS – WI55 – Protocols and procedures for the flying of official flags</p> <p>Other documents Australian Government publication - Excerpt from the booklet Australian flags – Part 2: The protocols for the appropriate use and the flying of the flag - https://www.dpmc.gov.au/sites/default/files/publications/australian-flags-excerpt.pdf</p>

Note: Changes to References may be made without the need to take the Policy to Council for review.

Policy:

1. Title

Half-Mast Flags

2. Purpose

The purpose of this policy is to ensure that the City's practice of lowering flags to half-mast is exercised in a consistent, respectful and appropriate manner.

The flying of flags at half-mast is a strong visual statement that speaks to the sense of loss felt by all community members.

3. Scope

This Policy is provided in respect to the flying of official flags at the City's Administration Building and at other City of Kwinana buildings controlled by City staff at which there may be official flags flown.

The City may fly flags at half-mast on specific occasions to commemorate a solemn occasion, including:

- To coincide with national, state or regionally significant events (generally at the behest of the various levels of government protocol arrangements);
- When a current or former Elected Member of the City of Kwinana dies;
- When a Freeman of the City of Kwinana dies;
- When a significant member of the City of Kwinana community dies; or
- When a City of Kwinana Employee dies.

4. Definitions

Flags means official flags including national, state and local government flags flown at City owned facilities.

5. Policy Statement

Flying of flags at half mast so that;

- Flags are flown at half-mast as a sign of mourning.
- The flag is to be lowered to a position recognisably half-mast to avoid the appearance of a flag which has accidentally fallen away from the top of the flagpole.
- An acceptable position would be when the top of the flag is a third of the distance down from the top of the flagpole.
- When lowering the flag from a half-mast position it should be briefly raised to the peak and then lowered ceremoniously.
- The flag should never be flown at half-mast at night even if it is illuminated.

- When flying the Australian National Flag with other flags, all flags in the set should be flown at half-mast. The Australian National Flag should be raised first and lowered last.
- On authorisation from the Chief Executive Officer flags are to be flown at half-mast, between the hours of 8:00am until 5:00pm.

6. Financial/Budget Implications

There are no specific financial or budget implications associated with this Policy.

7. Asset Management Implications

There are no specific asset management implications associated with this Policy.

8. Environmental Implications

There are no specific environmental implications associated with this Policy.

9. Strategic/Social Implications

Strategic Community Plan 2015 – 2025

Objective 1.2: Inspire and strengthen community spirit

Strategy 1.2.1 Support and provide a range of cultural and community development activities and events that recognise Kwinana's cultural identity, encourage civic participation, strengthen capacity and celebrate the City's diversity

10. Occupational Safety and Health Implications

There are no specific OSH implications associated with this Policy.

11. Risk Assessment

A risk assessment conducted as part of the Policy review has indicated that the risk to the City by not lowering flags to half mast in accordance with this Policy will be a low risk

It is assessed that the risk rating following the implementation of this Policy would remain as a low risk.

19 NOTICES OF MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

20 NOTICES OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING IF GIVEN DURING THE MEETING

NIL

21 LATE AND URGENT BUSINESS

Nil

22 REPORTS OF ELECTED MEMBERS**22.1 COUNCILLOR SUE KEARNEY**

Councillor Sue Kearney reported on upcoming events being held at the Kwinana Senior Citizens.

22.2 COUNCILLOR MATTHEW ROWSE

Councillor Matthew Rowse reported that he had attended the Local Emergency Management Committee Meeting and advised that no significant events were reported.

22.3 COUNCILLOR ERIN SERGEANT

Councillor Erin Sergeant reported that she had attended the City of Kwinana Citizenship Ceremony, where 41 new citizens were welcomed into the Kwinana community.

23 ANSWERS TO QUESTIONS WHICH WERE TAKEN ON NOTICE

Nil

24 MAYORAL ANNOUNCEMENTS

Mayor Peter Feasey gave a detailed account on his recent visit to the United States as part of the Perth South West Metropolitan Alliance contingent. Key visits included destinations in Los Angeles and San Diego, with the primary goal being to better understand the relationship between Defence and its impact on the local community in light of AUKUS and the many American Defence members who will be coming to Kwinana in the future. Mayor Feasey reported that he was able to meet and speak with local government officials to gain insight into how the Defence and community can co-exist in burgeoning suburban environments. While in those locations, opportunities were also taken to learn about other community initiatives of the relevant local governments. A full report from the PSWMA will be provided to Council in due course.

25 CONFIDENTIAL ITEMS

Nil

26 CLOSE OF MEETING

The Mayor declared the meeting closed at 6:23pm.