

Ordinary Council Meeting

25 May 2016

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

Vision Statement

***Kwinana 2030
Rich in spirit, alive with opportunities,
surrounded by nature – it's all here!***

Mission

Strengthen community spirit, lead exciting growth, respect the environment - create great places to live.



We will do this by –

- providing strong leadership in the community;
- promoting an innovative and integrated approach;
- being accountable and transparent in our actions;
- being efficient and effective with our resources;
- using industry leading methods and technology wherever possible;
- making informed decisions, after considering all available information; and
- providing the best possible customer service.

Values

We will demonstrate and be defined by our core values, which are:

- Lead from where you stand – Leadership is within us all.
- Act with compassion – Show that you care.
- Make it fun – Seize the opportunity to have fun.
- Stand Strong, stand true – Have the courage to do what is right.
- Trust and be trusted – Value the message, value the messenger.
- Why not yes? – Ideas can grow with a yes.

TABLE OF CONTENTS

| | | |
|------|--|----|
| 1 | Declaration of Opening:..... | 5 |
| 2 | Prayer:..... | 5 |
| 3 | Apologies/Leave(s) of Absence (previously approved)..... | 5 |
| 4 | Public Question Time:..... | 5 |
| 5 | Applications for Leave of Absence:..... | 6 |
| 6 | Declarations of Interest by Members and City Officers:..... | 6 |
| 7 | Community Submissions: | 6 |
| 8 | Minutes to be Confirmed: | 6 |
| 8.1 | Ordinary Meeting of Council held on 11 May 2016: | 6 |
| 9 | Referred Standing / Occasional / Management /Committee Meeting: | 7 |
| 10 | Petitions:..... | 7 |
| 11 | Notices of Motion: | 7 |
| 12 | Reports – Community | 7 |
| 13 | Reports – Economic..... | 7 |
| 14 | Reports – Natural Environment..... | 7 |
| 15 | Reports – Built Infrastructure..... | 8 |
| 15.1 | Minor amendment to Wandi North Local Structure Plan – Removal of Investigation Area 1 (Primary School)..... | 8 |
| 15.2 | Draft Local Planning Policy No.3: Bollard Bulrush East Landscape Masterplan – Consideration For Advertising Under Town Planning Scheme No. 2 | 13 |
| 16 | Reports – Civic Leadership | 17 |
| 16.1 | Services over the Christmas and New Year Period 2016/2017..... | 17 |
| 16.2 | Appointment of voting delegates and proxy voting delegates at the Annual General Meeting of the Western Australian Local Government Association on behalf of the City of Kwinana | 20 |
| 16.3 | Monthly Statement of Financial Activity for the Period Ending 31 March 2016 | 22 |
| 16.4 | Naming of the Kwinana Adventure Playground, Homestead Ridge Reserves, Rotary Wildflower Tower and the re-naming of Gabor Park..... | 28 |
| 16.5 | Temporary Road Closure of Pimlico Crescent and the Southern Portion of Endell Way, Wellard – Local Public Notice | 32 |
| 16.6 | Southern Metropolitan Regional Council Draft Budget – 2016/2017 | 35 |
| 16.7 | Adoption of Fencing Local Law 2016 | 39 |
| 16.8 | Budget Variations | 43 |
| 17 | Urgent Business..... | 46 |
| 17.1 | Further Legal Instructions and Council update on case number 08-13555(SCC)..... | 46 |
| 18 | Councillor Reports..... | 47 |
| 18.1 | Councillor Sandra Lee..... | 47 |
| 18.2 | Councillor Bob Thompson | 47 |
| 19 | Response to Previous Questions..... | 47 |
| 20 | Mayoral Announcements (without discussion)..... | 47 |

| | | |
|-----------|--|-----------|
| 21 | Matters Behind Closed Doors | 48 |
| 21.1 | Legal Agreement between the City of Kwinana and Land Owners of Authority Parcel Numbers 9405, 9509 and 9615..... | 48 |
| 21.2 | Write-off of legal charges and interest – rates assessment 9313 | 49 |
| 21.3 | Chief Executive Officer Performance Review 2015/16 – Formal review of existing Key Performance Indicators | 50 |
| 21.4 | Further Legal Instructions and Council update on case number 08-13555(SCC)..... | 51 |
| 22 | Meeting Closure | 52 |

Present:

HER WORSHIP MAYOR C ADAMS
DEPUTY MAYOR P FEASEY
CR R ALEXANDER
CR S LEE
CR B THOMPSON
CR D WOOD

| | | |
|-------------------|---|---|
| MS J ABBISS | - | Chief Executive Officer |
| MS C MIHOVILOVICH | - | Acting Director City Strategy |
| MR P NEILSON | - | Acting Director City Development |
| MR E LAWRENCE | - | Director Corporate and Engineering Services |
| MS A MCKENZIE | - | Council Administration Officer |
| MISS V PATTON | - | Governance Administration Officer |

| | |
|-----------------------|---|
| Members of the Press | 1 |
| Members of the Public | 0 |

1 Declaration of Opening:

Presiding Member declared the meeting open at 7:00pm and welcomed Councillors, City Officers and gallery in attendance and read the Welcome.

“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”

2 Prayer:

Councillor Sandra Lee read the Prayer

“OH LORD WE PRAY FOR GUIDANCE IN OUR MEETING. PLEASE GRANT US WISDOM AND TOLERANCE IN DEBATE THAT WE MAY WORK TO THE BEST INTERESTS OF OUR PEOPLE AND TO THY WILL. AMEN”

3 Apologies/Leave(s) of Absence (previously approved)

Apologies

Nil

Leave(s) of Absence (previously approved):

Councillor Sheila Mills from 19 May 2016 to 29 May 2016 inclusive.

4 Public Question Time:

Nil

5 Applications for Leave of Absence:

COUNCIL DECISION

200

MOVED CR P FEASEY

SECONDED CR B THOMPSON

That Councillor Wendy Cooper be granted a leave of absence on 25 May 2016.

CARRIED
6/0

COUNCIL DECISION

201

MOVED CR P FEASEY

SECONDED CR R ALEXANDER

That Councillor Dennis Wood be granted a leave of absence from 19 July 2016 to 9 August 2016 inclusive.

CARRIED
6/0

6 Declarations of Interest by Members and City Officers:

Councillor Bob Thompson declared an impartiality interest in item 16.4, Naming of the Kwinana Adventure Playground, Homestead Ridge Reserves, Rotary Wildflower Tower and the re-naming of Gabor Park, in regards to the naming of the Rotary Wildflower Tower, due to being a member of the Kwinana Rotary Club.

Chief Executive Officer, Joanne Abbiss declared an impartiality interest in item 21.3, Chief Executive Officer Performance Review 2015/16 – Formal review of existing Key Performance Indicators, due to it referring to her contract of employment.

7 Community Submissions:

Nil

8 Minutes to be Confirmed:

8.1 Ordinary Meeting of Council held on 11 May 2016:

COUNCIL DECISION

202

MOVED CR S LEE

SECONDED CR R ALEXANDER

That the Minutes of the Ordinary Meeting of Council held on 11 May 2016 be confirmed as a true and correct record of the meeting.

CARRIED
6/0

9 Referred Standing / Occasional / Management /Committee Meeting:

Nil

10 Petitions:

Nil

11 Notices of Motion:

Nil

12 Reports – Community

Nil

13 Reports – Economic

Nil

14 Reports – Natural Environment

Nil

15 Reports – Built Infrastructure

15.1 Minor amendment to Wandi North Local Structure Plan – Removal of Investigation Area 1 (Primary School)

SUMMARY:

On 26, November 2009 the Wandi North Local Structure Plan (WNLSP) was first endorsed by the Western Australian Planning Commission (WAPC). The WNLSP has since been subject to some minor and major modifications, with the most recent major modification endorsement by the WAPC on 4 August 2014.

During the preparation of the original WNLSP, an area within the southeastern portion of the WNLSP area was identified as suitable for use as a Primary School and Local Sports Ground. However, there were some issues, such as the significant differences in the topography of the site and the exact requirements for the Primary School, which required further consideration before finalising the precise distribution of the land for each of the land uses under the WNLSP.

Notation as an 'Investigation Area 1' (Primary School) on the WNLSP was the agreed result. The investigation area allowed for further planning involving the City of Kwinana (City), Department of Parks and Wildlife (DPaW) and the Department of Education (DoE).

The proponent, City, DPaW, and DoE have now agreed upon the broad configuration of the land, in particular that sufficient land allocation exists for the Primary School site and the Local Sports Ground.

The proponent now seeks the removal of the 'Investigation Area 1' notation and text from the WNLSP. By modifying the WNLSP to remove the 'Investigation Area 1', the proponent and City can proceed with finalising the detailed design of the Primary School and Local Sports Ground, including the closure of a remnant portion of Darling Chase road reserve that is no longer required.

Council is recommended to advise the WAPC that it supports the amendment and that the amendment is considered minor in nature and therefore does not require advertising. A further recommendation is that some minor textual changes be made to the WNLSP to reflect the recent changes to the planning framework made by the *Planning and Development (Local Planning Schemes) Regulations 2015*. These changes have no impact on the overall intent of the WNLSP.

OFFICER RECOMMENDATION:

That Council takes the following action:-

1. Advises the Western Australian Planning Commission (WAPC) that it supports the amendment to the Wandi North Local Structure Plan dated 17 March 2016, subject to the modifications detailed in Attachment F.
2. Determines that the amendment is minor in nature and does not require advertising as per Clause 29(3) of Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015.

15.1 MINOR AMENDMENT TO WANDI NORTH LOCAL STRUCTURE PLAN – REMOVAL OF INVESTIGATION AREA 1 (PRIMARY SCHOOL)

3. Forwards this Ordinary Council Meeting Report and Council's recommendation to the WAPC under Clause 20(1) of Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015.

BACKGROUND:

First endorsed by the WAPC on 26 November 2009 the WNLSP has been subject to four minor modifications and one major modification since then. The WAPC endorsed the most recent version of the WNLSP on 4 August 2014 (refer to Attachment B).

During the preparation of the WNLSP in 2009, it was evident that further work was required to resolve the technical and practical design issues regarding the land designated for Primary School and Local Sports Ground use in the southeastern portion of the WNLSP area. It was determined to nominate this area broadly as an 'Investigation Area 1' to be subject to further detailed planning to progress the adoption of the WNLSP. The WNLSP map included the following notation:

'The classification of land use contained within Investigation Area 1 has no force or effect until the West Australian Planning Commission (WAPC) is satisfied on the advice of the City of Kwinana, Department of Parks and Wildlife and the Department of Education that suitable land has been set aside for the purpose of a primary school.'

DISCUSSION:

Since the designation of the land as 'Investigation Area 1' on the WNLSP, the proponent, City, and DoE have collaborated to prepare a conceptual design for the Primary School site and Local Sports Ground (refer to Attachment D). The proponent, City, and DoE are satisfied that sufficient and suitable land has been set aside for a Primary School, as required by the 'Investigation Area 1' notation of the WNLSP with further refinement of the conceptual design in the future detailed design stage. Furthermore, the City is satisfied that sufficient and suitable Local Sports Ground land allocation exists in the proposal.

DPaW has also responded to the proposed minor amendment by stating the Department has no further comment on the lifting of the Investigation Area 1.

Furthermore, in September 2015, the Minister for Education announced a funding allocation for the construction of a Primary School and early childhood facility in Wandii. The early childhood facility would open in 2017 and the Primary School in 2018.

On this basis, it is recommended that Council supports the minor amendment to the WNLSP to remove the 'Investigation Area 1' from the WNLSP map and text.

Upon adoption of the minor amendment, the City can proceed further with the formal closure of a remnant road reserve for Darling Chase that is no longer necessary. Also, the proponent, City, and DoE can work further to finalise the detailed design and delivery of the Primary School and Local Sports Ground.

15.1 MINOR AMENDMENT TO WANDI NORTH LOCAL STRUCTURE PLAN – REMOVAL OF INVESTIGATION AREA 1 (PRIMARY SCHOOL)

Determining that the proposed amendment is a 'minor amendment.'

The WAPC's draft 'Structure Plan Framework' (August 2015) provides 4 criteria for determining whether an amendment to a LSP is minor (and therefore doesn't require advertising) or otherwise. The proposed amendment to the LSP is considered minor, for the following reasons:

1. Does not materially alter the purpose and intent of the LSP

The purpose of the approved WNLSP is to facilitate the development of the area primarily for residential development and facilities associated with residential development. The amended WNLSP has not materially altered from this purpose and intent.

2. Does not change the intended lot/dwelling yield by more than 10 percent

The amended WNLSP does not change the intended lot/dwelling yield.

3. Does not adversely impact upon the amenity of adjoining land, restrict the use and development of adjoining land

The amended WNLSP is not anticipated to pose any adverse impact on the amenity of the adjoining land anymore so than the approved WNLSP. Nor is the amended WNLSP anticipated to restrict the use and development of adjoining land any different to the approved WNLSP.

4. Or significantly impact on infrastructure provision or impact upon the environment

There is no anticipation of significant impact on infrastructure provision or impact upon the environment from the amended WNLSP.

The WAPC has also advised the City that it considers the proposed amendment 'minor.'

For these reasons, it is recommended that the proposed amendment to the WNLSP receives a 'minor' classification and that advertising of the amended WNLSP is not required.

Minor textual changes

There are some minor textual changes that are recommended be made to the WNLSP (refer to Attachment F). These changes are to update the WNLSP text to be consistent with recently gazetted *Planning and Development (Local Planning Schemes) Regulations 2015* and other changes in the planning framework. The changes do not alter the intent of purpose of the WNLSP.

LEGAL/POLICY IMPLICATIONS:

- Planning and Development Act, 2005
- City of Kwinana Town Planning Scheme No. 2
- Wandi North Local Structure Plan

15.1 MINOR AMENDMENT TO WANDI NORTH LOCAL STRUCTURE PLAN – REMOVAL OF INVESTIGATION AREA 1 (PRIMARY SCHOOL)

FINANCIAL/BUDGET IMPLICATIONS:

The City is responsible for the ongoing maintenance of the Local Sports Ground and associated infrastructure.

ASSET MANAGEMENT IMPLICATIONS:

The City manages the Local Sports Ground and associated infrastructure once subdivision has occurred. The DoE jointly manages a portion of the Local Sports Ground.

ENVIRONMENTAL IMPLICATIONS:

As already noted, DPAW has provided its supporting advice and agreement to the conceptual design for the Primary School and Public Open Space. Its involvement is due to the presence of a Conservation Category Wetland (CCW) which is located near to and had a small portion located within the Investigation Area. The proposed minor amendment to the WNLSP is not considered to have any other significant impacts on the environment as it is not materially altering the intent of the adopted WNLSP.

STRATEGIC/SOCIAL IMPLICATIONS:

The proposed minor amendment to the WNLSP and associated concept design provide clarity in terms of the land configuration for the Primary School and Local Sports Ground.

RISK IMPLICATIONS:

The proposed minor change to the WNLSP will enable further development and detailed design of the Primary School and Local Sports Ground, as well as enabling the closure of the remnant Darling Chase road reserve. Should Council not resolve to approve the proposed amendment as a minor change, it risks delaying future planning and development of the WNLSP area.

COUNCIL DECISION

203

MOVED CR S LEE

SECONDED CR B THOMPSON

That Council takes the following action:-

- 1. Advises the Western Australian Planning Commission (WAPC) that it supports the amendment to the Wandi North Local Structure Plan dated 17 March 2016, subject to the modifications detailed in Attachment F.**
- 2. Determines that the amendment is minor in nature and does not require advertising as per Clause 29(3) of Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015.**

15.1 MINOR AMENDMENT TO WANDI NORTH LOCAL STRUCTURE PLAN – REMOVAL OF INVESTIGATION AREA 1 (PRIMARY SCHOOL)

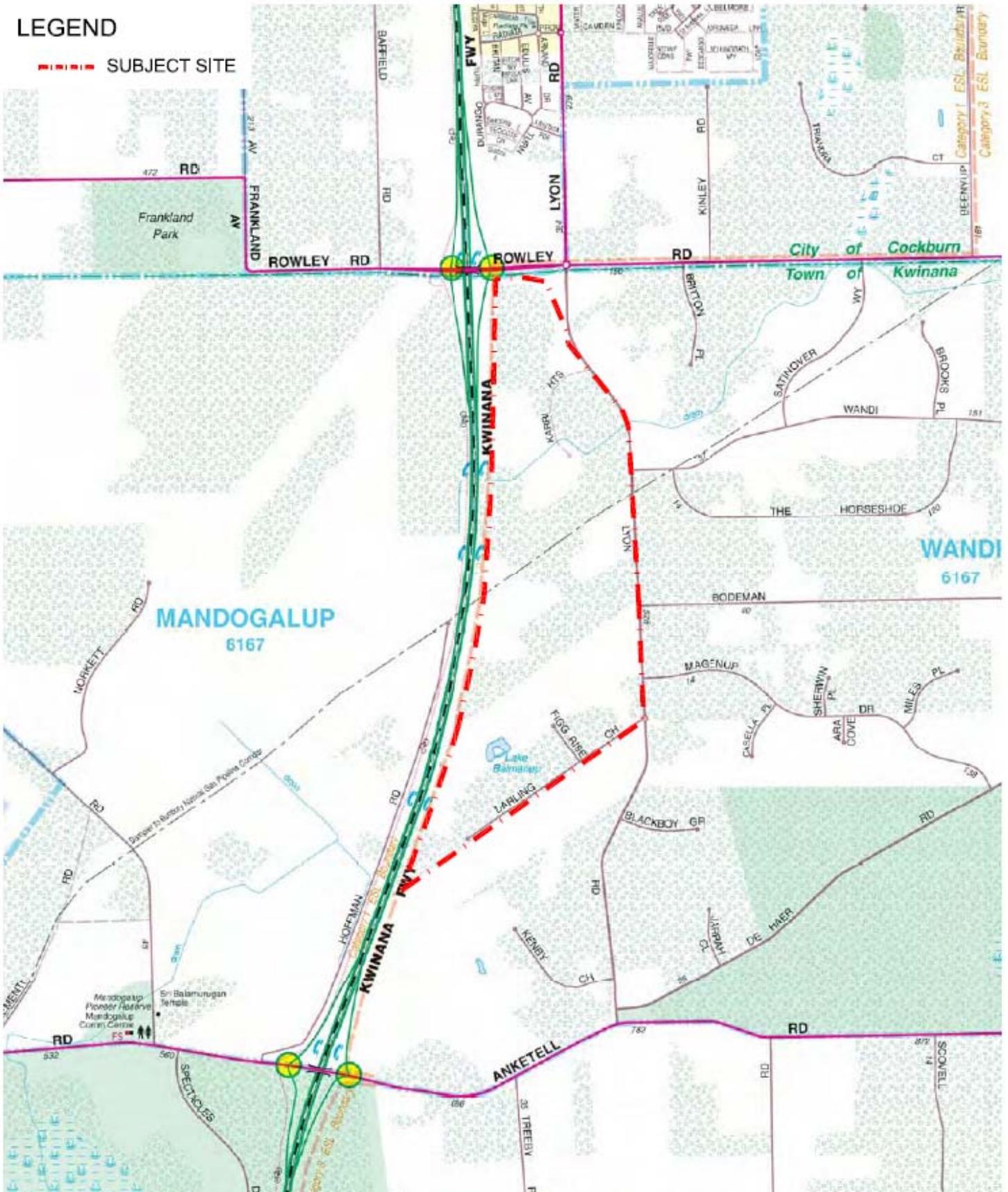
- 3. Forwards this Ordinary Council Meeting Report and Council's recommendation to the WAPC under Clause 20(1) of Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015.**

**CARRIED
6/0**

ATTACHMENT A
LOCATION PLAN

LEGEND

 SUBJECT SITE





- LEGEND**
- LOCAL SCHEME RESERVES**
- Parks, Recreation and Drainage
 - PS Public Purpose
 - PS Primary School
- ZONES**
- Residential - R10
 - Residential - R30
 - Residential - R40
 - Residential - R60
- OTHER**
- Neighbourhood Connector
 - Future Bus Route
 - Structure Plan Boundary
 - Wetland Buffer
 - Conservation Category Wetland Core
 - Peel Main Drain Easement
 - 1 Investigation Area for Proposed Primary School Site.
 - 2 Investigation Area for Potential Community Purpose Site and Potential Commercial (Local Centre) Site.



0 50 100 150 200 250 300 Metres

REVISIONS

| Rev | Date | Drawn |
|-----|------------|--------------|
| E | 2014.05.06 | M. Sullivan |
| F | 2014.05.21 | M. Winfield |
| G | 2014.07.11 | M. Sullivan |
| H | 2014.08.18 | K. Trenberth |



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Date Drawn: 2013-05-17
 Job Ref: 4582C
 Scale: 1:7500 @ A3
 Client: Satterly
 Designer: R. Cumming
 Drawn: S. Blanchard
 Projection: PCG94
 Plan ID: 4582C-STR-01-H
 Cadastre supplied by McMullen Nolan Surveyors

Wandi North Structure Plan Map

Plan 1

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LEGEND

LOCAL SCHEME RESERVES

- Parks, Recreation and Drainage
- Public Purpose
- PS Primary School

ZONES

- Residential - R10
- Residential - R30
- Residential - R40
- Residential - R60

OTHER

- Neighbourhood Connector
- Future Bus Route
- Structure Plan Boundary
- Wetland Buffer
- Conservation Category Wetland Core
- Peel Main Drain Easement
- Investigation Area for Potential Community Purpose Site and Potential Commercial (Local Centre) Site.



0 50 100 150 200 250 300 Metres

REVISIONS

| Rev | Date | Drawn |
|-----|------------|--------------|
| I | 2015.02.18 | M. Sullivan |
| J | 2015.03.12 | K. Trenberth |
| K | 2016.02.29 | W. Clements |
| L | 2016.03.02 | W. Clements |

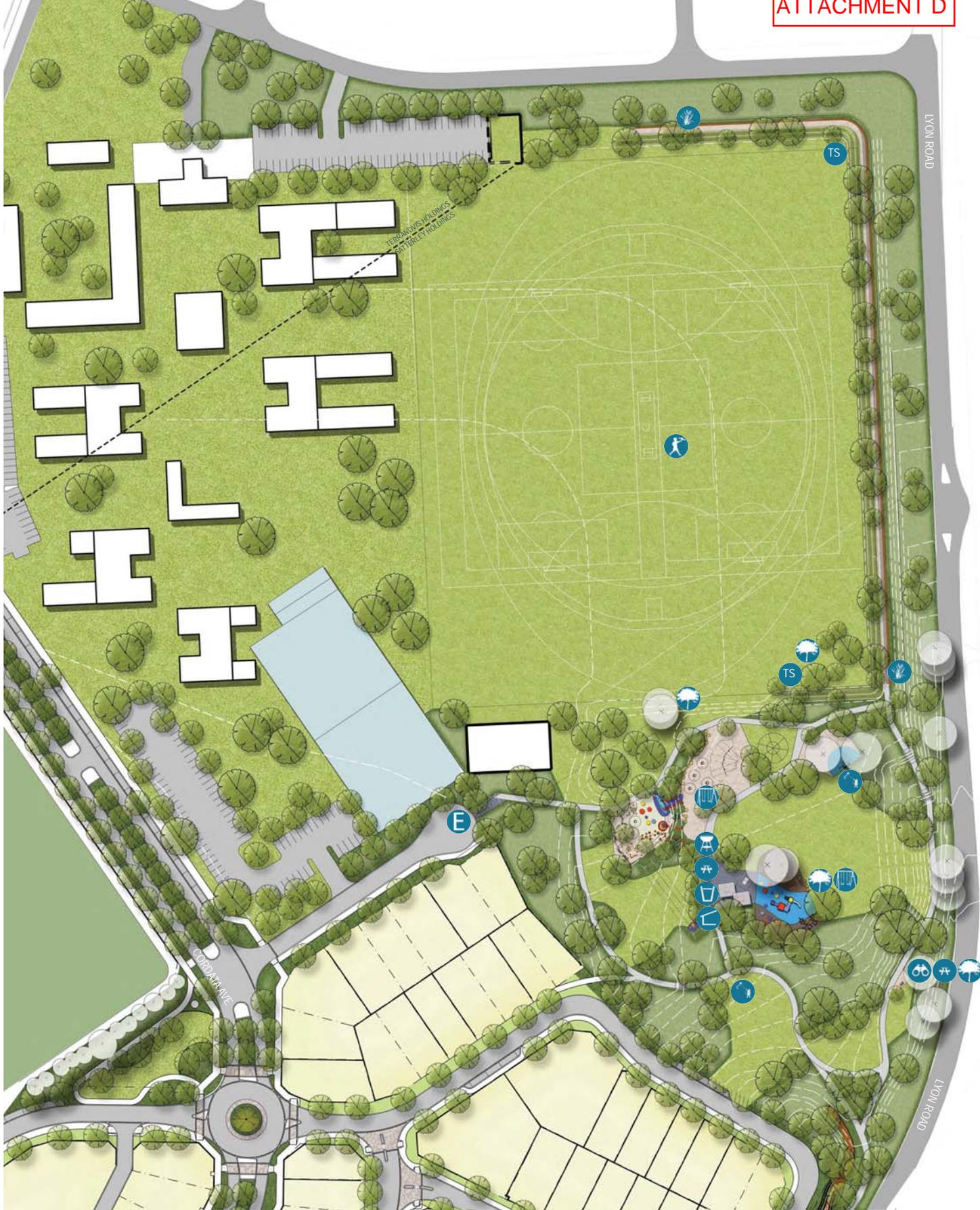


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Date Drawn: 2013-05-17
 Job Ref: 4582C
 Scale: 1:7500 @ A3
 Client: Satterly
 Designer: R. Cumming
 Drawn: S. Blanchard
 Projection: PCG94
 Plan ID: 4582C-STR-01-L
 Cadastre supplied by McMullen Nolan Surveyors

Wandi North Structure Plan Map

Plan 1



- KEY**
- PLAYGROUND (LARGE)
 - MULTIUSE PLAYING FIELD
 - DRINK FOUNTAIN
 - BBQ
 - SEATING NODE
 - TERRACED SEATING
 - SHELTER
 - LOOKOUT
 - ENTRY SIGN
 - PASSIVE RECREATION
 - SWALE
 - RETAINED VEGETATION



WANDI NORTH STRUCTURE PLAN

PROPOSED MINOR CHANGE



DOCUMENT CONTROL

Printed 19/01/2014 4582B_15jan10R_kk

| Version | File Name | Prepared by | Approved by | Date |
|---------|--------------------|-------------|-------------|------------|
| 1 | 4582B_13july01R_rc | R.Cumming | K.Kyle | 15/07/2013 |
| 2 | 4582B_13july02R_rc | R.Cumming | K.Kyle | 18/12/2013 |
| 3 | 4582B_13july03R_rc | R.Cumming | K.Kyle | 01/05/2014 |
| 4 | 4582B_13july04R_rc | R.Cumming | K.Kyle | 19/05/2014 |
| 5 | 4582B_13july05R_rc | R.Cumming | K.Kyle | 20/06/2014 |
| 6 | 4582B_13july06R_rc | P.Caddy | R.Cumming | 08/07/2014 |
| 7 | 4582B_13aug01R_kk | K.Kyle | K.Kyle | 08/08/2014 |
| 8 | 4582B_15jan08R_kk | P.Caddy | K.Kyle | 19/01/2015 |
| 9 | 4582B_15jan09R_kk | R.Cumming | K.Kyle | 12/03/2015 |
| 10 | 4582B_15jan10R_kk | P.Caddy | R.Cumming | 14/03/2016 |

This report has been authorised by;



Rebecca Cumming Designer



Phala Caddy Planner



Jamie Baxter Quality Control

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ENDORSEMENT PAGE

CERTIFIED THAT THIS STRUCTURE PLAN WAS ENDORSED BY RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON:

..... Date

Signed for and on behalf of the Western Australian Planning Commission

.....
an officer of the Commission duly authorised by the Commission pursuant to section 24 of the *Planning and Development Act 2005* for that purpose, in the presence of:

..... Witness

..... Date

And adopted by:

THE CITY OF KWINANA ON

..... Date

And

PURSUANT TO THE COUNCIL'S ADOPTION HEREUNTO AFFIXED IN THE PRESENCE OF:

.....

Mayor,

CITY OF KWINANA

.....

Chief Executive Officer,

CITY OF KWINANA

..... Date

This Structure Plan is prepared under the provisions of the City of Kwinana
Town Planning Scheme No. 2



TABLE OF CHANGES OR DEPARTURES FROM THE STRUCTURE PLAN

| Change or Departure No. | Description of Change or Departure | Date Adopted by Council | Date Endorsed by WAPC (if required) | Date Structure Plan Commences Operation |
|-------------------------|--|-------------------------|-------------------------------------|---|
| 1 | Minor change – Correction of the boundary between the Wandi North and Wandi South Structure Plan areas. | 22 February 2012 | | 22 February 2012 |
| 2 | Minor Change – Alterations to the road layout (Stage 4) to address Kwinana Freeway noise and removal of road link (Stage 1). | 11 July 2012 | | 11 July 2012 |
| 3 | Minor Change – Alterations to road layout, POS areas and the removal of a small part of the Investigation Area at the Primary School on Lot 677 Lyon Road. | 27 February 2013 | | 27 February 2013 |
| 4 | Minor change – Alterations to the road layout and lot configurations at Lot 683 Lyon Road (Stages 5 and 6). | 10 April 2013 | | 10 April 2013 |
| 5 | Major change – The incorporation of an additional area of land to the north of the Structure Plan within Lot 683 Lyon Road and its integration into the Structure Plan area. | 28 May 2014 | 4 August 2014 | 4 August 2014 |
| 6 | Minor change – Removal of Investigation Area 1 | | | |



EXECUTIVE SUMMARY

The Structure Plan incorporates a minor change to the existing approved Wandri North Structure Plan, removing Investigation Area 1 from the Structure Plan Map and Part One Statutory Section.

Structure Plan Summary Table

| Item | Structure Plan | Section number referenced in report |
|--|---------------------------------------|-------------------------------------|
| Wandi North Gross Structure Plan Area | 97.5 hectares | 1.2 |
| Area of each land use proposed: | | 3.1 |
| Zones | | |
| - Residential | 39.7 hectares | |
| Reserves | | |
| - Parks, Recreation and Drainage | 31.7 hectares | |
| - Public Purposes – Primary School | 3.5 hectares | |
| Investigation Area 2 (set aside for potential Public Purposes use as a Community Centre and for potential Commercial use as a Local Centre) | 0.3 hectares | |
| Estimated Lot Yield | 1,004 lots | 3.3 |
| Estimated Number of Dwellings | 1,006 dwellings | 3.3 |
| Estimated Residential Density: | | 3.3 |
| - dwellings per gross urban hectare as per Directions 2031 | 10 dwellings per gross urban hectare | |
| - dwellings per site hectare as per Liveable Neighbourhoods | 25 dwellings per site hectare | |
| Estimated population | 2816 people @2.8 people per household | 3.3 |
| Number of Secondary Schools | nil | 3.7 |
| Number of Primary Schools | 1 primary school | 3.7 |
| Amount of Unrestricted Public Open Space as per Liveable Neighbourhoods | 6.7 hectares, 9.17% | 3.2 |
| Amount of Restricted Public Open Space as per Liveable Neighbourhoods | 6.7 hectares, 9.16% | 3.2 |
| Composition of Public Open Space | | 3.2 |
| - Neighbourhood Parks | 29.4 hectares, 93% | |
| - Local Parks | 2.3 hectares, 7% | |

Note: All areas are approximate only and are subject to detailed design and survey



CONTENTS

| | |
|--|------------|
| ENDORSEMENT PAGE | i |
| Table of Changes Or Departures From The Structure Plan | ii |
| Executive Summary | iii |
| 1. Structure Plan Area | 2 |
| 2. Structure Plan Content | 2 |
| 3. Interpretation and Relationship with Town Planning Scheme No. 2..... | 2 |
| 4. Operation | 2 |
| 5. Land Use | 2 |
| 6. Subdivision and Development..... | 2 |
| 01 Planning Background..... | 7 |
| 1.1 Introduction and Purpose | 7 |
| 1.2 Land Description..... | 7 |
| 1.2.1 Location | 7 |
| 1.2.2 Area and Land Use | 8 |
| 1.2.3 Legal Description and Ownership | 8 |
| 1.3 Planning Framework | 8 |
| 1.3.1 Land Classification | 8 |
| 1.3.2 Regional and Sub-Regional Structure Plans | 8 |
| 1.3.2.1 Jandakot Structure Plan | 8 |
| 1.3.2.2 Eastern Residential Intensification Concept (ERIC)..... | 9 |
| 1.3.3 Policies | 9 |
| 1.3.4 Other Approvals and Decisions | 10 |
| 1.3.4.1 MRS Amendment – ‘Rural Water Protection’ Zone to ‘Urban’ Zone..... | 10 |
| 1.3.4.2 Mandogalup Train Station | 10 |
| 1.3.4.3 Subdivision Approvals..... | 11 |
| 1.3.4.4 EPBC Act Referral | 11 |
| 02 Site Conditions and Constraints..... | 12 |
| 2.1 Biodiversity and Natural Area Assets..... | 12 |
| 2.2 Landform and Soils..... | 12 |
| 2.2.1 Acid Sulphate Soils..... | 12 |
| 2.3 Groundwater and Surface Water | 13 |

| | | |
|-------------|--|-----------|
| 2.3.1 | Groundwater..... | 13 |
| 2.3.2 | Surface Water..... | 13 |
| 2.4 | Bushfire Hazard..... | 13 |
| 2.5 | Heritage..... | 13 |
| 2.6 | Context and Other Land Use Constraints..... | 14 |
| 2.6.1 | Noise Management..... | 14 |
| 2.6.2 | Water Corporation Bore..... | 14 |
| 03 | Land Use and Subdivision Requirements..... | 15 |
| 3.1 | Land Use..... | 15 |
| 3.2 | Public Open Space..... | 15 |
| 3.3 | Residential..... | 15 |
| 3.3.1 | Climate Responsive Design..... | 16 |
| 3.4 | Community Purpose..... | 16 |
| 3.5 | Activity Centres..... | 17 |
| 3.6 | Movement Networks..... | 18 |
| 3.6.1 | Existing Road Network..... | 18 |
| 3.6.2 | Proposed Road Network..... | 18 |
| 3.6.3 | Public Transport..... | 19 |
| 3.6.4 | Pedestrian and Cycle Network..... | 19 |
| 3.7 | Local Water Management..... | 20 |
| 3.8 | Education Facilities..... | 20 |
| 3.9 | Infrastructure Coordination, Servicing and Staging..... | 20 |
| 3.9.1 | Water Supply..... | 20 |
| 3.9.2 | Sewer..... | 21 |
| 3.9.3 | Gas and Electricity..... | 21 |
| 3.9.4 | Telecommunications..... | 21 |
| 3.9.5 | Development Staging..... | 21 |
| 3.10 | Developer Contribution Arrangements..... | 21 |





FIGURES

1. Regional Location
2. Local Location
3. Site Plan/Aerial
4. Metropolitan Region Scheme Zoning
5. Town Planning Scheme No. 2 Zoning
6. Public Open Space Plan
7. Public Open Space Schedule
8. Indicative Plan of Subdivision
9. Solar Orientation
10. Movement Network
11. Indicative Staging Plan



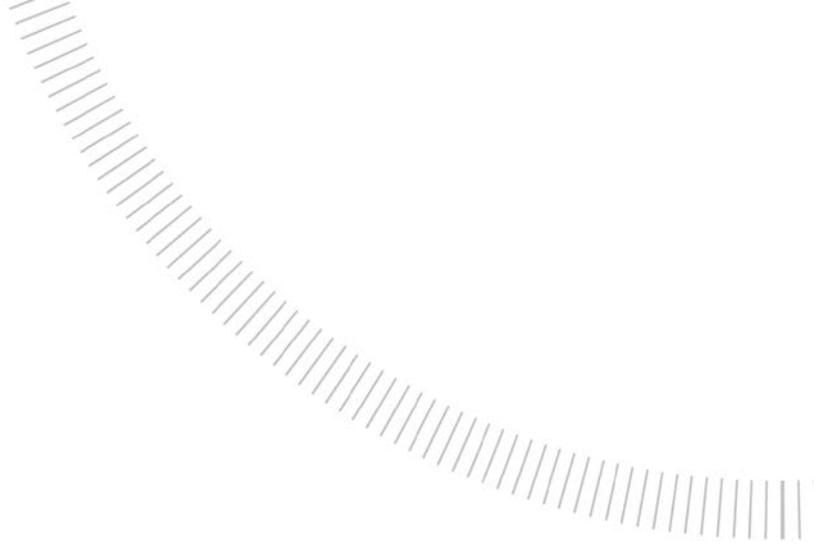
TECHNICAL APPENDICES

| Appendix Number | Document Title | Nature of Document | Referral/Approval Agency | Summary of Document Modifications |
|-----------------|---|---------------------|---|---|
| 1. | Certificate of Title | Supporting document | n/a | No change |
| 2. | Environmental Assessment Report | Supporting document | n/a | Updated to reflect LSP major amendment |
| 3. | Summary of Wetland Outcomes and DPAW Correspondence | Supporting document | n/a | n/a |
| 4. | Fire Management Plan, including Fire Hazard Assessment Addendum | Approved | City of Kwinana | Plans updated. Fire Hazard Assessment Addendum added. |
| 5. | Heritage Assessment | Supporting Document | n/a | No change |
| 6. | Landscape Master Plan | Supporting Document | n/a | Updated to reflect LSP major amendment |
| 7. | Transport Assessment Report | Supporting Document | n/a | Updated to reflect LSP major amendment |
| 8. | Local Water Management Strategy (Addendum) | Requires Approval | Department of Water and City of Kwinana | Updated to reflect LSP major amendment |
| 9. | Department of Water Approval – LWMS Addendum | Approval | Department of Water and City of Kwinana | n/a |
| 10. | Local Centre Assessment Report | Supporting Document | n/a | Updated to reflect LSP major amendment |
| 11. | Engineering Services Report | Supporting Document | n/a | Updated to reflect LSP major amendment |
| 12. | Traffic Noise Impact Assessment | Approval | Main Roads WA | Updated to reflect LSP major amendment |



Part One

STATUTORY SECTION



ROWEGROUP

1. Structure Plan Area

This Structure Plan shall apply to the land contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan Map.

2. Structure Plan Content

This Structure Plan comprises:

2.1 Part One - Statutory section

This section contains the Structure Plan Map and statutory planning provisions and requirements.

2.2 Part Two – Non-statutory (explanatory) section

This section to be used as a reference guide to interpret and justify the implementation of Part One.

2.3 Appendices – Technical reports and supporting plans and maps.

3. Interpretation and Relationship with Town Planning Scheme No. 2

Unless otherwise specified in this part, the words and expressions used in this Structure Plan shall have the respective meanings given to them in the City of Kwinana Town Planning Scheme No. 2 (the Scheme) including any amendments gazetted thereto.

The Structure Plan Map outlines land use, zones and reserves applicable within the Structure Plan area. The zones and reserves designated under the Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

Pursuant to clause 6.17.7.6 of the Scheme, if a provision in the Structure Plan is inconsistent with the Scheme, then the provision in the Scheme prevails to the extent of the inconsistency.

4. Operation

This Structure Plan comes into effect on the day it is adopted by the City of Kwinana pursuant to clause 6.17.4.15 of the Scheme.

The manner in which a change or departure from the Structure Plan is determined is outlined in clause 6.17.5 of the Scheme.

5. Land Use

Subdivision and development of the Structure Plan area shall be generally in accordance with the Structure Plan Map.

The residential densities as prescribed on the Structure Plan Map apply to the Structure Plan area.

6. Subdivision and Development

6.1 Notifications on Title

In respect of applications for the subdivision of land the Council shall recommend to the Western Australian Planning Commission that a condition be imposed on the grant of subdivision approval for a notification to be placed on the Certificate(s) of Title(s) to advise of the following:

- 6.1.1 Land or lots deemed to be affected by a Bush Fire Hazard as identified in an approved Fire Management Plan (Fire Management Plan – Wandí North Local Structure Plan, Honeywood Estate prepared by Fireplan WA (as amended)) contained within appendix 4 of the Structure Plan.
- 6.1.2 Construction standards to achieve quiet house design in accordance with State Planning Policy 5.4 Road and Rail Transportation Noise and Freight Considerations in Land Use Planning (as amended) and as identified spatially in the Traffic Noise Impact Assessment – Honeywood Estate, Wandí – Stages 7, 8 and 9 (as amended) prepared by ATP Consulting dated April 2014 contained within Appendix 12 of the Structure Plan.

6.2 Detailed Area Plans

Detailed Area Plans (DAPs) prepared pursuant to clause 6.17.6 of the Scheme are to inform the subdivision and development for lots with one or more of the following site attributes:

- a) Lots with rear-loaded (laneway) vehicular access;
- b) Lots with direct boundary frontage to an area of public open space;
- c) Lots with an area of 260m² or less;
- d) Lots within 100 metres of vegetation classified as being deemed at risk from bush fire pursuant to the WAPC and DFES’s Planning for Bushfire Protection Guidelines (2010) and as identified spatially in the Fire Management Plan – Wandí North Local Structure Plan, Honeywood Estate prepared by Fireplan WA (as amended) contained in Appendix 4 of the Structure Plan; and/ or
- e) Lots with outdoor noise levels beyond the target prescribed in State Planning Policy 5.1 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning and as identified spatially in the Traffic Noise Impact Assessment – Honeywood Estate, Wandí – Stages 7, 8 and 9 (as amended) by ATP Consulting dated April 2014 contained in Appendix 12 of the Structure Plan.

6.3 Variations to the Residential Design Codes 2013

This Structure Plan amends the following deemed-to-comply provisions requiring the approval of the Western Australian Planning Commission:

Table 1 - R-Code Variations

| Design Element | Current Provision | Amended deemed to-comply-provision |
|---|-------------------|------------------------------------|
| 5.1.4 Open space for the R30 density coding | 45% minimum | 35% |
| 5.1.4 Open space for the R40 density coding | 45% minimum | 35% |
| 5.1.4 Open space for the R60 density coding | 40% minimum | 30% |



6.4 Other Provisions and Requirements

6.4.1 Fire Management Plan

This Structure Plan is supported by a Bushfire Management Plan (BMP) – *Fire Management Plan – Wandí North Local Structure Plan, Honeywood Estate* prepared by Fireplan WA (as amended) contained within Appendix 4 of the Structure Plan. Any land falling within 100 metres of a bushfire hazard identified in the BMP is designated as a Bushfire Prone Area for the purpose of the Building Code of Australia.

6.4.2 Investigation Area

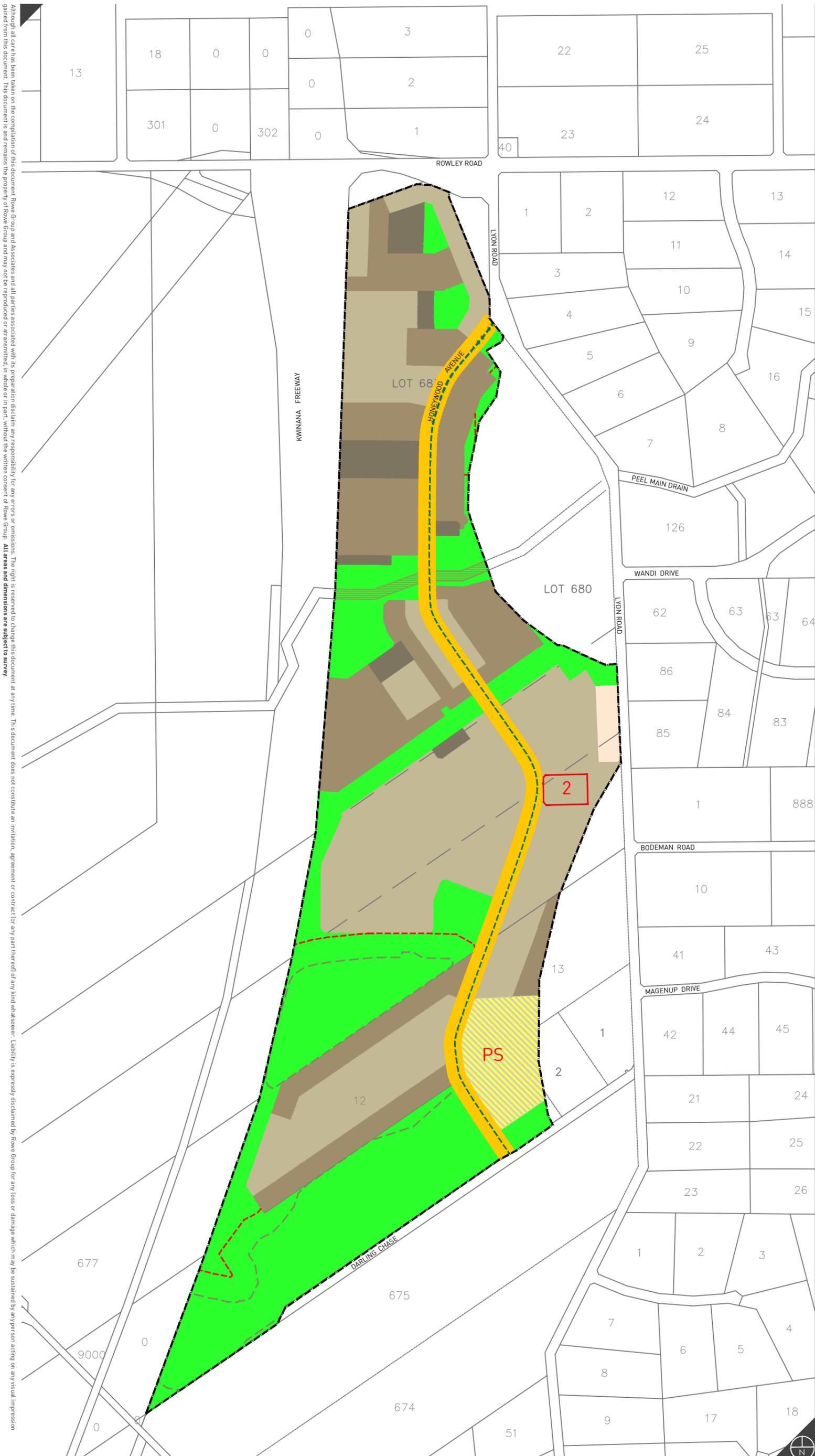
- a) The classification of land uses within Investigation Area 2 has no force or effect until the land use classification within the investigation area is adopted by the City of Kwinana as a minor change to the Structure Plan.

6.4.3 Conditions of Subdivision Approval

A Mosquito and Midge Management Plan is recommended as a condition of subdivision approval.



- LEGEND**
- LOCAL SCHEME RESERVES**
- Parks, Recreation and Drainage
 - Public Purpose
 - PS Primary School
- ZONES**
- Residential - R10
 - Residential - R30
 - Residential - R40
 - Residential - R60
- OTHER**
- Neighbourhood Connector
 - Future Bus Route
 - Structure Plan Boundary
 - Wetland Buffer
 - Conservation Category Wetland Core
 - Peel Main Drain Easement
 - Investigation Area for Potential Community Purpose Site and Potential Commercial (Local Centre) Site.



REVISIONS

| Rev | Date | Drawn |
|-----|------------|--------------|
| I | 2015.02.18 | M. Sullivan |
| J | 2015.03.12 | K. Trenberth |
| K | 2016.02.29 | W. Clements |
| L | 2016.03.02 | W. Clements |



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Date Drawn: 2013-05-17
 Job Ref: 4582C
 Scale: 1:7500 @ A3
 Client: Satterly
 Designer: R. Cumming
 Drawn: S. Blanchard
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 Cadastre supplied by McMullen Nolan Surveyors

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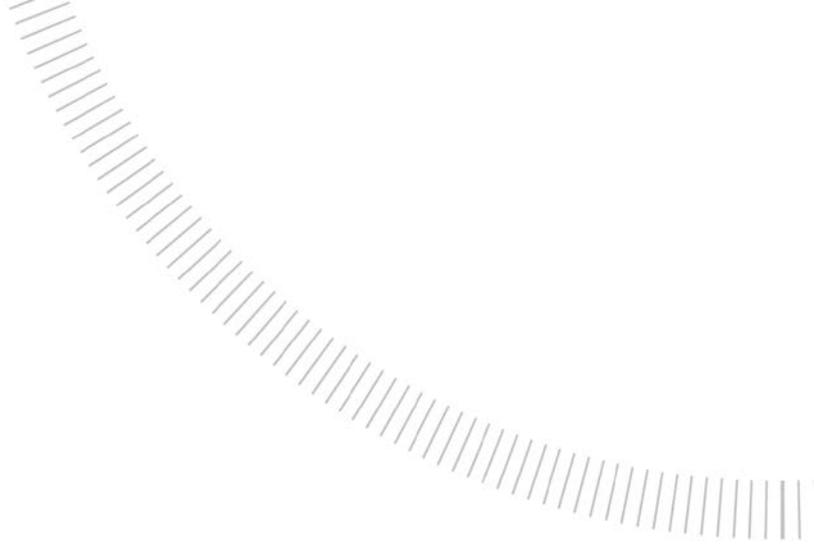
Wandi North Structure Plan Map

Plan 1



Part Two

EXPLANATORY SECTION



Planning Background

1.1 Introduction and Purpose

This Structure Plan comprises the existing approved Wandi North Structure Plan. For the purposes of the 'Part Two – Explanatory Section' of the Structure Plan, this report primarily focuses on the area pertaining to the recently approved major change, providing contextual information in relation to the wider Structure Plan area where required.

These changes included:

- ▲ The extension of the Structure Plan boundary north to Rowley Road, incorporating the full extent of the Urban zone;
- ▲ The removal of references to the railway station in light of the Western Australian Planning Commission's resolution of 23 April 2013 that a train station is no longer intended to be developed at Rowley Road;
- ▲ The reconfiguration of the road layout, zoning and public open space for standard residential development, reflecting the deletion of the train station and associated transit-oriented development precinct identified on the previously approved Wandi North Structure Plan;
- ▲ Removal of Investigation Area 1;
- ▲ Addition of Investigation Area 2 as the potential location for a Community Facility site and a Local Centre given their location is no longer a part of an envisioned railway station at Wandi on the original approved structure plan; and
- ▲ The consolidation of minor changes made to the current structure plan since its adoption by the City of Kwinana.

1.2 Land Description

1.2.1 Location

The Structure Plan is located within the metropolitan south west corridor, within the municipality of the City of Kwinana. The site is situated approximately 24 km south of the Perth Central Area, and is accessible via the Kwinana Freeway. The Kwinana Town Centre is located approximately 8 km south and the Spectacle Regional Reserve approximately 1km from the site.

The area pertaining to the major change comprises the northernmost precinct of the Structure Plan, being Part Lot 683 and the street block south of Morwell Entrance, being Lot 9017 Lyon Road.

The Structure Plan area is generally bound by the Kwinana Freeway to the west, Lyon Road to the east, Rowley Road to the north.

Refer Figure 1 – Regional Location.

Refer Figure 2– Local Location.

1.2.2 Area and Land Use

The areas the subject of the major change to the Structure Plan includes:

- ▲ Approximately 11.9 hectares of part Lot 683 Lyon Road, and
- ▲ Approximately 0.3ha of Lot 9019 Lyon Road (Investigation Area 2).

The areas the subject of the major change generally comprises the final stages of the Honeywood Estate residential development. The balance of the development received Structure Plan and subdivision approval in December 2009. Construction of the first stages commenced in May 2010, with the most recent development stages (Stages 7 to 9) constructed and titled in accordance with the proposed major changes to the Wandi North Structure Plan.

1.2.3 Legal Description and Ownership

The areas the subject of the major change to the Structure Plan include the land parcels, being:

- ▲ Part Lot 683 on Plan 202618, Certificate of Title Volume 2103 and Folio 717, and
- ▲ Lot 9019 on Plan 400699, Certificate of Title Volume 2838 and Folio 776.

The land is under the ownership of a single entity, being Wandi Anketell Holdings Pty Ltd.

Refer Figure 3 – Site Plan/Aerial and Appendix 1 – Certificate of Title.

1.3 Planning Framework

1.3.1 Land Classification

The areas that are subject of the major change to the Structure Plan are zoned 'Urban' under the Metropolitan Region Scheme, and 'Development' under the City of Kwinana Town Planning Scheme No. 2.

The change to the Structure Plan incorporates an additional area of land (part Lot 683). The zones and reservations in the current Structure Plan, other than in the area to the north of Stages 5 and 6, are to remain as adopted with the designation of an additional Investigation Area 2, any land use classification has no force or effect until its is adopted as a minor change to the Structure Plan.

Refer Figure 4 – Metropolitan Region Scheme Zoning.

Refer Figure 5 – Town Planning Scheme No. 2 Zoning.

1.3.2 Regional and Sub-Regional Structure Plans

1.3.2.1 Jandakot Structure Plan

The existing Wandi North Structure Plan area is situated within the Jandakot Structure Plan (JSP) area, whilst the northern portion of part Lot 683 (the subject of this major change) is excluded.

Further to the review of the Jandakot Underground Water Pollution Control Area (Jandakot UWPCA), the JSP was prepared to provide a planning framework for the balance area previously affected by the underground water pollution control area. As such, the northern portion of part Lot 683, previously forming part of the Jandakot UWPCA was excluded from the JSP.

As detailed in Section 1.3.4.1 of this report, the northern area (the subject of this major change) excluded from the JSP was subsequently rezoned to Urban under the MRS in 2011. Whilst not included



within the JSP, the objectives and framework set out have been adhered to in the urbanisation of this area and reflected in the proposed Structure Plan.

The district level requirements of the JSP, such as the identification and preservation of natural areas, the allocation of public open space and public purpose areas, road network and hierarchy, the allocation of school sites and the allocation of commercial activity have therefore been further refined through the preparation of the Structure Plan and subsequent amendments.

Previously, the major constraint to urban development within this corridor was in relation to groundwater and stormwater management. With the preparation of the Jandakot District Water Management Plan however, these issues have now being resolved and have been accommodated in current planning for the Wandri Cell detailed in Section 3.6 of this report.

The proposed major changes to the Structure Plan are therefore considered consistent with the intent and requirements of the JSP.

1.3.2.2 Eastern Residential Intensification Concept (ERIC)

The City of Kwinana's draft District Structure Plan, referred to as the 'Eastern Residential Intensification Concept' (ERIC) was prepared by the City of Kwinana in 2005 to provide strategic direction and refinement of the future urban areas identified under the Jandakot Structure Plan. Whilst ERIC has yet to be finally adopted by Council, it was used as an informal guide in the preparation of the Structure Plan.

Given the northern area (the subject of this major change) was not included within the JSP, ERIC similarly excludes this area. Structure planning outcomes as proposed under this major change however reflect the objectives and district outcomes of ERIC and are therefore considered to be consistent with the general intent and requirements of ERIC.

1.3.3 Policies

Development within the Structure Plan area shall be in accordance with the following City of Kwinana Local Planning Policies, except where otherwise varied by a Local Development Plan or approved by the City of Kwinana:

- ▲ Design Guidelines for Medium Density Development;
- ▲ Community Facilities Sites;
- ▲ Crossovers;
- ▲ Design Guidelines for Medium Density Development;
- ▲ Footpaths;
- ▲ Public Open Space;
- ▲ Residential Development;
- ▲ Residential Subdivision Development Guidelines;
- ▲ Residential Subdivision Road Standards;
- ▲ Retaining Walls Levels;
- ▲ Street Lighting;
- ▲ Street Naming, and
- ▲ Street Trees and Verge Treatments.

1.3.4 Other Approvals and Decisions

1.3.4.1 MRS Amendment – ‘Rural Water Protection’ Zone to ‘Urban’ Zone

A MRS Amendment was progressed in 2008 for the area adjacent to the then proposed Mandogalup railway station site (approximately 400-600 metres south of Rowley Road), transferring the site from Rural Water Protection (Priority 2 area) to Urban. Whilst urban development is not consistent with the objectives of the Priority 2 area, the WAPC, Department of Water, Water Corporation and Department of Environment and Conservation recognised the ‘strategic state importance’ of the urban catchment in the context of state infrastructure (Perth to Mandurah rail line) and subsequently resolved to support the rezoning.

The MRS amendment was gazetted in August 2011; however in April 2013 the WAPC resolved to delete the Mandoglaup Station from future planning as discussed below.

1.3.4.2 Mandogalup Train Station

Under the draft JSP, two railway station sites were proposed for the Perth to Mandurah railway line adjacent to the Wandu North Urban Cell, being the Rowley Road (north) and Anketell Road sites. However, in early 2007, under a Ministerial directive, the then Department for Planning and Infrastructure in conjunction with the Public Transport Authority began a review of all proposed railway stations along the Perth to Mandurah railway line, including the Rowley Road (north) and Anketell Road sites.

As a result of this review, the WAPC resolved in 2008 to consolidate the two sites and endorse a station 400-600 metres south of Rowley Road (Mandogalup Station Site).

The original Wandu North Structure Plan approved in December 2009 reflected the WAPC resolution for Mandogalup station, identifying a TOD precinct within a 400 metre catchment of the station. The station was also identified in the 2010 draft Outer Metropolitan Perth and Peel Sub-Regional Strategy for the south-west sub region.



The Public Transport Plan for Perth in 2031 was released by the Department of Transport for public comment in 2011, identifying the location of a single station at either Success or Mandogalup before 2031. The Public Transport Plan for Perth in 2031 therefore further consolidates the original stations identified for this corridor to a single station, adding to the ongoing uncertainty for the Mandogalup station site, contrary to the WAPC's resolution of 2008 which sought to remove this uncertainty.

Following further review and consideration, and in order to provide certainty to the future development of the Wandi North Structure Plan, the WAPC resolved on 23 April 2013 to delete the Mandogalup from future planning for the corridor. The proposed major change to the Structure Plan therefore reflects this decision through a standard residential design response rather than the TOD design response previously pursued.

1.3.4.3 Subdivision Approvals

Subsequent to approval of the original Wandi North Structure Plan, subdivision approval was granted for the area between the northern boundary of Lot 677 and Rowley Road. The Plan of Subdivision created the area the subject of the major change as a super lot to enable bulk earthworks and clearing to be undertaken. This approval expired on 21 December 2013. New subdivision approvals were therefore sought for the northern area in accordance with the major changes proposed under this Structure Plan proposal.

Subsequent subdivision approvals have also been issued for the estate on a stage-by-stage basis, with the subdivision layout being modified to address site conditions, current market expectations for lot product type, and to respond to noise and fire management requirements.

Honeywood Avenue provides access to the area the subject of this major change. Honeywood Avenue will however be constructed under existing previous approvals for the estate.

1.3.4.4 EPBC Act Referral

The northern area the subject of this major change was included as part of the EPBC Act Referral for the existing Wandi North Structure Plan area, which was submitted and approved with conditions. The Structure Plan will be implemented in accordance with conditions of the EPBC 2010/5476 approval.

02

Site Conditions and Constraints

The following provides a summary of the environmental site conditions and constraints; however for further information it is recommended the reader consult the Environmental Assessment Report provided at Appendix 2.

2.1 Biodiversity and Natural Area Assets

The area the subject of the major change to the Structure Plan does not comprise any identified Bush Forever sites, nor does it comprise any other environmental assets of conservation significance.

The northern area comprises a mapped Resource Enhancement and a mapped Multiple Use wetland. These wetlands are not required to be retained under the Structure Plan, as agreed with the Department of Environment and Conservation and the City of Kwinana as part of the wetland package negotiations undertaken under the initial Structure Plan process.

Within the Structure Plan area, three Conservation Category Wetland areas have been retained and reserved, and are subject to specific management controls implemented through an approved Wetland Management Plan.

Please refer to Appendix 3 for history and correspondence on wetland outcomes.

2.2 Landform and Soils

The area the subject of this major change to the Structure Plan is located within the interface of the Bassendean and Spearwood dune systems. The soils consist primarily of deep Bassendean Sands (S8), with pockets of shallow Bassendean Sands over Guildford Formation clays (S10) and Sandy Silt swamp deposits (Msg).

A geotechnical investigation undertaken by Golder Associates for the Structure Plan area recommends a site classification of 'Class A' will be applicable, provided their recommended site preparation procedures are undertaken.

The topography of the site is relatively flat, with elevations being between RL 23.0 metres AHD and RL 25.0 metres AHD. Gradients across the site range from 1 in 200 to 1 in 6, with an average gradient of 1 in 100.

The site requires filling to ensure adequate grades and cover to drainage and sewerage, and to provide acceptable slopes and pads for building in accordance with maximum allowable engineering grades. It is anticipated the majority of the required fill will need to be imported.

2.2.1 Acid Sulphate Soils

The Department of Environment and Conservation (DEC) database identifies the site as having a Moderate to High Acid Sulphate Soils (ASS) risk. The north-western boundary, extending in to the middle of the northern area (the subject of this major change to the Structure Plan) exhibits a high risk of ASS occurring. The balance of the northern area exhibits a moderate risk.

Based on the DEC database, there is likely to be a high risk of disturbing potential or actual ASS during ground intrusive earthworks in low lying areas, given the majority of the area is within approximately 1 metre of the water table.



An ASS Management Plan has been prepared and implemented as part of the Structure Plan to minimise the risk of ASS occurring across the site.

2.3 Groundwater and Surface Water

2.3.1 Groundwater

Groundwater mapping indicates the water table underlying the northern area is approximately RL 21.0 metres AHD. This corresponds with the groundwater level being approximately two metres below the surface in the localised low areas, to more than four metres below ground level elsewhere within the site.

The grade of the water table surface indicates a general east to west groundwater flow direction.

Hydrographs from nearby monitoring bores indicate groundwater levels have declined over the last decade.

2.3.2 Surface Water

The northern area the subject of the major change to the Structure Plan comprises a Multiple Use wetland and a portion of the mapped Resource Enhancement wetland. The Resource Enhancement mapped area is heavily degraded and is not required to be retained as part of development of the site, nor is the Multiple Use wetland.

No other surface water exists within the northern area.

An amendment to the existing approved Local Water Management Strategy has been prepared to support the proposed changes to the Structure Plan and is contained within Appendix 8. An Urban Water Management Plan will also be prepared and implemented at subdivision. These will demonstrate how surface and groundwater will be dealt with across the site to facilitate development for residential purposes.

2.4 Bushfire Hazard

The Fire Management Plan – *Wandi North Local Structure Plan, Honeywood Estate* was approved by the City in June 2013. In response to the incorporation an additional portion of Part Lot 683 Lyon Road as part of the major change to the Structure Plan, the applicant/ owner has updated the Fire Management Plan with the *Addendum to the Wandi North (Honeywood) Fire Management Plan* (December 2013). It rates the bushfire hazard for Lot 51 and Kwinana Freeway where adjoining the northern portion of the Structure Plan area as *Moderate*. Bushfire Attack Levels (BAL) will be determined based on existing vegetation types and fuel loads at the time of development.

The approved Fire Management Plan (and addendum) will be required to be implemented as a condition of subdivision approval.

Refer Appendix 4 – Approved Fire Management Plan, inclusive of the updated Fire Hazard Assessment addendum.

2.5 Heritage

A search of the Department of Indigenous Affairs Aboriginal Heritage Inquiry System identified one site (ID: 3427) of significance within close proximity to the Structure Plan. The site is Mandogalup



Swamp / Spectacles and is classified as a mythological site previously used as a hunting place and water source.

A search of the City of Kwinana Municipal Heritage Inventory identified a site of significance located directly south of the Structure Plan on Lot 674, referred to as 'Leslie Property' in the Wandi South Structure Plan. Heritage requirements relating to this site are required to be satisfied under the Wandi South Structure Plan, and do not impact on the development ability of the Wandi North Structure Plan.

R and E O'Connor Pty Ltd undertook an Aboriginal Heritage Analysis of the Wandi Cell in January 2008. The purpose of the preliminary analysis was to establish whether there were any currently known Aboriginal heritage constraints which needed to be taken into consideration in advance of development in the Wandi Cell.

The report recommended that an application pursuant to Section 18 of the Aboriginal Heritage Act be made in respect to the Wandi Cell prior to any development involving ground disturbance taking place. Given the above recommendation, Quartermaine Consultants were appointed to undertake an archaeological survey of the Wandi Cell and the results were submitted to the APMC in support of the Section 18 application. We confirm all necessary heritage requirements have previously been satisfied for the Structure Plan area.

A complete copy of the Aboriginal Heritage Analysis is contained within Appendix 5.

2.6 Context and Other Land Use Constraints

2.6.1 Noise Management

The noise associated with the Kwinana Freeway and the Perth to Mandurah railway to the west as well as Rowley Road (a designated freight route) to the north, impacts the northern portion of the site the subject of this Structure Plan change. In accordance with *State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning* (SPP 5.4), a Traffic Noise Impact Assessment addressing the noise impact on the subject land has been prepared (and approved by Main Roads Western Australia).

An approval to commence development has also been granted by the City to construct an extension of the existing sound attenuating wall along the western boundary of the subject land and along its northern boundary (Rowley Road). As part of the conditions of approval of the development application, the applicant/ owner will be required to update the Noise Impact Assessment. The updating of the noise assessment will also update the identification of the lots that will require a notification on title advising of noise impacts and dwelling insulation measures to address those noise impacts.

2.6.2 Water Corporation Bore

A Water Corporation bore is situated at the north east corner of the Rowley Road and Lyon Road intersection. This bore incurs a 300 metre buffer, in which no additional drainage storage and infiltration is permitted. In this regard, the proposed drainage design ensures no additional drainage is being retained within the buffer area, with proposed drainage basins being situated outside the buffer.

03

Land Use and Subdivision Requirements

3.1 Land Use

The major change to the Structure Plan consists, primarily of additional Residential land use on part Lot 683 at densities of R30, R40 and R60 as well as two additional areas of public open space reserved for Parks, Recreation and Drainage.

The Investigation Area 2 sets aside 0.3 hectares of land for potential Public Purpose as a community centre site and for a potential Commercial use as a local centre. The need for these uses are to be determined upon finalisation of the draft Community Infrastructure Plan (2015). Should these uses no longer be required, the land will revert to residential development and the Investigation Area lifted.

3.2 Public Open Space

The Public Open Space Schedule has been prepared in accordance with Liveable Neighbourhoods requirements.

Please refer to Figure 6 – Public Open Space Plan., and Figure 7 – Public Open Space Schedule.

The Public Open Space Schedule and associated plan provided comprise the entire Structure Plan area. The northern area proposes two additional areas of public open space, being reference numbers 2 and 5 on the public open space schedule and plan.

The public open space calculations have been based on surveyed areas, where available. On this basis, the calculated areas may vary from the original approved public open space schedule, which were based on planned areas only and were therefore more indicative. However, it is noted a number of areas are yet to be constructed, and therefore may still be subject to modification at detailed engineering and survey stage.

The public open space for the balance of the Structure Plan area has been subject to negotiation and approval under the existing Wandri North Structure Plan. The only proposed modifications are to the configuration and size of public open space within the area the subject of the major change, as well as the relocation of the Public Purpose site more centrally within the Wandri catchment.

The public open space provided within the northern area serves drainage and passive and active recreation functions. The open space has been positioned to maximise pedestrian connections through the site to the wider public open space network.

The Landscape Master Plan provided at Appendix 6 depicts the proposed uses and layout for the public open space within the northern area.

3.3 Residential

The area the subject of this major change to the Structure Plan achieves an average residential density of 27 dwellings per site hectare and 17 dwellings per gross urban hectare. This is consistent with Liveable Neighbourhoods requirements, which stipulates a minimum average of 22 dwellings per site hectare for greenfields subdivision areas, and Directions 2031 targets of a minimum 15 dwellings per gross urban hectare.



Density has been calculated based on an indicative subdivision plan prepared for the site, yielding approximately 208 lots. For reference, an indicative Plan of Subdivision is provided at Figure 8. This is provided for explanatory purposes only, and is subject to review and detailed design at subdivision.

As with the balance of the Structure Plan, the developer will deliver lot typologies consistent with current market demand and acceptance by the building industry.

Where the site configuration permits, the northern area is likely to deliver the following standard lot typologies:

- ▲ 17 m x 30 m front loaded;
- ▲ 15 m x 30 m front loaded;
- ▲ 12.5 m x 30 m front loaded;
- ▲ 10 m x 30 m front loaded;
- ▲ 10 m x 30 m rear loaded;
- ▲ 7.5 m x 30 m rear loaded;
- ▲ 15 m x 20 m front loaded.

3.3.1 Climate Responsive Design

Under Liveable Neighbourhoods lots should be oriented to facilitate the siting of dwellings and private open space to optimise solar access. Despite the configuration of the parent lot, the northern area achieves relatively good solar access, with majority of lots having their long axis within the range N10°W to N30°E or E10°N to E30°S. Figure 9 depicts the solar orientation achieved within the northern area.

3.4 Community Purpose

The existing Structure Plan and existing City of Kwinana Community Infrastructure Plan identifies a Community Facility site of approximately 3000m² within the northern area, previously associated with the TOD precinct. Given the deletion of the Mandogalup train station and associated transit TOD precinct from future planning for the corridor, the Community Facility site is no longer considered appropriate at this location.

As part of the major LSP Amendment, it was agreed with the City of Kwinana to relocate the Community Facility site more centrally within the Structure Plan, to maximise the catchment and viability of the facility. The Structure Plan currently shows this to be located within Stage 5A of the Honeywood estate on Morwell Entrance adjacent to Stage 1 of the development.

Given the parameters yet to be investigated to determine the most appropriate location for the Community Purpose site, the Structure Plan Map (Plan 1 in Part 1) identifies an 'Investigation Area 2' over the Stage 5A location. Until such time as the ultimate location has been determined, Investigation Area 2 as depicted on the Structure Plan (Plan 1 in Part 1) is considered to be the preferred location for the Community Facility site by the City of Kwinana, and should be treated as the final location until determined otherwise.

Stage 5A is therefore 'on hold' from residential development whilst the ultimate location of the Community Facility site is being resolved.



Notwithstanding the above, the current Draft Community Structure Plan (advertised in November 2015) seeks to delete the community purpose site within Honeywood and relocate it to the District Centre site on Anketell Road. The current developers are supportive of this approach and upon finalisation and adoption of the Draft Community Infrastructure Plan, will seek a lifting of Investigation Area 2 to enable the development of Stage 5A for residential purposes.

3.5 Activity Centres

The following provides a summary of the activity centre demand for the Structure Plan, however for further information it is recommended the reader consult the Local Centre Assessment Report provided at Appendix 10.

The existing Structure Plan identified a local centre within the former TOD precinct, subject to the proposed major changes. Given the deletion of the train station from future planning, a local centre is no longer considered viable at this location.

Investigations and modelling undertaken by Taktics4 suggests the Wandi locality may be capable of supporting a local centre of up to 750 square metres of retail floorspace by 2021, and 1250 square metres by 2031. Taktics 4 recommends this centre would be best located at the Lyon Road/Rowley Road intersection. It is noted however that a local centre is already planned for generally within this location, north of Rowley Road within the City of Cockburn, as identified within the City of Cockburn's Local Commercial and Activity Centres Strategy (LCACS). Therefore, it is recommended that any local centre provided within the Structure Plan area be situated further south so as to not compete with the planned centre north of Rowley Road. Notwithstanding, Taktics4 identifies any centre within the Structure Plan presents a commercial risk given the limited catchment and exposure.

In addition, the City of Kwinana Draft LCACS identifies a centre of up to 1500 square metres of retail floor space by 2021 and up to 3000 square metres of retail floor space by 2031 within the Structure Plan area. However, this centre is noted as being unconfirmed or optional and is subject to further more detailed consideration. The Draft LCACS was advertised in early 2014 and is currently subject to further review.

On this basis, given the planned centre north of Rowley Road and the planned district centre on Anketell Road, it is considered a centre is not necessary or viable within the Structure Plan area.

Notwithstanding, the Structure Plan identifies an Investigation Area (Investigation Area 2 on the Structure Plan Map – Plan 1, Part 1) over the City's preferred location of the local centre, should it be resolved that such a centre is required. Alternate locations are also being explored, with investigations underway for the potential location of the local centre within the primary school precinct to take advantage of the catchment and traffic generated by the school and associated playing fields, as well as the community facilities currently being investigated for this location.

In addition to the local centre identified for within or in close proximity to the Structure Plan area, the site is situated approximately 7 kilometres south of Cockburn Central, and approximately 9 north of the Kwinana Town Centre. There is also a district centre planned south of the Structure Plan at Anketell Road. Honeywood Avenue will provide direct access to the district centre.

3.6 Movement Networks

The following provides a summary of the movement network, however for further information it is recommended the reader consult the Transport Assessment Report provided at Appendix 7.

3.6.1 Existing Road Network

Honeywood Avenue

Honeywood Avenue abuts the northern area, the subject of the major change to the Structure Plan, on its eastern boundary.

Honeywood Avenue is designed as a Neighbourhood Connector, distributing traffic through the Structure Plan from Rowley Road in the north to Anketell Road in the south.

Honeywood Avenue is designed to a 25.2 metre cross-section, with a central vegetated drainage swale. Projected traffic volumes along Honeywood Avenue are estimated at 6000 vehicles per day abutting the northern area.

Lyon Road

Lyon Road is classified as a District Distributor Type B road in the Main Roads WA Functional Road Hierarchy. It is currently constructed to a rural standard with a 7.0 metre wide carriageway. Lyon Road provides a north-south link through the suburbs of Wandi, Aubin Grove and Atwell.

Historical data indicates traffic volumes of less than 1,000 vehicle movements per day on Lyon Road, which is predominantly generated by local residents.

Lyon Road is to be realigned to connect with Honeywood Avenue, adjacent to the northern area. The detailed design of this intersection is currently being undertaken with the City of Kwinana, and will be constructed as part of Stage 6 of the development.

Lyon Road is required to be upgraded as part of the subdivision of the Structure Plan area. These works are to be undertaken by the developer, and reimbursed through the Developer Contributions Scheme.

Rowley Road

Rowley Road is classified as a District Distributor Type A road in the Main Roads WA Functional Road Hierarchy. It provides an east-west connection between the South Western Highway (via Eleventh Road), Tonkin Highway, Kwinana Freeway and Rockingham Road (via Wattleup Road).

Rowley Road is currently constructed to a rural standard single carriageway road, however has been planned as a future designated freight route servicing the Naval Base and Kwinana Beach industrial areas. Land has previously been allocated for the widening and upgrading of Rowley Road where it abuts the amendment area.

Traffic data indicates Rowley Road currently accommodates approximately 6,451 vehicles per day east of the Kwinana Freeway, of which 11.2% are heavy vehicles.

3.6.2 Proposed Road Network

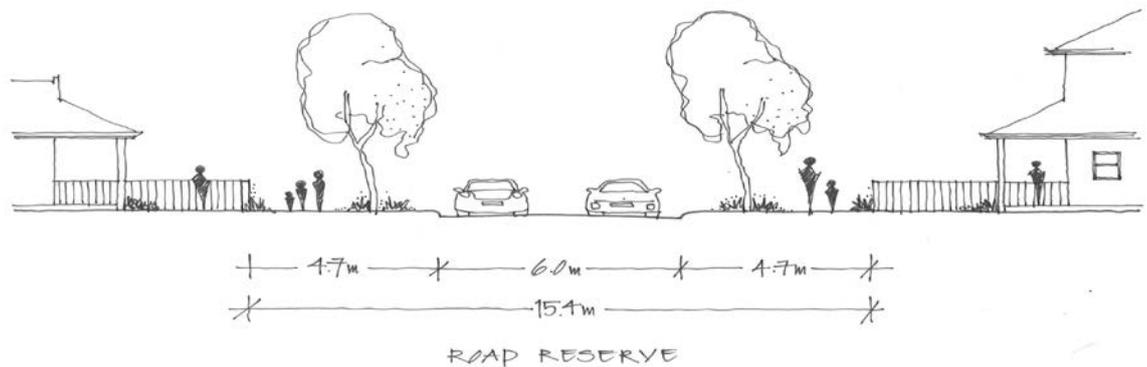
Road classifications for the northern area have been determined on the basis of modelling undertaken by Transcore. Road cross-sections are proposed generally in accordance Liveable Neighbourhoods

for the relevant corresponding road type, and are consistent with the cross-sections provided in the balance of the Structure Plan area.

The northern area primarily consists of Access Street C roads, designed to a 15.4 metre cross-section. An Access Street D road is proposed along a portion of the site adjacent to the Kwinana Freeway, where servicing is only required along one side and therefore a reduced verge width is appropriate. Laneways have been provided where lots directly front public open space, providing for rear vehicle access.

The following image depicts the typical Access Street C road cross-section for the amendment area and wider Structure Plan.

TYPICAL ACCESS STREET C ROAD CROSS-SECTION



The northern area is anticipated to generate approximately 1,664 vehicle trips per day per dwelling, based on 8 vehicle trips per day per dwelling, with projected traffic volumes expected to be less than 1,000 vehicles per day per road. On this basis, the proposed road typologies are considered to be adequate to accommodate the relevant traffic volumes, as well as drainage and parking requirements.

Refer Figure 10 – Proposed Road Network.

3.6.3 Public Transport

The Structure Plan area is not currently directly serviced by public transport. However, Honeywood Avenue has been designed to accommodate a future bus route. Timing for the establishment of a service through the Structure Plan area is yet to be determined by the Public Transport Authority.

Bus Route 527 servicing Aubin Grove is the closest existing bus service, and runs along Lyon Road, north of Rowley Road. Route 527 provides a service through to Cockburn Central.

The Perth to Mandurah railway line runs along the western boundary of the site within the Kwinana Freeway reserve. The closest stations to the amendment area are Cockburn Central, approximately 6 kilometres to the north, and Kwinana, approximately 5.8 kilometres to the south. An additional station is also planned for Russell Road/Success, approximately 2.7 kilometres to the north.

3.6.4 Pedestrian and Cycle Network

Footpaths will be provided on at least one side of every street, with the possible exception of short cul-de-sacs and laneways, in accordance with Liveable Neighbourhoods requirements.

There is a planned dual use path along the extent of Honeywood Avenue, which will connect to the footpath network within the northern area.



The proposed road network provides for relatively short street blocks and regular connections. This provides for a well connected and permeable pedestrian network. Additionally, the positioning of the public open space areas provides for high quality pedestrian links through the northern area and south through the wider Structure Plan area.

3.7 Local Water Management

A Local Water Management Strategy has been approved for the Structure Plan, with Urban Water Management Plans being prepared and implemented for each stage of subdivision. Given the modifications proposed within the northern area, an amendment to the Local Water Management Strategy has been prepared and approved by the Department of Water in November 2013.

A copy of the approved addendum to the Local Water Management Strategy is enclosed within Appendix 8.

The sub-catchments, modelled peak outflows and detention storages have been updated in the addendum to reflect the modified road network and reduction in density and yield from the existing Structure Plan.

The northern area forms part of the 283 hectare district sub-catchment CAT21. Based on a pro-rata approach, the northern area forms approximately 2.2% of CAT21 and the allowed outflow is 0.014m³/s (14 L/s) to the Peel Main Drain. The 100 year ARI peak discharge from this basin into the Peel Main Drain is 0.63 m³/s.

Drainage within the northern area is proposed to have detention storages within public open space for flood management, with outlets to the Peel Main Drain. Storages have been designed to contain runoff from the 100 year storm event, with discharge for the 100 year ARI event designed not to exceed estimated pre-development flows. Storage locations have been determined based on existing topographic contours, depth to groundwater mapping, and Structure Plan constraints. Storage elevations have been assumed at least 0.3 metres above the design groundwater level for modelling purposes.

3.8 Education Facilities

There is a primary school site identified in the south eastern corner of Structure Plan area (4.39ha), servicing the Wandi locality.

3.9 Infrastructure Coordination, Servicing and Staging

The following provides a summary of the infrastructure and servicing for the northern area, however for further information it is recommended the reader consult the Engineering Services Report provided at Appendix 11.

3.9.1 Water Supply

The Water Corporation has made provision for water supply to the Wandi Cell in its planning for servicing the south-east corridor. The northern area is located within the Water Corporation's Thomsons Lake gravity water supply scheme, fed from existing water storage facilities located on Henderson Road in Beeliar. The northern area will be serviced by a 100mm to 200mm diameter reticulation, connected to the existing 250mm diameter main in Honeywood Avenue.

Water Corporation planning indicates the need for a future 700mm diameter distribution main along Honeywood Avenue and west through the northern area (Honeywood Stage 7) to Mandogalup. It is



anticipated these works will be undertaken by Water Corporation at a later date, and will require excavation along the kerb and pavement of Honeywood Avenue and the east/west road through Stage 7.

3.9.2 Sewer

The Water Corporation has made provision for a reticulated sewerage scheme for the Wandri Cell in its planning for servicing the south-east corridor. The northern area is located within a sub-catchment of the Water Corporation's Thomsons Lake sewerage catchment, which discharges to an existing sewerage pump station located on Lot 666 east of the Kwinana Freeway. Effluent is pumped from this pump station north via a pressure main in to an existing gravity sewer located near Hammond Road and Jackadder Avenue. This system is constructed and operating under the management and maintenance responsibility of the Water Corporation.

The northern area will be serviced by a 150/225 mm diameter gravity system, which is directed south to the system to be constructed as part of the Honeywood Stage 5/6 development.

There is an existing 250mm diameter sewer pressure main traversing the northern area, which is required to be realigned to reflect the proposed road layout. This will occur as part of Stage 7 works.

3.9.3 Gas and Electricity

All lots within the northern area will be serviced with underground power, of which the cost of works will be fully developer funded. Electricity connections will be via an extension of existing services within the Honeywood development.

The provision of a reticulated gas supply will be from existing mains within the Honeywood Avenue reserve, via the system to be provided as part of the Honeywood Stage 5/6 development.

3.9.4 Telecommunications

All lots within the Honeywood estate, including the northern area, are to be serviced by a private telecommunication network – Service Elements Pty Ltd – utilising their own pit and pipe network, installed by the Developer.

Where appropriate, Service Elements will utilise Western Power service trenches in lieu of the Developer providing additional trenching.

Service Elements will “cable” the development once construction of housing has commenced and applications are made by individual owners for communications services to their lots.

Headwork charges for Telecommunication service extensions are anticipated.

3.9.5 Development Staging

The northern area comprises Stages 7 to 9 of the Honeywood estate, and represents the final development stages for the estate.

An indicative staging plan for the northern area is provided at Figure 11.

3.10 Developer Contribution Arrangements

The Structure Plan is included within Development Contribution Area Number 9 (DCA 9) for the Wandri Cell community infrastructure items and DCA 5 for the ‘hard’ infrastructure items.

DCA 9 was introduced to TPS 2 by way of Scheme Amendment 115 (Gazetted on 19 June 2012), and is intended to have an operation period of 20 years (2011 to 2031).

The following items are currently listed under TPS 2 as being subject to funding by DCA 9.

| DCA 9 | Item |
|--------------|--|
| Sub-Regional | Community Knowledge and Resource Centre (excluding leasable office space and cafe component) |
| | Destination Park (Calista) |
| | Wells Beach Foreshore Upgrade (Park and Boating facility) |
| District A | Sporting Pavilion |
| | Community Centre |
| | Youth Centre |
| | Dry Recreation Centre |
| | Branch Library |
| Local | Local Community House/Centre |
| | Local Sports Pavilion |
| Admin | Administrative Costs |

Notwithstanding the above, it is understood the City of Kwinana are currently reviewing the community infrastructure needs for the ERIC corridor on the basis of the reduced urban catchment within Mandoglaup. This is likely to result in a reduced need for facilities to be provided within the ERIC corridor.

Scheme Amendment (Amendment 100A) was initiated by the City of Kwinana at its December, 2014 meeting to introduce 'hard' infrastructure items to the Scheme. Upon gazettal of Amendment 100A, the Wandi Cell will also be subject to Development Contribution Area 5 (DCA 5).

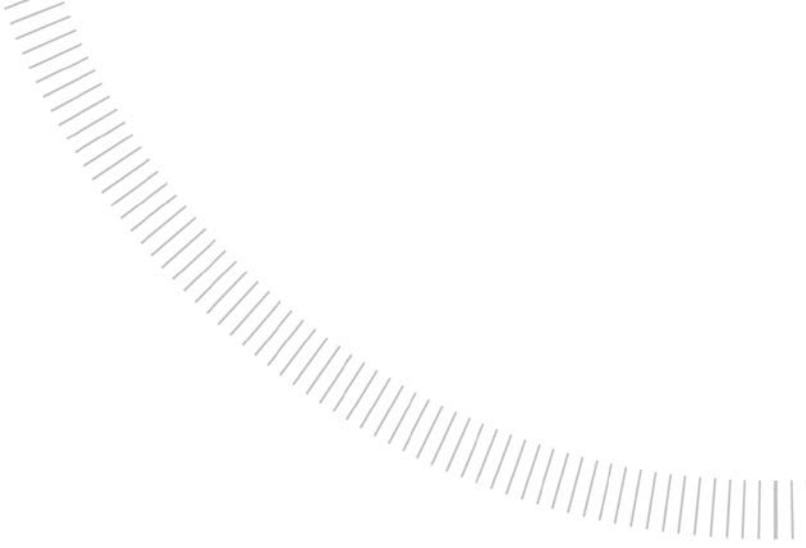
Whilst the items to be included within DCA 5 are yet to be finalised, it is understood the indicative list of items includes the following:

- ▲ Anketell Road realignment;
- ▲ Lyon Road upgrade;
- ▲ Public Open Space; and
- ▲ Neighbourhood Connector.

Should the review of DCA 9 and the finalisation of Amendment 100A not be complete prior to subdivision within the LSP area, it is likely a legal agreement will be entered into between the City of Kwinana and the Developer for the payment of interim costs, to be reconciled upon Gazettal of Amendment 100A and any amendments to the existing DCA 9.



FIGURES





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| Rev | Date | Drawn |
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| A | 2014.05.21 | M. Winfield |
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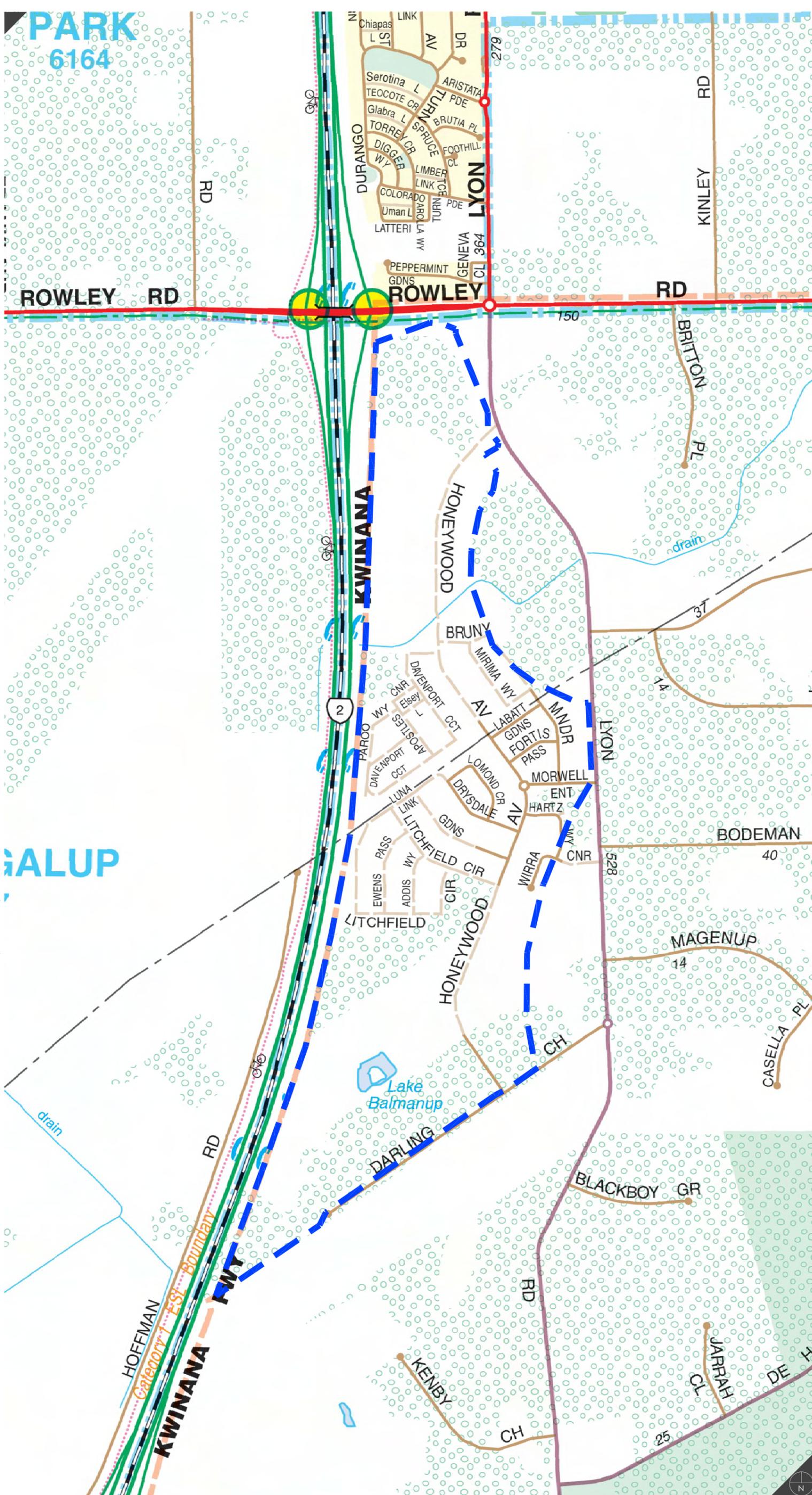
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 Scale: N.T.S. @ A3
 Client: Satterley
 Designer: R. Cumming
 Drawn: M. Winfield
 Projection: N/A
 Plan ID: 4582A-FIG-19-A

Regional Location

Figure 1



LEGEND
— Wandi North Structure Plan Area



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Map supplied by Street Smart

Local Location

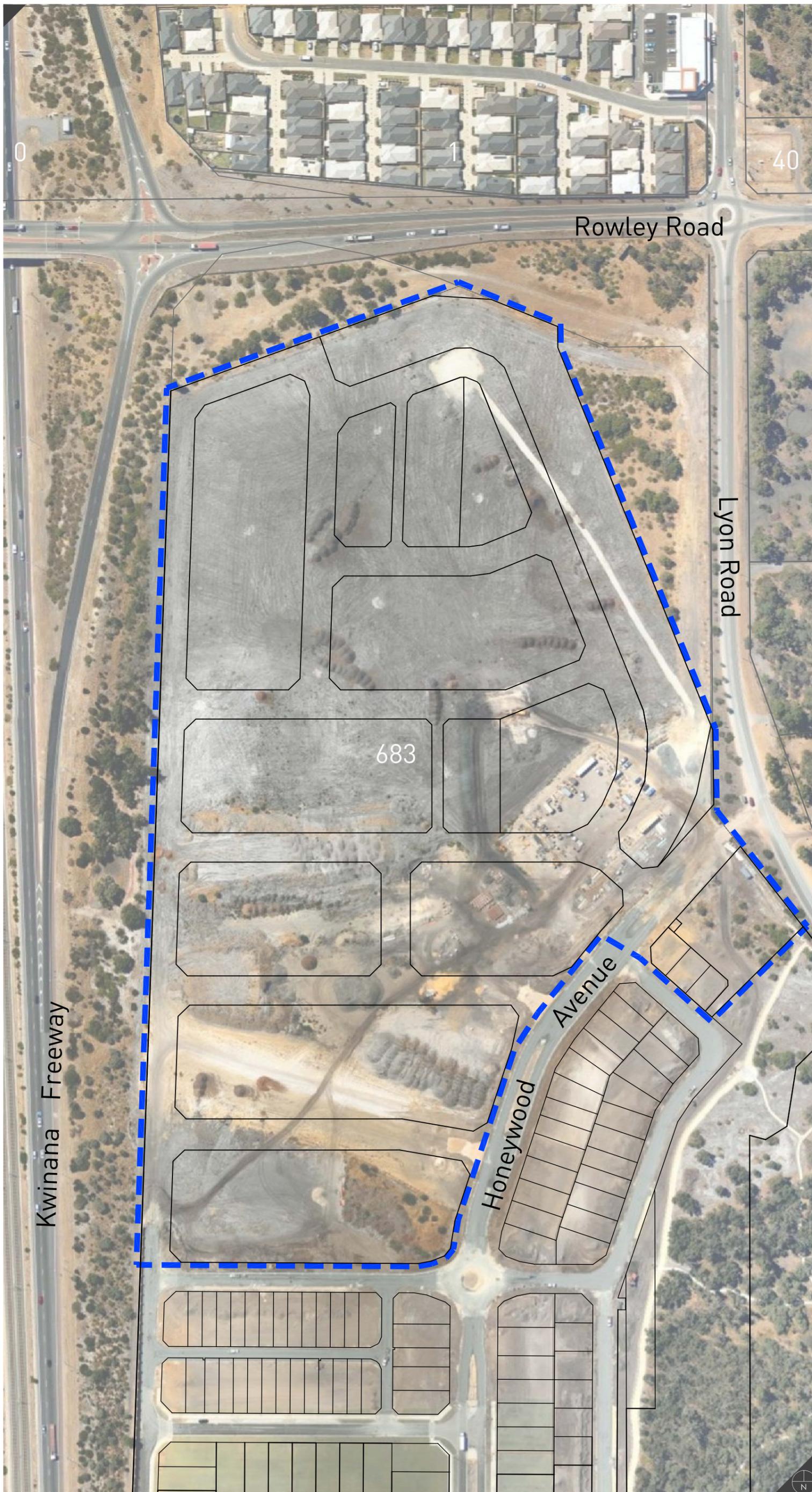
Figure 2

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0 50 100 Metres

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Projection: PCG94
Plan ID: 4582A-FIG-21-B
Aerial Photo Captured and Supplied by Nearmap

Aerial/Site Plan

Figure 3

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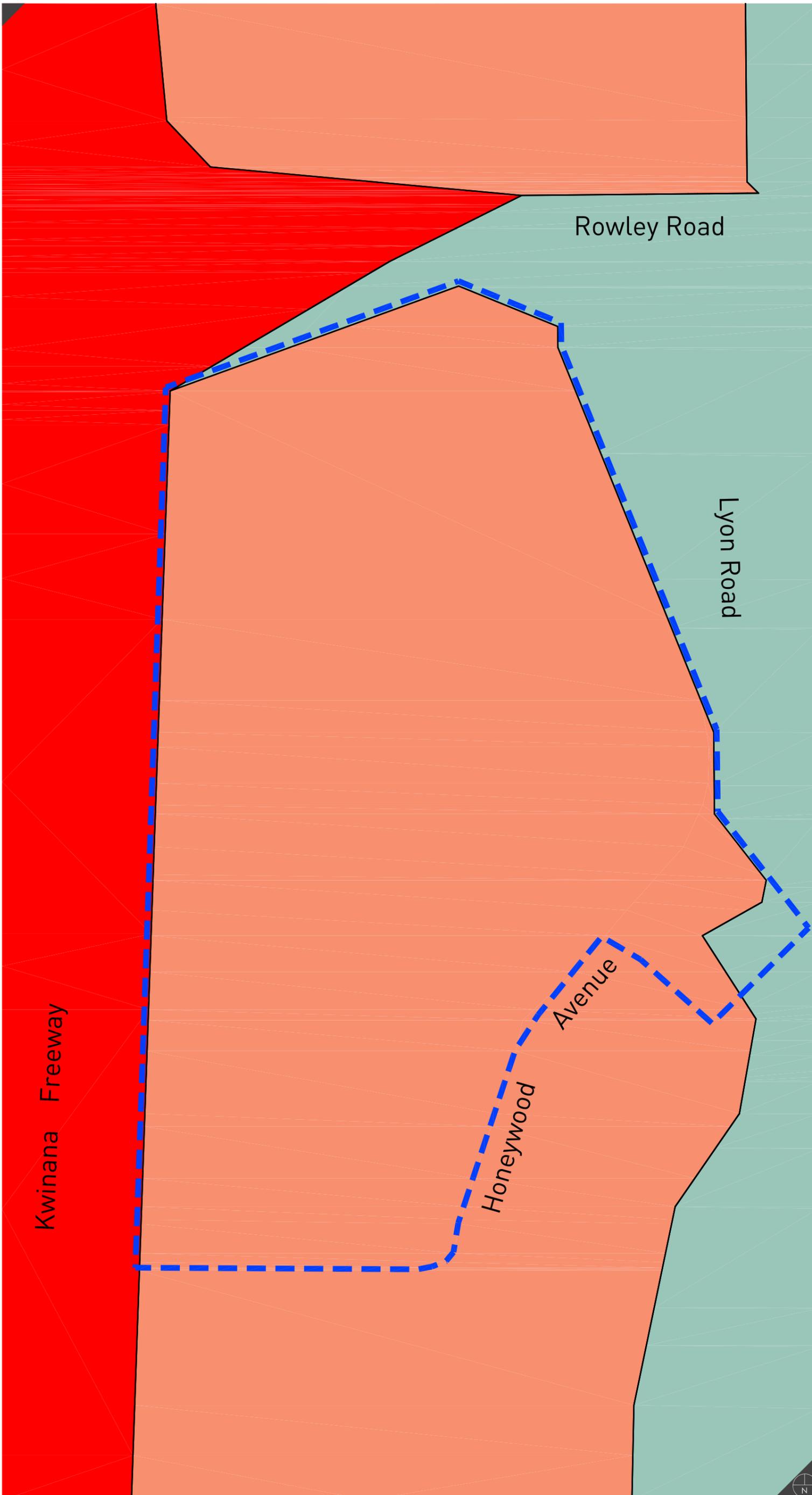
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RESERVED LANDS

Primary Regional Roads

ZONES

Urban
 Urban Deferred
 Rural - Water Protection



0 50 100 Metres

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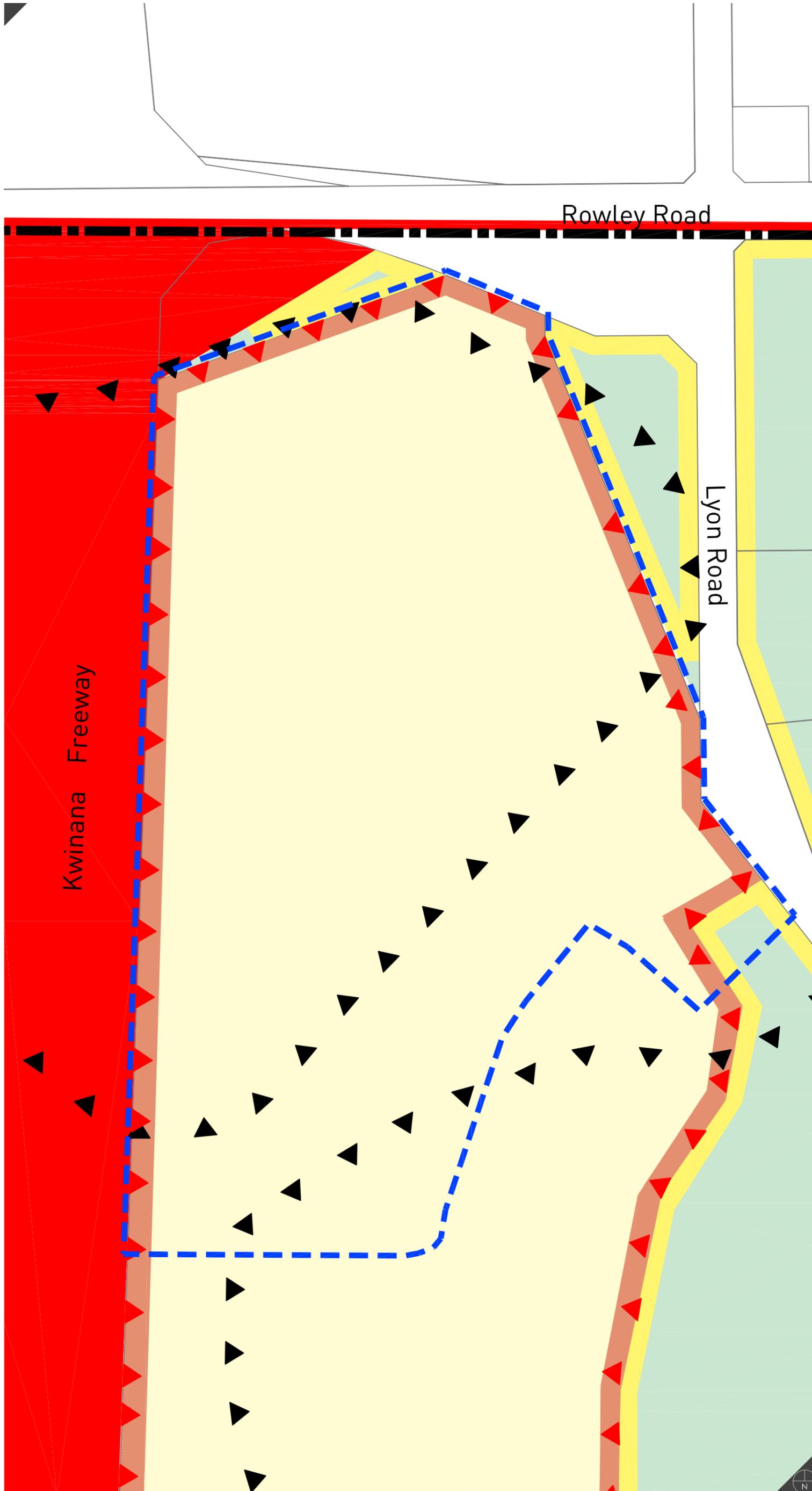
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Zoning supplied by WAPC

Metropolitan Region Scheme

Figure 4

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- LEGEND**
- Area the subject of the major change (not including Investigation Areas 1 and 2)
- METROPOLITAN REGION SCHEME RESERVES**
- ▬ Primary Regional Roads
- ZONES**
- ▭ Rural Water Resource
 - ▭ Special Rural
- OTHER**
- ▬ Local Government Boundary
 - ▬ Scheme Boundary
 - ▴▴▴▴▴ Development Contribution Area
 - ▴▴▴▴▴ Area of Landscape Protection
 - ▭ SR16 Special Rural Area
 - ▭ DP17 Development Plans

0 50 100 Metres

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| A | 2014.05.21 | M. Winfield |
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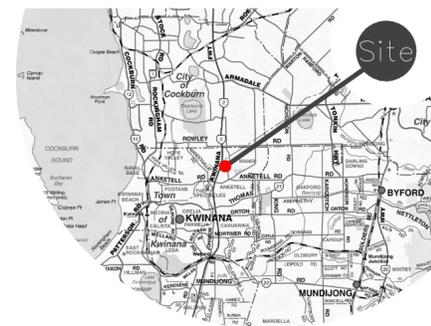


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Projection: PCG94
Plan ID: 4582C-FIG-23-B
Zoning supplied by WAPC

Town Planning Scheme No.2

Figure 5



- LEGEND**
- Local Structure Plan Boundary
 - Community Facility
 - Restricted POS
 - Restricted POS (RWP zone)
 - Unrestricted POS
 - Unrestricted POS (RWP zone)
 - Restricted POS (Gas Pipeline Easement)
 - CCW
 - CCW Buffer
 - CCW (RWP Zone)
 - CCW Outline
 - POS Boundary
 - 8 POS Reference Numbers
 - CP Community Purpose
 - Peel Main Drain

0 | 125 | 250 Metres

REVISIONS

| Rev | Date | Drawn |
|-----|------------|--------------|
| E | 2014.07.17 | K. Trenberth |
| F | 2014.08.08 | K. Trenberth |
| G | 2016.03.11 | M. Sullivan |
| H | 2016.03.16 | M. Sullivan |



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 Cadastre supplied by McMullen Nolan Surveyors

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Public Open Space

Figure 6



| Wandi North Local Structure Plan – Public Open Space Schedule 16.03.2016 (4582C – FIG – 08 – H) | | | |
|---|---|---|---|
| Site Area (Local Structure Plan boundary) | | 97.5 ha | |
| Less | | | |
| CCW 16 | 4.7 ha | | |
| CCW 20 | 11.7 ha | | |
| Rural Residential – 1 | 0.1 ha | | |
| Rural Residential – 2 | 0.3 ha | | |
| Rural Residential – 3 | 0.4 ha | | |
| Total | | 17.2 ha | |
| Net Site Area | | 80.3 ha | |
| Deductions | | | |
| Primary School (Investigation Area – may be subject to change) | 4.2 ha | | |
| Peel Main Drain (within LSP boundary) | 0.7 ha | | |
| Gas Pipeline (easement with LSP boundary) | 1.8 ha | | |
| Total | | 6.8 ha | |
| Gross Subdivisible Area | | 73.5 ha | |
| POS @10% | | 7.4 ha | |
| Public Open Space Contribution | | | |
| May comprise: | | | |
| - Min 80% unrestricted POS | | 5.9 ha | |
| - Min 20% restricted use POS | | 1.5 ha | |
| Total Required POS | | 7.4 ha | |
| POS Reference Number | Unrestricted Urban POS sites (m²) | Restricted Urban POS sites (m²) | |
| 2 | 2,054 | 0 | |
| 4 | 1,386.6 | 0 | |
| 5 | 1,973.0 | 2,065.0 | |
| 6A | 641.9 | 0 | |
| 6C | 1,329.6 | 2,248.1 | |
| 7 | 2,392.1 | 5,184.1 | |
| 8 | 4,913.3 | 2,902.6 | |
| 9 | 6,591.3 | 10,681.9 | |
| 10 | 2,463.3 | 164.9 | |
| 11 (adjacent to easement) | 2,429.7 | 0 | |
| 12A (adjacent to easement) | 1,935.3 | 0 | |
| 12B (adjacent to easement) | 2,436.7 | 0 | |
| 13 | 1,212.4 | 997.2 | |
| 14 | 4,716.6 | 2,955.8 | |
| 15 | 11,213.9 | 0 | |
| 16 | 1,312.3 | 18,707.7 | |
| 20 | 2,379.3 | 20,786.2 | |
| 21 (by others) | 13,027 | 742.9 | |
| Community Centre | 3,064.7 | 0 | |
| Community Purpose – Playing Fields | 4,921.0 | 0 | |
| Total | 72,393.8 m² | 67,436.3 m² | |
| | (7.2 ha) | (6.7 ha) | |
| Additional Public Open Space (for noting – Rural Water Protection Zone) | | Unrestricted POS sites (m²) | Restricted POS sites (m²) |
| Local Playing Fields (POS 22) – final size and configuration subject to investigation: | | | |
| - 22A | | 2,121.3 | 0 |
| - 22B | | 36,809.0 | 0 |
| - 22C | | 25,001.0 | 0 |

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|-----|------------|--------------|
| B | 2013.12.03 | K. Trenberth |
| C | 2014.07.17 | K. Trenberth |
| D | 2014.08.08 | K. Trenberth |
| E | 2016.03.16 | W. Clements |



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Projection: N.A.
Plan ID: 4582C-FIG-16-E



Figure 7

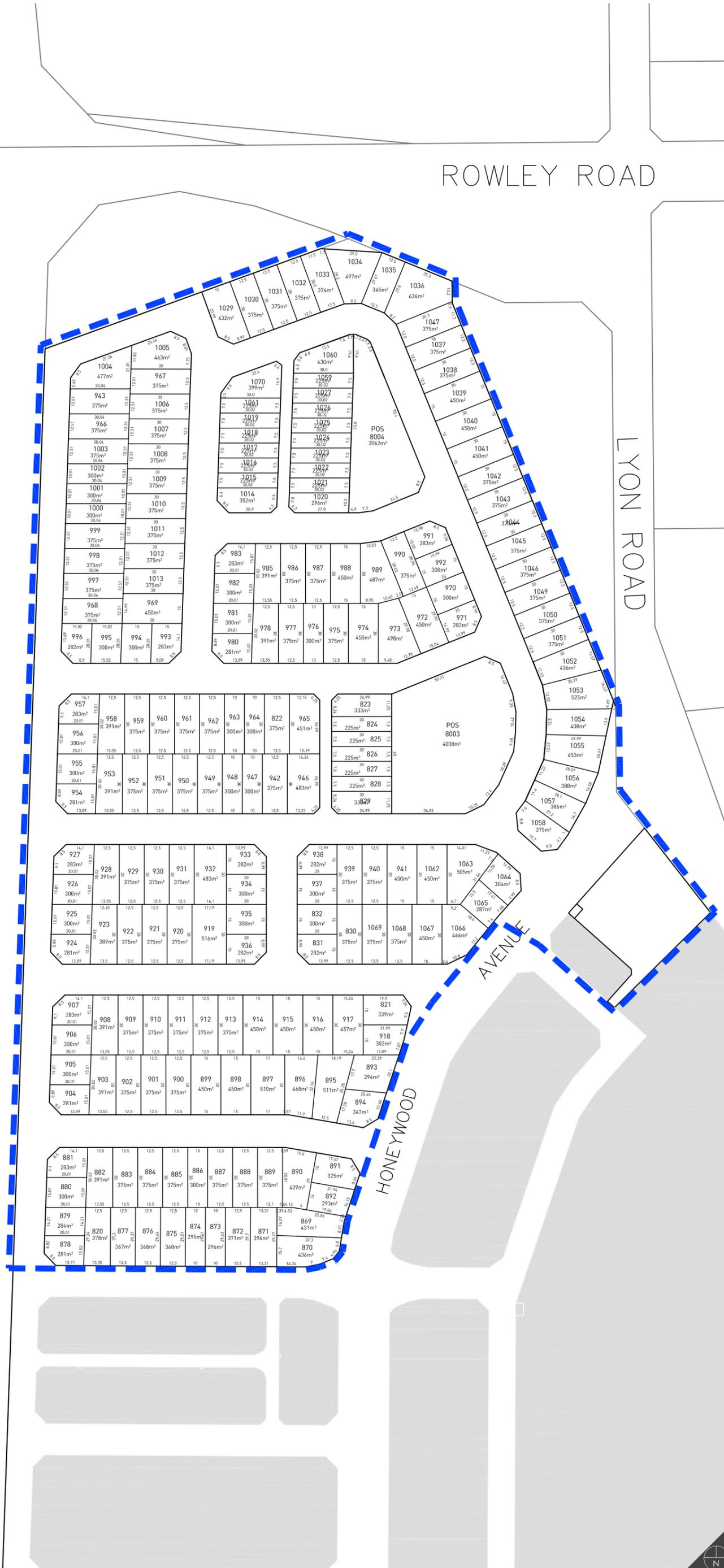
Public Open Space Schedule

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| F | 2013.11.11 | S.Blanchard |
| G | 2014.03.10 | M.Sullivan |
| H | 2014.08.08 | K. Trenberth |
| I | 2016.03.16 | W. Clements |



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 Projection: PCG94
 Plan ID: 4582A-SUB-22-I
 Cadastre supplied by McMullen Nolan Surveyors

Indicative Plan of Subdivision

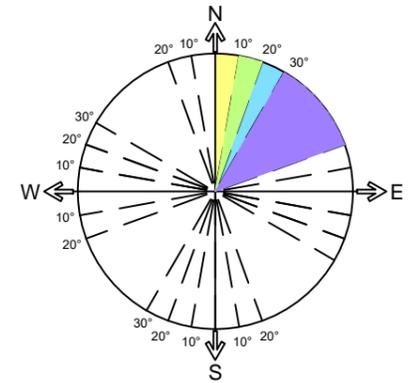
Figure 8

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LEGEND

- Area the subject of the major change (not including Investigation Areas 1 and 2)



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0 125 Metres

REVISIONS

| Rev | Date | Drawn |
|-----|------------|--------------|
| A | 2013.07.01 | S.Blanchard |
| B | 2013.11.11 | S.Blanchard |
| C | 2014.03.10 | M.Sullivan |
| D | 2014.08.08 | K. Trenberth |



w: www.rowegroup.com.au
e: info@rowegroup.com.au
p: 08 9221 1991

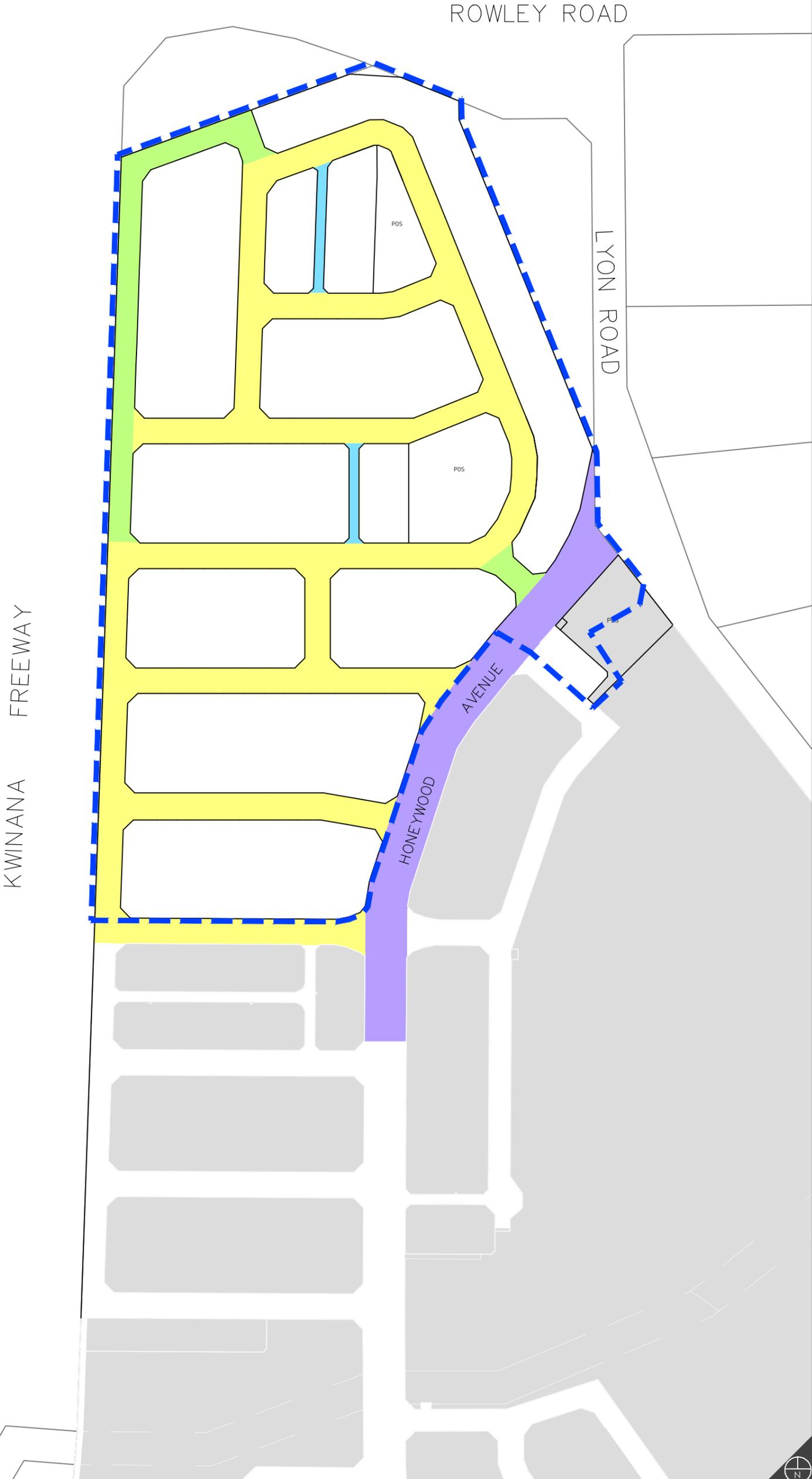
Date Drawn: 2013-07-01
Job Ref: 4582C
Scale: 1:2500 @ A3
Client: Satterley
Designer: R. Cumming
Drawn: S.Blanchard
Projection: PCG94
Plan ID: 4582C-FIG-13-D
Cadastral supplied by WaterCorp

Solar Orientation

Figure 9



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- LEGEND**
- ■ ■ ■ Area the subject of the major change (not including Investigation Areas 1 and 2)
 - Neighbourhood Connector
 - Access Street C
 - Access Street D
 - Laneway

0 125 Metres

REVISIONS

| Rev | Date | Drawn |
|-----|------------|--------------|
| A | 2013.06.27 | S.Blanchard |
| B | 2013.11.11 | S.Blanchard |
| C | 2013.03.10 | M.Sullivan |
| D | 2014.08.08 | K. Trenberth |



w: www.rowegroup.com.au
 e: info@rowegroup.com.au
 p: 08 9221 1991

Date Drawn: 2013-06-27
 Job Ref: 4582C
 Scale: 1:2500 @ A3
 Client: Satterly
 Designer: R. Cumming
 Drawn: S. Blanchard
 Projection: PCG94
 Plan ID: 4582C-FIG-12-D
Cadastre supplied by McMullen Nolan Surveyors

Movement Network

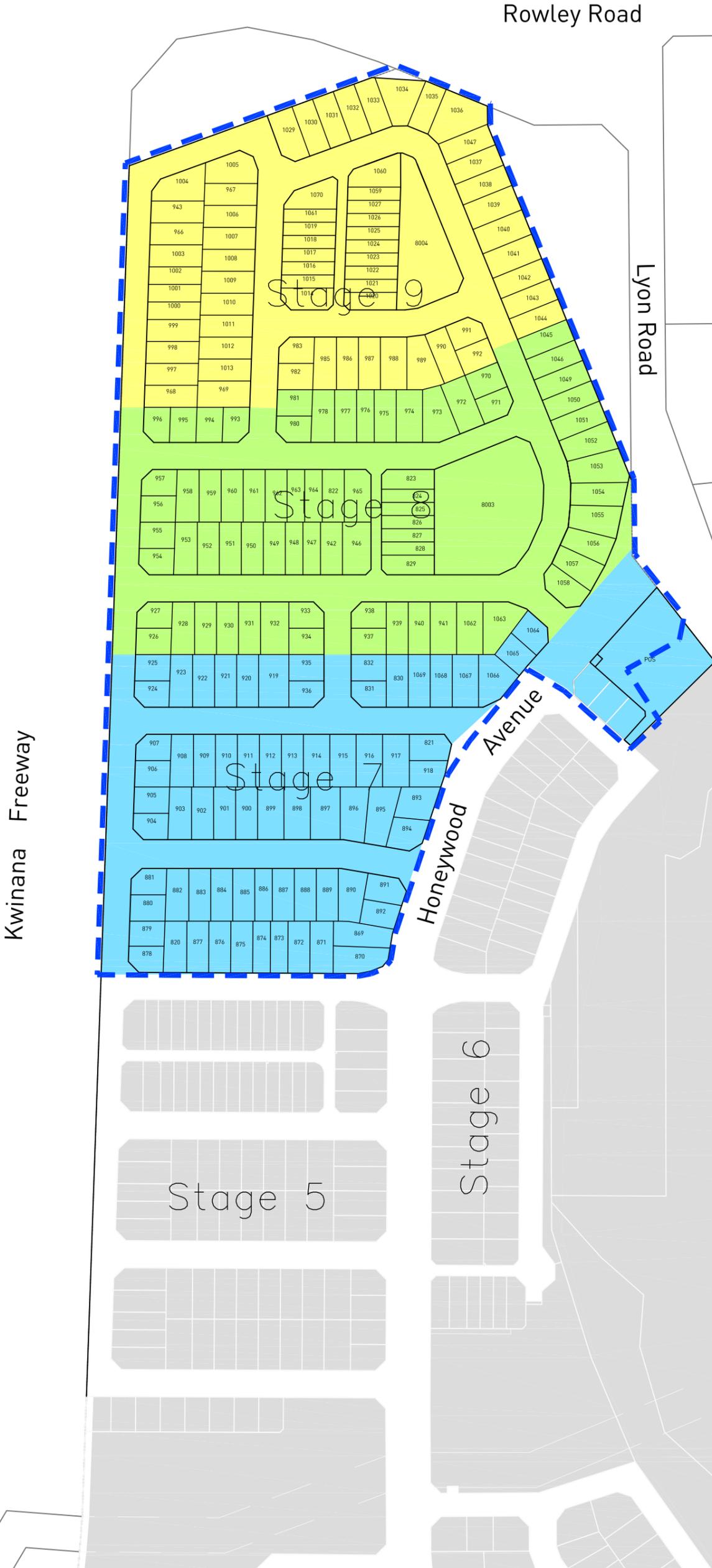
Figure 10



LEGEND

-  Area the subject of the major change (not including Investigation Areas 1 and 2)
-  Stage 9
-  Stage 8
-  Stage 7

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0 125 Metres

REVISIONS

| Rev | Date | Drawn |
|-----|------------|--------------|
| A | 2014.05.21 | M. Winfield |
| D | 2014.08.08 | K. Trenberth |



w: www.rowegroup.com.au
 e: info@rowegroup.com.au
 p: 08 9221 1991

Date Drawn: 2014-05-21
 Job Ref: 4582A
 Scale: 1:2500 @ A3
 Client: Satterley
 Designer: R. Cumming
 Drawn: M. Winfield
 Projection: PCG94
 Plan ID: 4582A-FIG-25-D
 Cadastre Supplied by The Water Corporation of WA

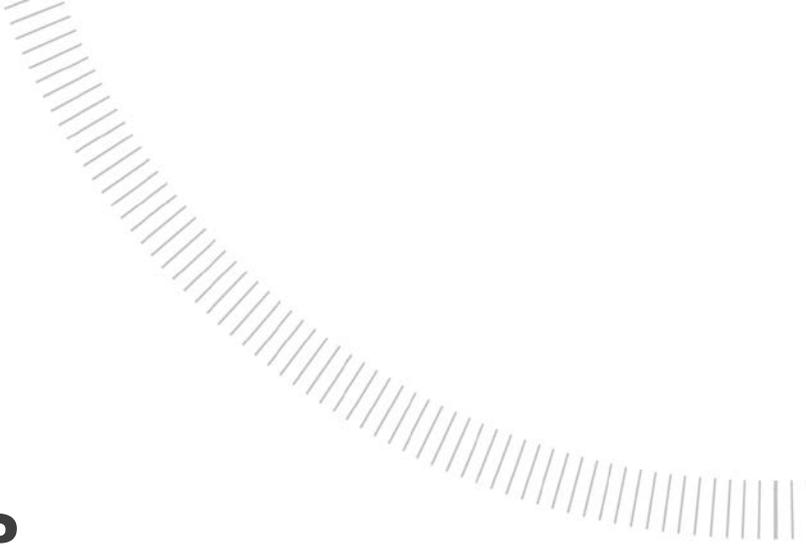
Indicative Staging

Figure 11



Part Three

TECHNICAL APPENDICES

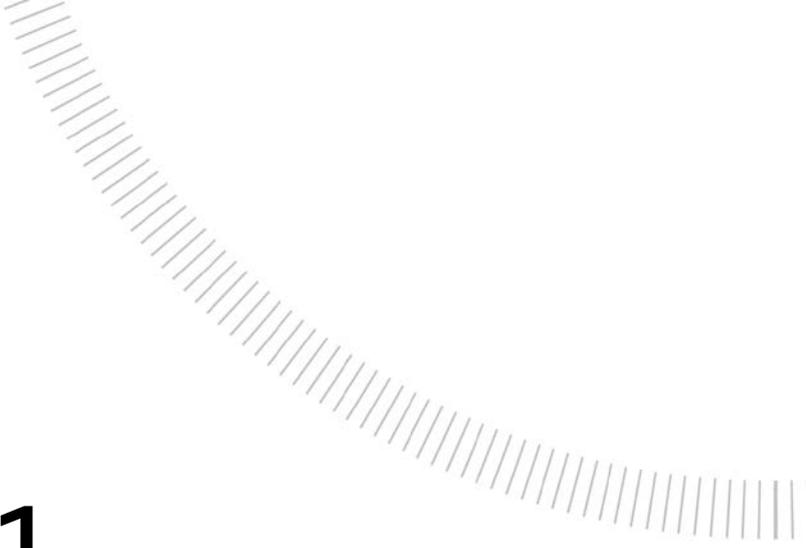


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Appendix 1

CERTIFICATE OF TITLE





Appendix 2

ENVIRONMENTAL ASSESSMENT REPORT



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Appendix 3

SUMMARY OF WETLAND OUTCOMES AND DPAW
CORRESPONDENCE

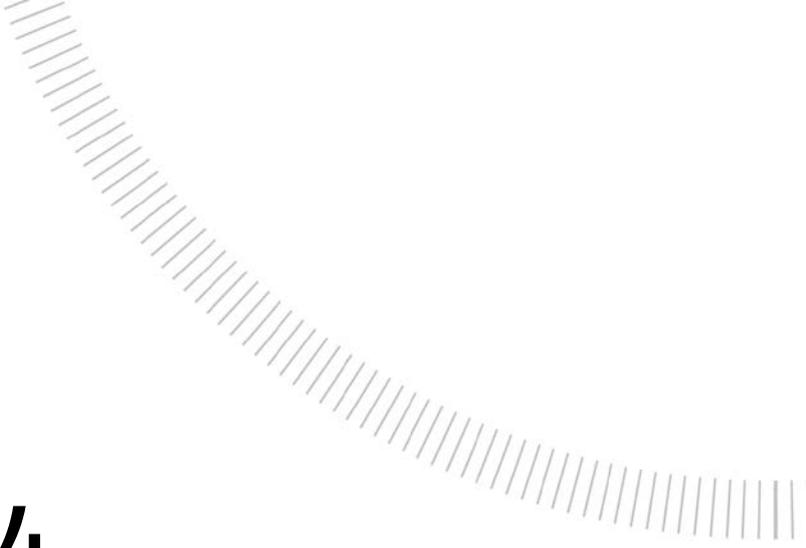


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Appendix 4

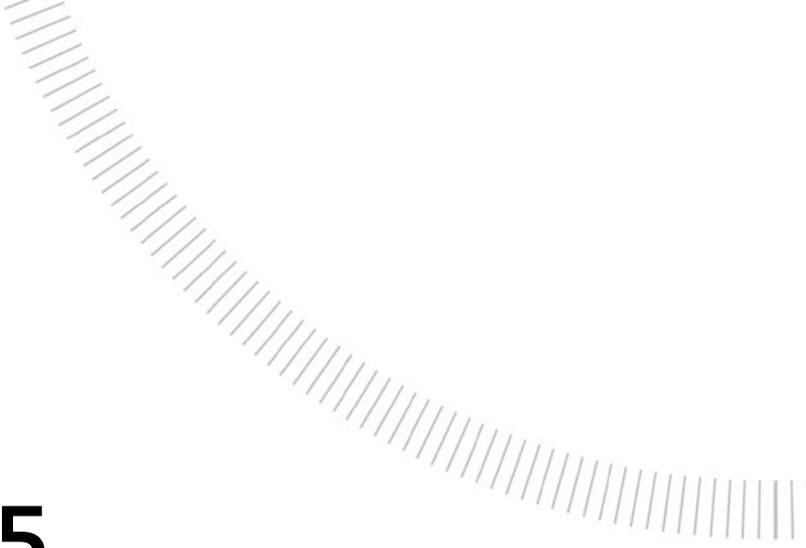
FIRE MANAGEMENT PLAN





Appendix 5

HERITAGE ASSESSMENT

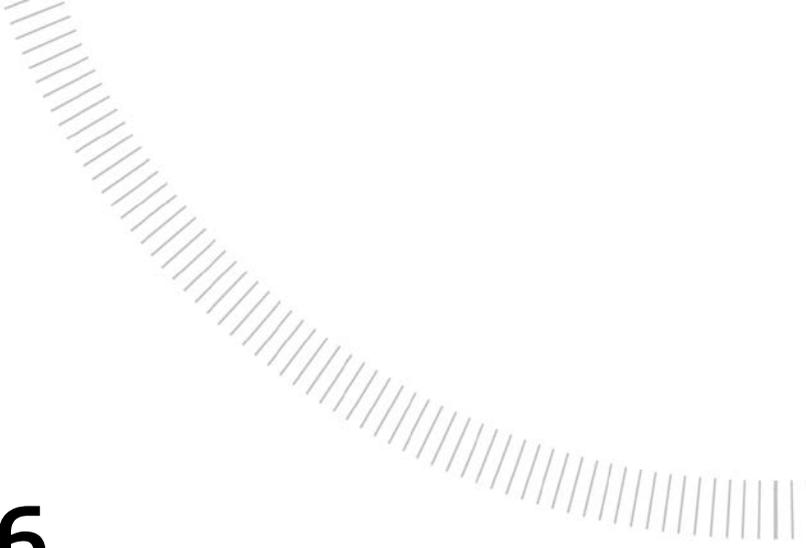


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Appendix 6

LANDSCAPE MASTER PLAN



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Appendix 7

TRANSPORT ASSESSMENT REPORT



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Appendix 8

LOCAL WATER MANAGEMENT STRATEGY (ADDENDUM)



ROWEGROUP



Appendix 9

DEPARTMENT OF WATER APPROVAL – LWMS ADDENDUM



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Appendix 10

LOCAL CENTRE ASSESSMENT REPORT



ROWEGROUP



Appendix 11

ENGINEERING SERVICES REPORT



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Appendix 12

TRAFFIC NOISE IMPACT ASSESSMENT



ROWEGROUP

ATTACHMENT F

RECOMMENDED MODIFICATIONS TO WANDI NORTH LOCAL STRUCTURE PLAN

| | Location / section | Modification | Reason / comment |
|---|--|--|--|
| 1 | Endorsement Page | Update to reflect 'Appendix 2 – Endorsement page example' of the Department of Planning's Structure Plan Framework 2015. | To be consistent with the endorsement requirements of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , in particular the 'Deemed Provisions' as they relate to structure plans. |
| 2 | Executive Summary | Replace 'minor change' with 'minor amendment'. | To be consistent with the terminology of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . |
| 3 | Part One – Clauses 3 and 4 | Update references to Town Planning Scheme No. 2 to the correct clause references of the Deemed Provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . | To be consistent with the terminology of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . |
| 4 | Part One – Clause 6.4.2(a) | Replace 'adopted by the City of Kwinana as a minor change to the Structure Plan', to 'endorsed by the WAPC as a minor amendment to the Structure Plan', or words to that effect. | To be consistent with the endorsement requirements of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , in particular the 'Deemed Provisions' as they relate to structure plans. |
| 5 | Part Two – Clause 1.3 (various paragraphs) | Replace references to 'minor change' with 'minor amendment'. | To be consistent with the terminology of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . |
| 6 | Part Two – Clause 1.3.3 | Update list of City of Kwinana local planning policies to include: - (Draft) LPP1 – Landscape and Tree Retention and Protection within Development Areas - Any other applicable local planning policies | To update the list. |
| 7 | Part Two – Clauses 2 and 3 | Update to remove references to 'the major change to the Structure Plan.' These sections need updating to reflect the current 'minor modification'. | These sections, whilst explanatory rather than statutory, require updating to reflect the correct status of the structure plan. |
| 8 | Part Two – Clause 3.10 | Update the paragraph below the table on page 22 to refer to Amendment 145 to Town Planning Scheme No. 2 – Review of Development Contribution Plans 8-15 (Community Infrastructure) and the status of the amendment (i.e. advertised late 2015, City is currently reviewing submissions). | To reflect the current status of the Community Infrastructure Review. |

15.2 Draft Local Planning Policy No.3: Bollard Bulrush East Landscape Masterplan – Consideration For Advertising Under Town Planning Scheme No. 2

SUMMARY

The *Bollard Bulrush East Landscape Masterplan* (landscape masterplan) (Attachment A) has been prepared by Emerge Associates on behalf of City of Kwinana (the City), to ensure that the following matters are provided during the development of the open space in the Bollard Bulrush east urban cell in a uniform and coordinated manner:

- a uniform dual use path around the eastern side of Bollard Bulrush Swamp, including pedestrian/cycle bridges over the Peel Main Drain;
- uniform playground equipment, fitness equipment, park benches and lighting;
- 'kick about' spaces;
- uniform conservation fencing;
- stormwater detention areas that do not interfere with the function of public open space (POS);
- fire breaks and fire access tracks; and
- wetland revegetation.

The landscape masterplan has been prepared primarily for the landholdings on the eastern side of Bollard Bulrush Swamp. However, Providence estate (situated on the western side of Peel Main Drain) has been included in the masterplan because the open space adjacent to Bollard Bulrush Swamp, in Providence estate, has not been developed yet and can be coordinated with the POS on the eastern side of the Peel Main Drain.

The landscape masterplan has been incorporated into a draft local planning policy (*Local Planning Policy No. 3*) (LPP No. 3) (Attachment B) to be adopted under *Town Planning Scheme No. 2* (TPS 2) to ensure that the landscape masterplan has statutory weight and is given 'due regard' during the assessment of local structure plans and subdivision applications by the City.

The City recommends that Council resolves to advertise draft LPP No.3 and the landscape masterplan pursuant to Clauses 4(1) and 4(2) of Division 2 of *Planning and Development Regulation 2015* (P&D Regulations).

The City will consult the Department of Parks and Wildlife (DPW) during the advertising period to ensure that the landscape masterplan meets DPW's environmental objectives in relation to Bollard Bulrush Swamp.

The LPP No. 3 and the landscape masterplan were presented at a Councillor Forum held on the 2 May 2016.

15.2 DRAFT LOCAL PLANNING POLICY NO.3: BOLLARD BULRUSH EAST LANDSCAPE MASTERPLAN – CONSIDERATION FOR ADVERTISING UNDER TOWN PLANNING SCHEME NO. 2**OFFICER RECOMMENDATION**

That Council takes the following advice in respect to draft Local Planning Policy No. 3: Bollard Bulrush East Landscape Masterplan (LPP No. 3):

1. Advertise draft LPP No. 3 in accordance with Clauses 4(1) and 4(2) of Division 2 of the *Planning and Development Regulations 2015*.
2. Review the draft LPP No. 3 in the light of any submissions in accordance with Clause 4(3) of the *Planning and Development Regulations 2015*.

BACKGROUND

The City is of the view that there is a unique opportunity to provide a dual use path and recreation facilities around Bollard Bulrush Swamp, while the area is being planned and developed for residential purposes. It is envisaged that the proposed recreational facilities around Bollard Bulrush Swamp will be as popular as facilities around other wetlands within the Perth metropolitan area, that have been developed in a similar manner (eg. Lake Monger, Joondalup Lake and Lake Claremont).

The urban land within the Bollard Bulrush east urban cell is contained within a number of landholdings under separate ownership. The City has already endorsed two local structure plans within the Bollard Bulrush east urban cell and it is anticipated that 4 more structure plans may be lodged in the future, to complete the development of the eastern side of Bollard Bulrush.

It is feasible that LPP No. 3 could be amended to include the undeveloped landholdings on the western side of Bollard Bulrush Swamp when the owners of these properties wish to prepare local structure plans. To date the City has not been approached by these owners regarding their intentions to develop.

PROPOSAL

The landscape masterplan (Attachment A) has been prepared to ensure that the following matters are provided during the development of the open space within the Bollard Bulrush east urban cell in a uniform and coordinated manner. The landscape masterplan does not include matters concerned with the management and maintenance of Bollard Bulrush Swamp.

- a uniform dual use path around the eastern side of Bollard Bulrush Swamp, including pedestrian/cycle bridges over the Peel Main Drain
- uniform playground equipment, fitness equipment, park benches and lighting
- 'kick about' spaces
- uniform conservation fencing
- Stormwater detention areas that do not interfere with the function of public open space (POS)
- fire breaks and fire access tracks
- wetland revegetation

Car parking

Parking will be provided in the road verge abutting the POS. This is consistent with the way in which car parking is provided for other POS areas within the City.

15.2 DRAFT LOCAL PLANNING POLICY NO.3: BOLLARD BULRUSH EAST LANDSCAPE MASTERPLAN – CONSIDERATION FOR ADVERTISING UNDER TOWN PLANNING SCHEME NO. 2

The landscape masterplan will be modified during the advertising period to identify where the verge parking will be situated.

Local Planning Policy No. 3

The landscape masterplan has been incorporated into a draft local planning policy (draft LPP No. 3) to be adopted under TPS No. 2, to ensure that the landscape masterplan has statutory weight and is given 'due regard' during the assessment of local structure plans and subdivision applications by the City.

Draft LPP No. 3 includes a provision that allows Council to vary the policy if it is satisfied that the local structure plan or subdivision application can be implemented in a coordinated and uniform manner that does not prejudice the implementation of the landscape masterplan.

Advertising

Clause 4(2) and (3) of Division 2 of Schedule 2 the P&D Regulations require that the draft local planning policy be advertised for a minimum of 21 days and the policy is reviewed in the light of any submissions.

LEGAL / POLICY IMPLICATIONS:**Legislation**

- *City of Kwinana Town Planning Scheme No. 2*
- *Planning and Development Regulations 2015*

Policy

- *Liveable Neighbourhoods*

FINANCIAL / BUDGET IMPLICATIONS:

The City will be financially responsible for:

- a) Maintaining POS and possibly that part of the 50 metre wetland buffer abutting Bollard Bulrush Swamp situated within the Structure Plan.
- b) Managing bushfire fuel loads in POS and the wetland buffer in accordance with the requirements for low threat vegetation listed in Australian Standard S39459.

The landscape masterplan does not include matters concerned with the management and maintenance of Bollard Bulrush Swamp. The City will be seeking the Western Australian Planning Commission's advice on initiating an amendment to the *Metropolitan Region Scheme* to transfer Bollard Bulrush Swamp from 'Rural' zone to 'Parks and Recreation' reserve in the *Metropolitan Region Scheme*.

ENVIRONMENTAL IMPLICATIONS:

The Environmental Protection Authority (EPA) formally assessed Amendment 1188/57 under section 48A of the *Environmental Protection Act 1986* due to the potential for future residential development to impact on Bollard Bulrush Swamp which is recognised as an environmentally significant CCW.

15.2 DRAFT LOCAL PLANNING POLICY NO.3: BOLLARD BULRUSH EAST LANDSCAPE MASTERPLAN – CONSIDERATION FOR ADVERTISING UNDER TOWN PLANNING SCHEME NO. 2

The EPA provided its report and recommendation to the Minister for Environment, in January 2014, recommending that Amendment 1188/57 be approved (EPA Report 1500, January 2014).

The EPA's report concluded that Amendment 1188/57 could be managed to meet the EPA's environmental objective without the requirement for environmental conditions because the alignment of the proposed 'Urban' zone boundary (adjacent to Bollard Bulrush Swamp) had been modified during the EPA's formal assessment to satisfy the EPA's environmental objectives.

STRATEGIC / SOCIAL IMPLICATIONS:

Draft LPP No. 3 satisfies the following objectives of the City's *Strategic Community Plan 2015 – 2025*:

Objective 4.2 - Parks and Public Open Space

The community has easy access to well equipped, quality parks and open space

4.2.1 *In accordance with regulatory standards and the Community Infrastructure Plan, provide active recreation opportunities and develop public open space and infrastructure in new developments.*

4.2.2 *Implement the City's Parks for People Plan to provide the community with functional, accessible and practical open parks and play spaces for a diverse range of users.*

RISK IMPLICATIONS:

If a co-ordinated plan is not in place the likely outcome will be the ad hoc and uncoordinated provision of recreation facilities within the open space and wetland buffers across the landholdings on the eastern side of the Peel Main Drain.

COUNCIL DECISION

204

MOVED CR S LEE

SECONDED CR D WOOD

That Council takes the following advice in respect to draft Local Planning Policy No. 3: Bollard Bulrush East Landscape Masterplan (LPP No. 3):

- 1. Advertise draft LPP No. 3 for a period of 42 days, in accordance with Clauses 4(1) and 4(2) of Division 2 of the *Planning and Development Regulations 2015*,**
- 2. Review the draft LPP No. 3 in the light of any submissions in accordance with Clause 4(3) of the *Planning and Development Regulations 2015*.**

**CARRIED
5/1**

NOTE – That the Officer Recommendation has been amended to extend the advertising period.



DUAL USE PATH
 Provides secondary fire access between buffer and POS.
 Access points to core firebreak to be provided every 400m.
 DUP to align where possible with developers approved LSP plans.
 Path alignment adjacent existing trees where possible for shade and interest
 DUP to link to future Tramway Trail and possible future trail along Peel Main Drain to create trail loops.
 Themed elements will be incorporated into the DUP to indicate the main path of travel around the wetland for users.

PEEL MAIN DRAIN CROSSINGS
 Bridge crossings across Peel Main Drain at 2 locations, north and south of the wetland to create a trail loop.



CONSERVATION FENCE
 1.2m high reserve fence with ringlock mesh, top wire and galvanised steel picket posts to core edge. 3.5m wide access gates with treated timber posts every 400m.

BUFFER ZONE
 Developers to create irregular, 'organic' batter from road to existing buffer/tree levels to create a more natural aesthetic and not to create an 'over-engineered' look.
 High quality revegetation to be focused around areas of retained vegetation to assist with ongoing environmental management
 Areas of mulch only to be considered where high quality revegetation provided by developer
 Irrigated turf to be permitted within buffer adjacent POS where adjacent provided amenity

FIREBREAK
 3m wide firebreak and access track to be located adjacent existing vegetation line, internal of conservation fencing
 Overtaking lane provided every 200m (4m wide).
 Doubles as walking trail and located adjacent existing trees where possible for users comfort/shade.



PLAY ELEMENTS
 Natural style and colours to be used to complement the surrounding environment.
 Multi user/ age, interpretive and inclusive play opportunities.
 Nature play elements are encouraged to be provided where possible.

DWG • COK01-L01
 REV • C
 DATE • April 16
 SCALE • 1:3000 @ A1

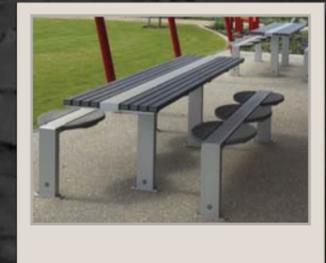


BOLLARD BULRUSH EAST MASTER PLAN

ATTACHMENT A



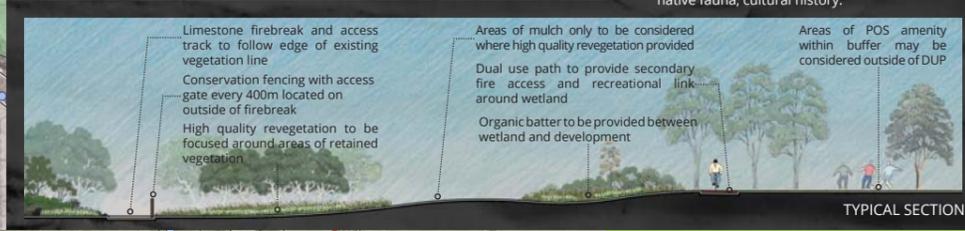
- LEGEND**
- WETLAND CORE BOUNDARY
 - 50M BUFFER ZONE
 - VEGETATION COMMUNITIES
 - *Eucalyptus rudis* ssp. *rudis*
 - *Melaleuca raphiophylla*
 - Low woodland of *Melaleuca raphiophylla*, *Eucalyptus rudis* ssp. *rudis*
 - Low Open Forest of *Melaleuca raphiophylla*, *Melaleuca preissiana*, *Eucalyptus rudis* ssp. *rudis* and *Bauma articulata*
 - CONSERVATION FENCE - 1.2M HEIGHT
 - FIREBREAK - 3M WIDE LIMESTONE
 - PATH - RED ASPHALT DUAL USE PROVIDES SECONDARY FIRE ACCESS
 - FUTURE BRIDGE LINK
 - PLAYGROUND
 - FITNESS EQUIPMENT
 - LIGHTING
 - TRAIL HEAD
 - FUTURE TRAIL LINKS
 - STORMWATER DETENTION AREAS
 - KICKABOUT SPACE
 - PUBLIC OPEN SPACE AREA
 - POTENTIAL PUBLIC OPEN SPACE AREA WITHIN BUFFER
 - REVEGETATION TO WETLAND SIDE
 - 400M WALKABLE CATCHMENT
 - WETLAND FIREBREAK ACCESS LINK AND GATE
 - ♿ POTENTIAL FUTURE PUBLIC TOILETS



FURNITURE
 Clear - anodised aluminium furniture elements from Cox Urban furniture Urban Edge range. Mid Grey/Cedar colours to complement the natural environment rather than contrast.



SIGNAGE
 Trail heads to include interpretive and directional signage.
 Interpretive signage themes include; vegetation communities, wetland / Peel Main Drain history, native fauna, cultural history.



Limestone firebreak and access track to follow edge of existing vegetation line
 Conservation fencing with access gate every 400m located on outside of firebreak
 High quality revegetation to be focused around areas of retained vegetation

Areas of mulch only to be considered where high quality revegetation provided
 Dual use path to provide secondary fire access and recreational link around wetland
 Organic batter to be provided between wetland and development

Areas of POS amenity within buffer may be considered outside of DUP



Local Planning Policy No. 3 Bollard Bulrush East Landscape Masterplan

The purpose of this local planning policy is to ensure that a range of well designed uniform recreation facilities and a variety of recreational activities are provided in a uniform and coordinated manner within the open space in the Bollard Bulrush east urban cell.

| | |
|-----------------|---|
| Adopted: | |
| Last reviewed: | |
| Legal Authority | Division 2 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> |

1. APPLICATION

Local Planning Policy No. 3 applies to all land within the Bollard Bulrush east urban cell that is zoned 'Development' under City of Kwinana Town Planning Scheme No. 2.

This policy is to be applied during the preparation and assessment of:

- local structure plans
- subdivision applications.

2. POLICY

The City's requirements in relation to the implementation of the *Bollard Bulrush East Landscape Masterplan* (Attachment 1) at each stage of the land use planning framework are as follows:

LOCAL STRUCTURE PLANNING

Landscape Strategy

A landscape strategy is to be submitted to Council with the local structure plan.

The location and design of the following matters are to be included in the landscape strategy consistent with the *Bollard Bulrush East Landscape Masterplan*:

- a uniform dual use path around the eastern side of Bollard Bulrush Swamp, including pedestrian/cycle connections over the Peel Main Drain;
- uniform playground equipment, fitness equipment, park benches and lighting;
- 'kick about' spaces;
- uniform conservation fencing;
- stormwater detention areas that do not interfere with the function of public open space (POS);
- fire breaks and fire access tracks; and
- wetland revegetation.

SUBDIVISION APPROVAL

When a subdivision application within the Bollard Bulrush east urban cell is received for comment, the City shall recommend the following conditions to the Western Australian Planning Commission:

1. A fence restricting vehicle and pedestrian access to [INSERT VALUE] is to be constructed in accordance with the approved *Bollard Bulrush East Landscape Masterplan* (Dated __), to protect native vegetation. (Local Government)
2. The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve(s) for [INSERT VALUE] and vested in the Crown under Section 152 of the *Planning and Development Act 2005*, such land to be ceded free of cost and without any payment of compensation by the Crown. (Insert clearing agency as applicable)
3. Arrangements being made for the proposed public open space to be developed by the landowner/applicant to a minimum standard and maintained for two summers through the implementation of an approved landscape plan providing for the development and maintenance of the proposed public open space in accordance with the requirements of Liveable Neighbourhoods, the approved *Bollard Bulrush East Landscape Masterplan* (Dated __), and to the specifications of the local government. (Local Government)
4. Prior to the commencement of subdivisional works, a Wetland Management Plan for [INSERT VALUE] is to be prepared in accordance with the approved *Bollard Bulrush East Landscape Masterplan* (Dated __) and approved to ensure the protection and management of the site's environmental assets with satisfactory arrangements being made for the implementation of the approved plan. (Local Government)

3. DISCRETION TO VARY THE POLICY

Council may vary the provisions of this policy when it is satisfied that a proposed local structure plan or subdivision application can be implemented in a coordinated and uniform manner that does not prejudice the implementation of the landscape masterplan.

4. PROCEDURE FOR AMENDING LOCAL PLANNING POLICY NO. 3

This policy may be amended by the City of Kwinana in accordance with Clause 4 of Schedule 2 of the *Planning and Development Regulations 2015*.

16 Reports – Civic Leadership

16.1 Services over the Christmas and New Year Period 2016/2017

SUMMARY:

This year the Christmas holidays fall on Sunday 25 December 2016 and Monday 26 December 2016. The Christmas Day Public Holiday will be Monday 26 December 2016 and the Boxing Day Public Holiday will be Tuesday 27 December 2016.

The City Administration Building has closed over the Christmas and New Year period, with Councils' approval, in previous years and there have not been any negative consequences as a result, with vital and emergency services still being available over these time periods.

It is recommended that the City Administration Building, City Works Depot and Banksia Park Retirement Village Office close for the Christmas period from midday Friday 23 December 2016 until Monday 2 January 2017 (inclusive), with staff taking accrued leave entitlements for the three days that are not public holidays and that Council advertise the closure for this period. The City Administration Building, City Works Depot and Banksia Park Retirement Village Office would reopen on 3 January 2017.

The City of Kwinana staff Christmas function is tentatively scheduled to take place on Friday 23 December 2016 and Council is requested to endorse the closure of all City of Kwinana Services and Service Centres from midday on the 23 December 2016.

OFFICER RECOMMENDATION:

That Council:

1. Approve the closure of the City Administration Building, City Works Depot and Banksia Park Retirement Village Office from midday Friday 23 December 2016 until Monday 2 January 2017 (inclusive), to be reopened on Tuesday 3 January 2017;
2. Approve the closure of all City of Kwinana Services and Service Centres from midday on 23 December, 2016; and
3. Notes that over the Christmas and New Year period it will be the responsibility of the Chief Executive Officer to ensure staff coverage is in place in the case of an emergency.

DISCUSSION:

The City has closed its Administration Building for the Christmas period since 2012. Prior to this, the City retained skeleton staff during this period, however, following a review of the relatively low customer access during these days, the City has had a 'full close-down' for the last three Christmas and New Year periods. The Christmas closure is popular with the staff and results in minimal impact on customers. It is proposed that the City again close for the Christmas period, with the Administration Building being open until 12:00pm, Friday 23 December 2016, allowing residents to complete any last minute business prior to the Christmas break.

16.1 SERVICES OVER THE CHRISTMAS AND NEW YEAR PERIOD 2016/2017

It is not anticipated that customer service will be unduly impacted by the proposed closure as this period has historically been a quiet period of time.

Staff would use accrued rostered days off, annual leave, or leave without pay for those days other than specified public holidays. It is believed that this closure will be an active demonstration to staff of the family friendly workplace and recognition of their efforts.

The City Works Depot and Banksia Park Retirement Village Office will also close for the duration of the Christmas period.

Outstations including the Kwinana Recquatic Centre, Kwinana Public Library and Bright Futures Family Daycare, will remain open at reduced hours over these days, but closed on the public holidays. The times and dates of these reduced hours will be made available to customers accessing these services.

Outstations including the John Wellard Community Centre, William Bertram Community Centre and Darius Wells Centre will remain open (but with restricted services) and closed on the public holidays.

The Zone Youth Centre will be closed between 26 to 27 December 2016 (inclusive) and reopen between 28 to 31 December 2016 (inclusive).

The City Assist team will also be working normal hours and available via the emergency after hours line on the public holidays.

The City of Kwinana staff Christmas function is tentatively scheduled to take place from midday on Friday 23 December, 2016 with the City Administration Building being closed.

Advertising will occur through the local newspapers and social media to inform the community of the times and dates each of the facilities will be open/closed during this period as well as information pertaining to the waste collection days changing (if required).

LEGAL/POLICY IMPLICATIONS:

No legal/policy implications have been identified as a result of this report or recommendation.

FINANCIAL/BUDGET IMPLICATIONS:

Cost of advertising in local papers is allocated within the Marketing Advertising budget.

ASSET MANAGEMENT IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

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

16.1 SERVICES OVER THE CHRISTMAS AND NEW YEAR PERIOD 2016/2017

STRATEGIC/SOCIAL IMPLICATIONS:

The City's Plan for the Future- 'Kwinana 2030' objective 7.1 of the Corporate Business Plan states:

Attract and retain a high quality, motivated and empowered workforce so as to position the organisation as an "Employer of Choice"

The City of Kwinana has a strong emphasis on being an "Employer of Choice" and being a great place to work and in turn recognising that the City employees are our most important asset, as well as focuses on retaining the friendly and family feeling in the workplace.

RISK IMPLICATIONS:

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

COUNCIL DECISION

205

MOVED CR P FEASEY**SECONDED CR B THOMPSON****That Council:**

- 1. Approve the closure of the City Administration Building, City Works Depot and Banksia Park Retirement Village Office from midday Friday 23 December 2016 until Monday 2 January 2017 (inclusive), to be reopened on Tuesday 3 January 2017;**
- 2. Approve the closure of all City of Kwinana Services and Service Centres from midday on 23 December, 2016; and**
- 3. Notes that over the Christmas and New Year period it will be the responsibility of the Chief Executive Officer to ensure staff coverage is in place in the case of an emergency.**

**CARRIED
6/0**

16.2 Appointment of voting delegates and proxy voting delegates at the Annual General Meeting of the Western Australian Local Government Association on behalf of the City of Kwinana

SUMMARY:

A request has been received that two voting delegates and two proxy voting delegates be appointed to exercise voting entitlements on behalf of the City of Kwinana at the Annual General Meeting of the Western Australian Local Government Association.

OFFICER RECOMMENDATION:

That Council:

Appoint Mayor Carol Adams and Councillor.....to act as voting delegates and Councillors..... and.....to act as proxy voting delegates, at the Annual General Meeting of the Western Australian Local Government Association.

DISCUSSION:

The Western Australian Local Government Association represents the interests of the Local Government sector, provides leadership on key Local Government issues, delivers products and services that provide significant benefits to its Members and promotes a positive profile for Local Government within the wider community. The Western Australian Local Government Association will be holding their Annual General Meeting on Wednesday 3 August 2016 as part of the 2016 WA Local Government Convention and Trade Exhibition.

It has been requested that two voting delegates and two proxy voting delegates be appointed by Council, to vote on behalf of the City of Kwinana. It is recommended that Mayor Carol Adams is appointed as a voting delegate along with another Elected Member and two Elected Members to act as proxy voting delegates, to ensure appropriate representation at the Annual General Meeting.

LEGAL/POLICY IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

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

16.2 APPOINTMENT OF VOTING DELEGATES AND PROXY VOTING DELEGATES AT THE ANNUAL GENERAL MEETING OF THE WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ON BEHALF OF THE CITY OF KWINANA

STRATEGIC/SOCIAL IMPLICATIONS:

The City's adopted "**Plan for the Future - Kwinana 2030**" includes a **Civic Leadership** section in the Corporate Business Plan which states:

Corporate Business Plan Objective

Objective 5.1 – An active and engaged Local Government, focussed on achieving the community's vision.

Corporate Business Plan Strategy

Strategy 5.1.2 - Councillors vigorously represent the community, participate in activities and events, advocate the community's vision, encourage stakeholder involvement, as well as promote the opportunities and attributes the area offers.

Representation at the Annual General Meeting of the Western Australian Local Government Association ensures that the Western Australian Local Government Association's policy positions, interests and issues of the Local Government sector are accurately reflective of the Local Governments they represent.

RISK IMPLICATIONS:

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

COUNCIL DECISION

206

MOVED CR P FEASEY

SECONDED CR S LEE

That Council:

Appoint Mayor Carol Adams and Councillor Ruth Alexander to act as voting delegates and Councillor Sandra Lee and Deputy Mayor Peter Feasey to act as proxy voting delegates, at the Annual General Meeting of the Western Australian Local Government Association.

**CARRIED
6/0**

16.3 Monthly Statement of Financial Activity for the Period Ending 31 March 2016

SUMMARY:

The Monthly Statement of Financial Activity and explanation of material variances for the period ending 31 March 2016 has been prepared for Council acceptance.

OFFICER RECOMMENDATION:

That Council accepts:

1. The Monthly Statements of Financial Activity for the period ending 31 March 2016; and
2. The explanations for material variances for the period ending 31 March 2016.

DISCUSSION:

Variance percentages between budget estimates to the end of March and actual amounts to the end of March have been presented in the attached Statement of Financial Activity.

The material variances that are required to be reported on are:

| Description | Actual | Y-T-D Budget | | Variance (%) |
|--|--------------|--------------|---|--------------|
| Directorate City Strategy Revenue | 364,984 | 172,192 | ▲ | 111.96% |
| Directorate Corporate and Engineering Services Revenue | 7,901,719 | 7,128,331 | ▲ | 10.85% |
| Directorate City Living | 15,448,192 | 13,690,519 | ▲ | 12.84% |
| Directorate City Development Revenue | 3,974,701 | 5,292,767 | ▼ | (24.90%) |
| Directorate City Strategy Expenditure | (3,227,127) | (4,255,453) | ▼ | 24.16% |
| Directorate Corporate and Engineering Services Expenditure | (15,738,340) | (20,672,642) | ▼ | 23.87% |
| Directorate City Development Expenditure | (2,656,433) | (3,405,391) | ▼ | 21.99% |
| Depreciation on Assets | 5,589,890 | 8,669,108 | ▼ | 35.52% |

16.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MARCH 2016

| Description | Actual | Y-T-D Budget | | Variance (%) |
|---|-------------|--------------|---|--------------|
| Purchase Computing Equipment | (195,548) | (385,900) | ▼ | 49.33% |
| Purchase Plant and Machinery | (243,752) | (553,668) | ▼ | 55.98% |
| Purchase Transportation Vehicles | (782,618) | (954,225) | ▼ | 17.98% |
| Purchase Land and Buildings | (1,035,641) | (1,820,142) | ▼ | 43.10% |
| Purchase Reserve Development | (590,870) | (1,056,784) | ▼ | 44.09% |
| Purchase Playground Equipment | (1,545,652) | (45,850) | ▲ | (3,271.11%) |
| Purchase Infrastructure – Urban Road Grant | (1,749,780) | (2,314,135) | ▼ | 24.39% |
| Purchase Infrastructure – Roads to Recovery | (227,312) | (1,159,269) | ▼ | 80.39% |
| Purchase Infrastructure – Road Resurfacing | (61,661) | (301,825) | ▼ | 79.57% |
| Purchase Infrastructure – Drainage | (377,157) | (1,084,202) | ▼ | 65.21% |
| Purchase Infrastructure – Municipal Roadworks | (508,529) | (679,550) | ▼ | 25.17% |
| Transfer from Loan Fund for Capital | 6,687 | 191,360 | ▼ | 96.41% |
| Transfer to Reserves (Restricted Assets) | (3,433,989) | (4,815,751) | ▼ | 28.69% |
| Transfer from Reserves (Restricted Assets) | 3,366,972 | 5,283,565 | ▼ | 36.27% |

Note: A negative (%) variance indicates additional expenditure or reduced revenue than budgeted. A positive % variance indicates additional revenue or reduced expenditure than budgeted.

Directorate City Strategy Revenue – 111.96%

This area shows increased income mainly due to the following areas:

- Governance (*Governance and Compliance*) – This area shows an increase in revenue mainly due to receipt of credit adjustment and dividend payment from LGIS. This has been addressed as part of budget review and allocated in April resulting in a timing variance.
- Economic Development (*Waste Management Services*) – An increase in rent for Thomas Road Landfill has resulted in additional income which was not budgeted to be received.

Directorate Corporate and Engineering Services Revenue – 10.85%

This area shows increased income mainly due to the following area:

- Financial Services (*Rates*) – the ex-gratia payment received for the Dampier to Bunbury pipeline has been received earlier than budgeted resulting in a timing variance.

16.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MARCH 2016

Directorate City Living – 12.84%

This area shows increased income mainly due to the following areas:

- a. Family Day Care (*FDC General*) – higher than anticipated participation rate. Self funded area that has been reviewed in the annual budget review however budgets have been allocated in April resulting in a timing variance.
- b. Family Day Care (*FDC In-Home*) – higher than anticipated participation rate. Self funded area that has been reviewed in the annual budget review however budgets have been allocated in April resulting in a timing variance.

Directorate City Development Revenue – (24.90%)

This area shows reduced income mainly due to the following areas:

- a. Planning and Building Services (*Developer Contributions Administration*) – Developer Contributions towards the Hard and Soft Infrastructure in the Wandi, Bertram and Anketell areas were less than had been projected to date. This relates to:
 - DCA1 where it was forecasted that stages II and III of a Private Estate would commence however stage II occurred earlier than expected in late 2014/15 and Stage III is now expected to be cleared in Feb/March 2016. It is further expected that the delay in gazettal of Amendment 132 will affect this budget forecast.
 - DCA 5 Honeywood Rise where it was anticipated that 67 lots (Stage 3) and 53 lots (Stage 4) would be cleared in the first half of FY 15/16. These clearances have not occurred.
 - DCA 9 Honeywood Rise where it was anticipated that 67 lots (Stage 3) and 53 lots (Stage 4) would be cleared in the first half of FY 15/16. These clearances have not occurred.
 - DCA11 Initial estimates included Sunrise Estate Stage 8 (61 lots) as well as Wellard Glen Private Estate Stage 2 clearances in the first half of FY 15/16. These clearances have yet to occur.
 - DCA13 – the Draft Community Infrastructure Plan 2015 for population/dwelling projections for 15/16 informed this budget. The plan estimates about 25 dwellings per quarter; however little development has occurred in this DCA to date.

Directorate City Strategy Expenditure – 24.16%

This area shows reduced expenditure mainly due to the following areas:

- a. Executive Office (*Marketing and Communications*) – expenditure in relation to the new Corporate Website had been forecasted to occur in previous months however this project has been delayed due to the Indian Ocean Gateway proposal.
- b. Governance (*Governance and Compliance*) – expenditure in relation to the Transformation project is yet to be approved until project documentation is complete.
- c. Human Resource Management (*Human Resources*) – expenditure is less than budgeted in employee expenditure due to less advertising required due to vacant positions being put on hold. In addition, staff training expenditure has been less than predicted.

Directorate Corporate and Engineering Expenditure – 23.87%

This area shows reduced expenditure mainly due to the following;

- a. Engineering Services (*Engineering Services Overheads*) – due to the allocation of overheads.
- b. Facilities Management (*Reserves and Parks*) – Reserve and Park maintenance programs are ongoing, purchase orders are in the system and will continue throughout the year.

16.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MARCH 2016

Directorate City Development Expenditure – 21.99%

This area shows reduced expenditure mainly due to the following areas:

- a. Planning and Building Services (*Developer Contributions Administration*) – Consultants have been engaged with funds committed. Partial payments paid.
- b. Planning and Building Services (*Strategic Planning*) – Consultants have been engaged to finalise the Local Planning Strategy and undertake related planning studies. The updates required from these studies are unlikely to take place this financial year and have been budgeted for the 2016/2017 financial year.

Depreciation on Assets – 35.52%

Nil effect on rates as non-cash item. Less than budgeted due to the delayed processing of depreciation resulting in a timing variance.

Purchase Computing Equipment – 49.33%

Purchase of software to enable online bookings of the City's facilities is currently being evaluated. It is unlikely that this will be completed prior to end of financial year.

Purchase Plant and Machinery – 55.98%

Purchase of a 4.5T Drainage Truck for the Depot was budgeted to commence in December however went to request for quote at the end of February 2016. Evaluation is anticipated to take up to 4 weeks at which time funds will be committed.

Purchase Transportation Vehicles – 17.98%

Purchase orders have been raised for all remaining vehicles and deliveries are scheduled over the coming months.

Purchase Land and Buildings – 43.10%

Delayed adoption of the annual budget made it necessary to reschedule a number of projects. The majority of projects have now commenced with purchase orders raised in the system and invoices are anticipated upon completion of works. The Leda Hall replacement of Kitchen Cabinetry, Thomas Oval Netball Clubroom roof repairs and the Chalk Hill Lookout remedial repair projects have all been delayed until May 2015.

Purchase Reserve Development – 44.09%

Delayed adoption of the annual budget contributed to postponements for all projects. Works on carried forward projects, Hennessy and Skottowe Parks are now substantially complete and invoices are expected. The M^cGuigan Park upgrade was initially delayed by the contractor and availability of equipment; works are almost complete with invoices expected in the coming weeks. The discovery of asbestos at Kwinana Beach Road delayed the streetscape beautification project. Completion will now occur in April/May when the weather is more conducive to the planting of tube stock.

Purchase Playground Equipment – (3,271.11%)

Environmental Industries were awarded the contract for construction of the Calista Oval Destination Adventure Playground. Works are now underway with purchase orders raised in the system. The budget had been allocated mostly to the months of May and June 2016 as it was unclear when the project would commence resulting in a timing variance.

Purchase Infrastructure – Urban Road Grant – 24.39%

Structure plans submitted by land owners adjoining the Bertram Road dual carriageway project for subdivision have resulted in the deferment of the project possibly until 2017/18.

16.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MARCH 2016**Infrastructure – Roads to Recovery – 80.39%**

The Moombaki Avenue extension project commenced during the month and is expected to be complete towards the end of May 2016. Purchase orders have been raised and costs are anticipated throughout April and May.

Infrastructure – Road Resurfacing – 79.57%

Delayed adoption of the annual budget made it necessary to reschedule a number of projects. Most projects commenced during the month and are expected to be complete by the early April 2016.

Infrastructure – Drainage – 65.21%

Mandurah Road drainage works were incomplete due to the contractor being in liquidation. A replacement contractor was engaged and works are substantially complete. Invoices are expected during the next month. The Lee Road & Office Road Drainage works are anticipated to be completed during April 2016 with costs expected to follow.

Infrastructure – Municipal Roadwork's – 25.17%

The Cromer Gardens and Inglis Court projects have now commenced and are expected to be complete in mid May 2016. Purchase orders are in the system for all other projects and works are ongoing.

Transfer from Loan Fund for Capital – 96.41%

It had been anticipated that the loan funds would have been drawn for the Solar Panel project at the Darius Wells however this project is now not expected to be complete this financial year therefore resulting in a permanent variance.

Transfers to Reserves – 28.69%

Transfers to Reserves are processed monthly as funds are received.

Transfers from Reserves – 36.27%

Transfers from Reserves are processed monthly as costs are realised.

Investment activity March 2016

- *Tier 1* – Investment rates available to the City were not favourable therefore no funds were invested in this tier.
- *Tier 2* – Funds were allocated in accordance with the guidelines of the Investment Policy.
- *Tier 3* – Funds were allocated in accordance with the guidelines of the Investment Policy.
- *Tier 4* – Funds were allocated in accordance with the guidelines of the Investment Policy.

LEGAL/POLICY IMPLICATIONS:

Local Government (Financial Management) Regulations – Clause 34.

FINANCIAL/BUDGET IMPLICATIONS:

As outlined in the 'Discussion' and 'Risk' sections.

16.3 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MARCH 2016

ASSET MANAGEMENT IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

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

STRATEGIC/SOCIAL IMPLICATIONS:

Continuous monitoring and review ensures the future sustainability of the City through the implementation of sound revenue and expenditure policies, and seeking additional revenue sources.

RISK IMPLICATIONS:

The report is provided to highlight 'over' and 'under' provisions, revenues and expenditures. Monitoring the City's financials enables the City to suitably manage these financial risks by allowing for suitable responsible adjustments to be proposed if necessary. No such adjustments are considered to be required at this point in time.

COUNCIL DECISION

207

MOVED CR D WOOD

SECONDED CR P FEASEY

That Council accepts:

- 1. The Monthly Statements of Financial Activity for the period ending 31 March 2016; and**
- 2. The explanations for material variances for the period ending 31 March 2016.**

**CARRIED
6/0**



CITY OF KWINANA

MONTHLY STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

TABLE OF CONTENTS

| | |
|---|---------|
| Statement of Financial Activity | 2 |
| Income Statement by Program | 3 |
| Income Statement by Nature or Type | 4 |
| Notes to and Forming Part of the Financial Report | 5 to 20 |

CITY OF KWINANA
RATE SETTING STATEMENT by DIRECTORATE
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

| | NOTE | March | | 2015/2016 Revised Budget \$ | Variance Budget to Actual | | |
|--|------|----------------------|----------------------------|--------------------------------------|------------------------------|-------------|-------------|
| | | 2016 Actual \$ | 2016 Y-T-D Budget \$ | | YTD \$ | Y-T-D % | |
| Revenues | 1 | | | | | | |
| Directorate City Strategy | | 364,984 | 172,192 | 3,846,632 | ▲ | (192,792) | (111.96%) |
| Directorate Corporate & Engineering Services | | 7,901,719 | 7,128,331 | 11,977,687 | ▲ | (773,388) | (10.85%) |
| Directorate City Living | | 15,448,192 | 13,690,519 | 16,425,006 | ▲ | (1,757,673) | (12.84%) |
| Directorate City Development | | 3,974,701 | 5,292,767 | 5,781,273 | ▼ | 1,318,066 | 24.90% |
| | | <u>27,689,596</u> | <u>26,283,809</u> | <u>38,030,598</u> | | | |
| Expenses | 1 | | | | | | |
| Directorate City Strategy | | (3,227,127) | (4,255,453) | (4,941,873) | ▼ | (1,028,326) | 24.16% |
| Directorate Corporate & Engineering Services | | (15,738,340) | (20,672,642) | (28,532,705) | ▼ | (4,934,302) | 23.87% |
| Directorate City Living | | (18,996,834) | (20,418,777) | (28,216,059) | | | |
| Directorate City Development | | (2,656,433) | (3,405,391) | (4,497,570) | ▼ | (748,958) | 21.99% |
| | | <u>(40,618,734)</u> | <u>(48,752,263)</u> | <u>(66,188,207)</u> | | | |
| NET OPERATING RESULT EXCLUDING RATES | | <u>(12,929,138)</u> | <u>(22,468,454)</u> | <u>(28,157,609)</u> | | | |
| Adjustments for Cash Budget Requirements: | | | | | | | |
| Non-Cash Expenditure and Revenue | | | | | | | |
| (Profit)/Loss on Asset Disposals | 4 | (43,170) | (38,289) | 22,651 | | | |
| Depreciation on Assets | | 5,589,890 | 8,669,108 | 11,558,780 | ▼ | 3,079,218 | 35.52% |
| Movement in Deferred Pensioner Rates | | 28,675 | - | - | | | |
| Movement in Employee Leave Provision | | - | - | - | | | |
| Capital Expenditure | | | | | | | |
| Purchase Furniture and Equipment | 3 | (59,330) | (147,935) | (149,935) | | | |
| Purchase Computing Equipment | 3 | (195,548) | (385,900) | (432,900) | ▼ | (190,352) | 49.33% |
| Purchase Plant and Machinery | 3 | (243,752) | (553,668) | (582,003) | ▼ | (309,916) | 55.98% |
| Purchase Transportation Vehicles | 3 | (782,618) | (954,225) | (1,059,225) | ▼ | (171,607) | 17.98% |
| Purchase Land and Buildings | 3 | (1,035,641) | (1,820,142) | (2,709,355) | ▼ | (784,501) | 43.10% |
| Purchase Reserve Development | 3 | (590,870) | (1,056,784) | (1,516,934) | ▼ | (465,914) | 44.09% |
| Purchase Playground Equipment | 3 | (1,545,652) | (45,850) | (6,495,268) | ▲ | 1,499,802 | (3,271.11%) |
| Purchase Infrastructure - Urban Road Grant | 3 | (1,749,780) | (2,314,135) | (2,314,135) | ▼ | (564,355) | 24.39% |
| Purchase Infrastructure - Black Spot Grant | 3 | (2,075,259) | (2,245,458) | (2,245,458) | | | |
| Purchase Infrastructure - Roads to Recovery | 3 | (227,312) | (1,159,269) | (1,159,269) | ▼ | (931,957) | 80.39% |
| Purchase Infrastructure - Road Resurfacing | 3 | (61,661) | (301,825) | (301,825) | ▼ | (240,164) | 79.57% |
| Purchase Infrastructure - Street Lights | 3 | (1,200) | (25,000) | (25,000) | | | |
| Purchase Infrastructure - Bus Shelters | 3 | - | (20,000) | (20,000) | | | |
| Purchase Infrastructure - Footpaths | 3 | (95,377) | (113,000) | (113,000) | | | |
| Purchase Infrastructure - Drainage | 3 | (377,157) | (1,084,202) | (1,102,840) | ▼ | (707,045) | 65.21% |
| Purchase Infrastructure - Other Structures | 3 | - | - | - | | | |
| Purchase Infrastructure - Municipal Roadworks | 3 | (508,529) | (679,550) | (733,641) | ▼ | (171,021) | 25.17% |
| Purchase Infrastructure - Car Parks | 3 | - | - | - | | | |
| | | <u>(9,549,686)</u> | <u>(12,906,943)</u> | <u>(20,960,788)</u> | | | |
| Capital Revenue | | | | | | | |
| Proceeds from Disposal of Assets | 4 | 313,204 | 370,800 | 464,800 | | | |
| | | <u>313,204</u> | <u>370,800</u> | <u>464,800</u> | | | |
| Financing Expenditure & Revenue | | | | | | | |
| Repayment of Loans Principal | 5 | (409,377) | (409,377) | (670,482) | | | |
| Repayment of Liquidity Advance | 5 | - | - | - | | | |
| Self-Supporting Loan Principal Revenue | 5 | 42,166 | 41,922 | 66,272 | | | |
| Proceeds from New Loan Borrowings | 5 | - | - | 1,891,360 | | | |
| Transfer from Loan Fund for Capital | 5 | 6,865 | 191,360 | 94,435 | ▼ | 184,495 | 96.41% |
| Transfers to Reserves (Restricted Assets) | 6 | (3,433,988) | (4,815,751) | (10,778,178) | ▼ | (1,381,763) | 28.69% |
| Transfers from Reserves (Restricted Assets) | 6 | 3,366,973 | 5,283,565 | 9,979,105 | ▼ | 1,916,592 | 36.27% |
| | | <u>(67,015)</u> | <u>467,814</u> | <u>(799,073)</u> | | | |
| ADD Estimated Surplus/(Deficit) July 1 B/Fwd | 7 | 2,917,706 | 2,699,961 | 2,917,706 | | | |
| LESS Estimated Surplus/(Deficit) Year to Date | 7 | 19,691,339 | 10,157,595 | 217,745 | | | |
| Amount Required to be Raised from Rates | 8 | <u>(33,791,219)</u> | <u>(33,539,693)</u> | <u>(33,789,693)</u> | | | |

This statement is to be read in conjunction with the accompanying notes.

CITY OF KWINANA
STATEMENT OF COMPREHENSIVE INCOME BY PROGRAM
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

| | NOTE | March 2016 Actual \$ | March 2016 Y-T-D Budget \$ | 2015/2016 Revised Budget \$ |
|---|----------|-------------------------------|-------------------------------------|--------------------------------------|
| Revenues | 1 | | | |
| General Purpose Funding | | 36,860,545 | 36,416,519 | 37,735,069 |
| Governance | | 186,737 | 34,094 | 180,391 |
| Law, Order, Public Safety | | 375,449 | 331,398 | 422,264 |
| Health | | 101,293 | 198,619 | 220,805 |
| Education and Welfare | | 5,360,866 | 4,036,653 | 5,926,201 |
| Community Amenities | | 10,432,864 | 11,243,708 | 11,604,746 |
| Recreation and Culture | | 2,011,988 | 2,002,968 | 2,732,589 |
| Transport | | 162,473 | 194,878 | 272,867 |
| Economic Services | | 990,412 | 882,811 | 1,220,824 |
| Other Property and Services | | 289,620 | 164,291 | 346,025 |
| | | <u>56,772,247</u> | <u>55,505,939</u> | <u>60,661,781</u> |
| Expenses Excluding Finance Costs | 1 | | | |
| General Purpose Funding | | (1,013,989) | (1,115,817) | (1,778,948) |
| Governance | | (3,808,206) | (4,774,606) | (5,511,987) |
| Law, Order, Public Safety | | (1,564,483) | (1,798,510) | (2,396,576) |
| Health | | (767,352) | (920,499) | (1,184,851) |
| Education and Welfare | | (6,688,230) | (5,803,927) | (8,352,966) |
| Community Amenities | | (5,726,423) | (8,417,681) | (11,383,797) |
| Recreation & Culture | | (10,975,699) | (12,516,833) | (16,971,841) |
| Transport | | (5,583,509) | (8,724,705) | (11,711,632) |
| Economic Services | | (1,050,523) | (1,242,535) | (1,655,688) |
| Other Property and Services | | (2,879,554) | (2,815,473) | (3,946,074) |
| | | <u>(40,057,968)</u> | <u>(48,130,586)</u> | <u>(64,894,360)</u> |
| | | 16,714,279 | 7,375,353 | (4,232,579) |
| Finance Costs | 1 | | | |
| Governance | | (33,780) | (34,561) | (67,973) |
| Education and Welfare | | (47,929) | (49,380) | (98,385) |
| Recreation & Culture | | (415,804) | (426,392) | (822,599) |
| Transport | | (55,117) | (87,160) | (169,766) |
| Economic Services | | (1,526) | (2,336) | (2,336) |
| | | <u>(554,156)</u> | <u>(599,829)</u> | <u>(1,161,059)</u> |
| Grants/Contributions for the Development of Assets | | | | |
| Governance | | 9,757 | - | - |
| Law, Order, Public Safety | | 135,000 | 150,000 | 150,000 |
| Recreation and Culture | | 1,115,619 | 441,305 | 3,143,805 |
| Transport | | 3,124,613 | 3,392,322 | 4,023,072 |
| Economic Services | | 273,799 | 273,799 | 3,731,496 |
| | | <u>4,658,788</u> | <u>4,257,426</u> | <u>11,048,373</u> |
| Profit/(Loss) on Disposal of Assets | 4 | | | |
| Profit on Disposal | | | | |
| Governance | | - | 4,379 | 4,379 |
| Law, Order, Public Safety | | - | 3,664 | 3,664 |
| Health | | 7,877 | 6,552 | 6,552 |
| Community Amenities | | 468 | 1,893 | 1,893 |
| Recreation and Culture | | - | 1,417 | 1,417 |
| Transport | | 17,273 | 17,000 | 17,000 |
| Economic Services | | 4,444 | 3,125 | 53,125 |
| Other Property and Services | | 19,719 | 22,107 | 22,107 |
| | | <u>49,781</u> | <u>60,137</u> | <u>110,137</u> |
| (Loss) on Disposal | | | | |
| Governance | | (3,236) | (12,913) | (12,913) |
| Law, Order, Public Safety | | - | (4,554) | (4,554) |
| Community Amenities | | (3,375) | (4,381) | (4,381) |
| Economic Services | | - | - | (110,940) |
| | | <u>(6,611)</u> | <u>(21,848)</u> | <u>(132,788)</u> |
| NET RESULT | | <u>20,862,081</u> | <u>11,071,239</u> | <u>5,632,084</u> |
| Other Comprehensive Income | | - | - | - |
| TOTAL COMPREHENSIVE INCOME | | <u>20,862,081</u> | <u>11,071,239</u> | <u>5,632,084</u> |

This statement is to be read in conjunction with the accompanying notes.

CITY OF KWINANA
STATEMENT OF COMPREHENSIVE INCOME BY NATURE & TYPE
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

| | NOTE | March 2016 Actual \$ | March 2016 Y-T-D Budget \$ | 2015/2016 Revised Budget \$ |
|---|----------|-------------------------------|-------------------------------------|--------------------------------------|
| Revenues | 1 | | | |
| Rates | 8 | 33,791,218 | 33,539,693 | 33,789,693 |
| Operating Grants, Subsidies & Contributions | | 9,112,313 | 8,576,393 | 11,051,788 |
| Reimbursements and Donations | | 864,689 | 332,778 | 591,740 |
| Fines & Penalties | | 121,284 | 149,994 | 175,500 |
| Fees and Charges | | 10,294,225 | 10,201,247 | 11,410,104 |
| Interest Earnings | | 1,310,699 | 1,478,112 | 1,958,409 |
| Income from Property | | 1,183,009 | 1,139,970 | 1,588,405 |
| Other Revenue | | 94,810 | 87,752 | 96,142 |
| | | <u>56,772,247</u> | <u>55,505,939</u> | <u>60,661,781</u> |
| Expenses Excluding Finance Costs | 1 | | | |
| Employee Costs | | (17,847,390) | (18,981,692) | (24,708,163) |
| Materials and Contracts | | (13,773,308) | (17,595,029) | (24,200,563) |
| Utilities Charges (gas, electricity, water, etc) | | (1,688,735) | (1,599,682) | (2,263,757) |
| Leases | | (210,527) | (257,220) | (342,951) |
| Depreciation on Non-current Assets | | (5,589,890) | (8,669,108) | (11,558,780) |
| Insurance Expenses | | (524,862) | (497,623) | (541,187) |
| Other Expenditure | | (423,256) | (530,232) | (1,278,959) |
| | | <u>(40,057,968)</u> | <u>(48,130,586)</u> | <u>(64,894,360)</u> |
| Finance Costs | | | | |
| Interest Expenses | 5 | (554,156) | (599,829) | (1,161,059) |
| | | <u>16,160,123</u> | <u>6,775,524</u> | <u>(5,393,638)</u> |
| Grants/Contributions for the Development of Assets | | | | |
| Non-operating Grants, Subsidies & Contributions | | 4,375,232 | 3,983,627 | 10,774,574 |
| Non-operating Reimbursements & Donations | | 283,556 | 273,799 | 273,799 |
| | | <u>4,658,788</u> | <u>4,257,426</u> | <u>11,048,373</u> |
| Profit/(Loss) on Disposal of Assets | 4 | | | |
| Profit on Asset Disposals | | 49,781 | 60,137 | 110,137 |
| Loss on Asset Disposals | | (6,611) | (21,848) | (132,788) |
| | | <u>43,170</u> | <u>38,289</u> | <u>(22,651)</u> |
| NET RESULT | | <u>20,862,081</u> | <u>11,071,239</u> | <u>5,632,084</u> |
| Other Comprehensive Income | | - | - | - |
| TOTAL COMPREHENSIVE INCOME | | <u>20,862,081</u> | <u>11,071,239</u> | <u>5,632,084</u> |

This statement is to be read in conjunction with the accompanying notes.

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

1. SIGNIFICANT ACCOUNTING POLICIES

The significant accounting policies which have been adopted in the preparation of this statement of financial activity are:

(a) Basis of Accounting

The budget has been prepared in accordance with applicable Australian Accounting Standards, other mandatory professional reporting requirements and the Local Government Act 1995 (as amended) and accompanying regulations (as amended).

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in this statement.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statement, but a separate statement of those monies appears at Note 9 to this budget.

(c) Rounding Off Figures

All figures shown in this statement, other than a rate in the dollar, are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax

In accordance with recommended practice, revenues, expenses and assets capitalised are stated net of any GST recoverable. Receivables and payables are stated inclusive of applicable GST.

(f) Fixed Assets

Property, plant and equipment and infrastructure assets are brought to account at cost or fair value less, where applicable, any accumulated depreciation or amortisation and any accumulated impairment balances.

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(g) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation periods are:

| ASSET CLASS | ASSET DESCRIPTION | Economic Life | Depreciation Rate |
|-----------------------------------|-------------------------------|---------------|-------------------|
| Land | Land | Nil | |
| | Vested Land | Nil | |
| | Other Vested Land | Nil | |
| Buildings | Fencing | 20 to 50 | 5% to 2% |
| | Building Structure | 40 to 60 | 2.5% to 1.67% |
| | Air conditioning | 10 to 30 | 10% to 3.33% |
| | Soft Furnishings | 10 | 0.10% |
| | Fixtures | 10 | 0.10% |
| | Other | 10 to 30 | 10% to 3.33% |
| | Alarms | 3 to 10 | 33.33% to 10% |
| Plant & Equipment | Vehicles | 5 to 10 | 20% to 10% |
| | Major Plant | 5 to 10 | 20% to 10% |
| Furniture & Equipment | Minor Plant & Equipment | 3 to 10 | 33.33% to 10% |
| | Computing Equipment | 2 to 7 | 50% to 14.29% |
| | Office Furniture | 7 to 13 | 14.29% to 7.69% |
| | Office Equipment | 3 to 10 | 33.33% to 10% |
| | Audio Visual Equipment | 3 to 10 | 33.33% to 10% |
| | Specialised Equipment | 7 to 13 | 14.29% to 7.69% |
| | White Goods | 7 to 13 | 14.29% to 7.69% |
| | Art Works | Nil | |
| | Infrastructure - Roads | | 50 |
| Infrastructure - Footpaths | | 50 | 0.02% |
| Infrastructure - Drainage | Drainage | 75 | 0.0133% |
| | Sewerage | 75 | 0.0133% |
| Infrastructure - Crossovers | | 50 | 0.02% |
| Infrastructure - Car Parks | | 20 to 40 | 5% to 2.5% |
| Infrastructure - Bus Shelters | | 20 | 0.05% |
| Infrastructure - Street Lights | Street Lights | 30 | 0.0333% |
| | Other Lights | 30 | 0.0333% |
| Infrastructure - Parks & Ovals | Playground Equipment | 5 to 15 | 20% to 6.67% |
| | Bores/Pumps/Irrigation | 8 to 20 | 12.5% to 5% |
| | BBQ's | 10 to 20 | 10% to 5% |
| | Streetscapes | 20 to 50 | 5% to 2% |
| | Landscape Surrounds | 10 to 50 | 10% to 2% |
| | Sportsgrounds - Reticulated | 15 to 25 | 6.67% to 4% |
| | Public Open Space Not Reticul | 20 to 50 | 5% to 2% |
| Infrastructure - Other Structures | Jetties | 20 to 40 | 5% to 2.5% |
| | Other Structures | 20 to 50 | 5% to 2% |
| | Tennis Courts | 30 to 50 | 3.33% to 2% |

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

2. STATEMENT OF OBJECTIVE

In order to discharge its responsibilities to the community, the City has developed a set of operational and financial objectives. These objectives have been established both on an overall basis, reflected by the City's Vision, and for each of its broad activities/programs.

CITY'S VISION

"Kwinana 2030: Rich in spirit, alive with opportunities, surrounded by nature - it's all here!"

Council operations as disclosed in this budget encompass the following service orientated activities/programmes:

GENERAL PURPOSE FUNDING

Rates Income and Expenditure, Grants Commission and Pensioner Deferred Rates interest and interest on Investments. Principal and Interest payments on borrowing's.

GOVERNANCE

Members of Council and Governance (includes Audit and other costs associated with reporting to council). Administration, Financial and Computing Services are included.

LAW, ORDER, PUBLIC SAFETY

Supervision of various local laws, fire prevention and animal control.

HEALTH

Prevention and treatment of human illness, including inspection of premises/food control, immunisation and child health services.

EDUCATION AND WELFARE

Provision, management and support of services for families, children and the aged and disabled within the community; including pre-school playgroups, day and after school care, assistance to schools, senior citizens support groups, meals on wheels provision and Aged Persons Units and Resident Funded Units.

COMMUNITY AMENITIES

City planning and development, rubbish collection services, stormwater drainage, the provision of public conveniences, bus shelters, roadside furniture and litter control.

RECREATION AND CULTURE

Provision of facilities and support for organisations concerned with leisure time activities and sport, support for the performing and creative arts and the preservation of the national estate. This includes maintenance of halls, aquatic centre, recreation and community centres, parks, gardens, sports grounds and the operation of Libraries.

TRANSPORT

Construction, maintenance and cleaning of streets, roads, bridges, drainage works, footpaths, parking facilities, traffic signs and the City depot, including plant purchase and maintenance.

ECONOMIC SERVICES

Rural services and pest control and the implementation of building controls.

OTHER PROPERTY & SERVICES

Private works, public works overheads, council plant operations, materials, salaries and wages. With the exception of private works, the above activities listed are mainly summaries of costs that are allocated to all works and services undertaken by the council.

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

3. ACQUISITION OF ASSETS

The following assets are budgeted to be acquired during the period under review:

| <u>By Directorate</u> | March 2016 Actual \$ | 2015/16 Revised Budget \$ |
|---|---|--|
| City Strategy | | |
| Furniture & Equipment | (4,003) | - |
| Transportation Vehicles | (117,295) | (132,000) |
| Land & Buildings | - | - |
| | (121,298) | (132,000) |
| Corporate & Engineering Services | | |
| Furniture & Equipment | (19,950) | (21,335) |
| Computing Equipment | (195,548) | (432,900) |
| Plant & Equipment | (190,251) | (500,250) |
| Transportation Vehicles | (321,415) | (458,500) |
| Land & Buildings | - | - |
| Reserve Development | (590,870) | (1,516,934) |
| Playground Equipment | (1,545,652) | (6,475,268) |
| Urban Road Grant | (1,749,780) | (2,314,135) |
| Black Spot Grant | (2,075,259) | (2,245,458) |
| Roads to Recovery Grant | (227,312) | (1,159,269) |
| Road Resurfacing | (61,661) | (301,825) |
| Street Lighting | (1,200) | (25,000) |
| Bus Shelter Construction | - | (20,000) |
| Footpath Construction | (95,377) | (113,000) |
| Drainage Construction | (377,157) | (1,102,840) |
| Municipal Roadworks | (508,529) | (733,641) |
| | (7,959,961) | (17,420,355) |
| City Living | | |
| Furniture & Equipment | (35,377) | (128,600) |
| Plant & Equipment | (53,501) | (81,753) |
| Transportation Vehicles | (274,466) | (398,725) |
| Land & Buildings | (1,035,641) | (2,709,355) |
| Playground Equipment | - | (20,000) |
| | (1,398,985) | (3,338,433) |
| City Development | | |
| Transportation Vehicles | (69,442) | (70,000) |
| | (69,442) | (70,000) |
| | <u>(9,549,686)</u> | <u>(20,960,788)</u> |

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

3. ACQUISITION OF ASSETS (Continued)

| <u>By Class</u> | March 2016 Actual \$ | 2015/16 Revised Budget \$ |
|--------------------------------------|---|--|
| Furniture and Equipment | (59,330) | (149,935) |
| Computing Equipment | (195,548) | (432,900) |
| Plant and Equipment | (243,752) | (582,003) |
| Transportation Vehicles | (782,618) | (1,059,225) |
| Land and Buildings | (1,035,641) | (2,709,355) |
| Reserve Development | (590,870) | (1,516,934) |
| Playground Equipment | (1,545,652) | (6,495,268) |
| Infrastructure - Urban Road Grant | (1,749,780) | (2,314,135) |
| Infrastructure - Black Spot Grant | (2,075,259) | (2,245,458) |
| Infrastructure - Roads to Recovery | (227,312) | (1,159,269) |
| Infrastructure - Road Resurfacing | (61,661) | (301,825) |
| Infrastructure - Street Lights | (1,200) | (25,000) |
| Infrastructure - Bus Shelters | - | (20,000) |
| Infrastructure - Footpaths | (95,377) | (113,000) |
| Infrastructure - Drainage | (377,157) | (1,102,840) |
| Infrastructure - Municipal Roadworks | (508,529) | (733,641) |
| | <u>(9,549,686)</u> | <u>(20,960,788)</u> |

4. DISPOSALS OF ASSETS

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

| <u>By Class</u> | Net Book Value | Sale Proceeds | Profit(Loss) |
|-------------------------|--------------------------------|--------------------------------|--------------------------------|
| | March Actual \$ | March Actual \$ | March Actual \$ |
| Furniture and Equipment | (3,300) | 3,300 | - |
| Plant and Equipment | - | 17,394 | 17,394 |
| Transportation Vehicles | (266,734) | 292,510 | 25,776 |
| Buildings | - | - | - |
| Reserve Development | - | - | - |
| Land | - | - | - |
| Other | - | - | - |
| | <u>(270,034)</u> | <u>313,204</u> | <u>43,170</u> |

Summary

| | March Actual \$ |
|---------------------------|--------------------------------|
| Profit on Asset Disposals | 49,781 |
| (Loss) on Asset Disposals | (6,611) |
| | <u>43,170</u> |

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

5. INFORMATION ON BORROWINGS

(a) Loan Repayments

| Particulars | Principal 1-Jul-15 | Interest Rate | Maturity Date | New Loans | Principal Repayments | | Principal Outstanding | | Interest Repayments | |
|---|-----------------------|------------------|------------------|--------------|-------------------------|------------------------|--------------------------|------------------------|-------------------------|------------------------|
| | | | | | Mar-16 Actual \$ | Mar-16 Actual \$ | 2015/16 Budget \$ | Mar-16 Actual \$ | 2015/16 Budget \$ | Mar-16 Actual \$ |
| Governance | | | | | | | | | | |
| Loan 99 - Administration Office Renovations | 1,000,000 | 6.25% | 25-Jun-25 | - | 36,745 | 74,638 | 963,255 | 925,362 | 33,780 | 67,973 |
| Education & Welfare | | | | | | | | | | |
| Loan 96 - Youth Specific Space | 213,599 | 7.53% | 19-Jun-23 | - | 9,973 | 20,321 | 203,626 | 193,278 | 8,232 | 17,107 |
| Loan 100 - Youth Specific Space | 1,521,312 | 4.67% | 25-Jun-28 | - | - | - | 1,521,312 | 1,521,312 | 39,697 | 81,278 |
| Recreation & Culture | | | | | | | | | | |
| Loan 90 - Kwinana Bowling Club* | 29,996 | 6.42% | 30-Apr-16 | - | 14,761 | 29,996 | 15,235 | - | 715 | 1,576 |
| Loan 94 - Wellard Sports Pavilion | 327,987 | 6.38% | 04-May-22 | - | 18,950 | 38,505 | 309,037 | 289,482 | 8,303 | 22,449 |
| Loan 95 - Orelia Oval Pavilion | 512,637 | 7.53% | 19-Jun-23 | - | 23,934 | 48,770 | 488,703 | 463,867 | 19,757 | 41,055 |
| Loan 97 - Orelia Oval Pavilion Extension | 2,212,711 | 6.25% | 25-Jun-25 | - | 81,306 | 165,153 | 2,131,405 | 2,047,558 | 74,746 | 150,404 |
| Loan 102 - Resource & Knowledge Centre | 7,421,567 | 4.54% | 28-Jun-29 | - | - | - | 7,421,567 | 7,421,567 | 188,962 | 386,856 |
| Loan 103 - Kwinana Golf Club | 334,010 | 4.07% | 25-Jun-23 | - | 17,871 | 36,106 | 316,139 | 297,904 | 7,734 | 15,409 |
| Loan 104 - Recquatic Upgrade | 3,350,000 | 4.05% | 26-Jun-30 | - | - | - | 3,350,000 | 3,350,000 | 79,659 | 154,000 |
| Loan 105 - Bertram Community Centre | 1,296,840 | 3.25% | 27-Mar-30 | - | - | - | 1,296,840 | 1,296,840 | 35,928 | 50,850 |
| New - Calista Destination Park | - | - | - | - | - | - | - | 1,700,000 | - | - |
| New - Darius Wells Building Solar Panels | - | - | - | - | - | - | - | 191,360 | - | - |
| Transport | | | | | | | | | | |
| Loan 92 - Sulphur Rd Bridge | 87,880 | 5.94% | 19-Oct-15 | - | 87,880 | 87,880 | - | - | 1,962 | 3,003 |
| Loan 98 - Streetscape Beautification | 1,350,000 | 6.25% | 25-Jun-25 | - | 49,606 | 100,762 | 1,300,394 | 1,249,238 | 45,603 | 91,763 |
| Loan 101 - City Centre Road Network** | 2,500,000 | 2.33% | 24-Jun-16 | - | - | - | 2,500,000 | 2,500,000 | 7,552 | 75,000 |
| Economic Services | | | | | | | | | | |
| Loan 93 - DOE Building | 68,351 | 5.94% | 18-Oct-15 | - | 68,351 | 68,351 | - | - | 1,526 | 2,336 |
| | 22,226,890 | | | - | 409,377 | 670,482 | 21,817,513 | 23,447,768 | 554,156 | 1,161,059 |

| | | |
|-----------------------------------|----------------|----------------|
| Principal Repayments - Debentures | 409,377 | 670,482 |
| Liquidity Advance Repayments | - | - |
| | <u>409,377</u> | <u>670,482</u> |

(*) Self Supporting loan financed by payments from third parties

(**) Short Term Facility Loans

All loan repayments were financed by general purpose revenue.

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

5. INFORMATION ON BORROWINGS (Continued)

(b) New Debentures

| Particulars/Purpose | Amount Borrowed | | Institution | Loan Type | Term (Years) | Total Interest & Charges | Interest Rate | Amount Used | | Balance Unspent \$ |
|------------------------------------|-----------------|-----------|-------------|-----------|--------------|--------------------------|---------------|-------------|-----------|--------------------|
| | Actual | Budget | | | | | | Actual | Budget | |
| Calista Destination Park | - | 1,700,000 | WA Treasury | Debenture | 15 | 144,902 | 4.0% & 0.7% | - | 3,083,017 | (1,383,017) |
| Darius Wells Building Solar Panels | - | 191,360 | WA Treasury | Debenture | 15 | 8,994 | 4.0% & 0.7% | - | 191,360 | - |
| | - | 1,891,360 | | | | 153,896 | | - | 3,274,377 | (1,383,017) |

(c) Unspent Debentures

| Particulars | Date Borrowed | Balance 1-Jul-15 \$ | Borrowed During Year \$ | Expended During Year | Liquidity Repayment \$ | Balance 31-Mar-16 \$ |
|---|---------------|---------------------|-------------------------|----------------------|------------------------|----------------------|
| Loan 99 - Administration Office Renovations | 25-Jun-10 | 94,435 | - | 6,865 | | 87,570 |
| | | 94,435 | - | 6,865 | - | 87,570 |

(d) Self Supporting Loan Repayments

| Particulars | Principal 1-Jul-15 | New Loans | Principal Repayments | | Principal Outstanding | | Interest Repayments | |
|---------------------------------|--------------------|-----------|----------------------|-------------------|-----------------------|-------------------|---------------------|-------------------|
| | | | Mar-16 Actual \$ | 2015/16 Budget \$ | Mar-16 Actual \$ | 2015/16 Budget \$ | Mar-16 Actual \$ | 2015/16 Budget \$ |
| Recreation & Culture | | | | | | | | |
| Loan 90 - Kwinana Bowling Club | 30,166 | - | 14,841 | 30,166 | 15,325 | - | 656 | 1,483 |
| Loan 103 - Kwinana Golf Club | 334,010 | - | 27,325 | 36,106 | 306,685 | 297,904 | 11,142 | 13,455 |
| | 364,176 | - | 42,166 | 66,272 | 322,010 | 297,904 | 11,798 | 14,938 |

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

6. RESERVES

Reserve Accounts Transactions

| RESERVE FUND DETAILS | Opening Balance 1 July 2015 | Transfers | | | Closing Balance 31 March 2016 |
|---|--------------------------------|----------------|----------------|--------------------|----------------------------------|
| | | To Reserve | Interest | From Reserve | |
| Aged Persons Units Reserve | 404,358 | - | 6,090 | (56,418) | 354,030 |
| Asset Management Reserve | 1,277,498 | - | 21,289 | (234,706) | 1,064,081 |
| Asset Replacement Reserve | 457,328 | - | 6,437 | (165,201) | 298,564 |
| Banksia Park Reserve | 173,273 | - | 2,514 | (80,866) | 94,921 |
| Carried Forward Projects Reserve | 4,065,475 | - | - | (2,292,448) | 1,773,027 |
| CLAG Reserve | 180,211 | - | 2,931 | - | 183,142 |
| Community Services & Emergency Relief Reserve | 24,542 | - | 416 | - | 24,958 |
| Employee Leave Reserve | 3,695,958 | - | - | - | 3,695,958 |
| Family Day Care Reserve | 1,282,200 | - | 21,338 | - | 1,303,538 |
| Future Community Infrastructure Reserve | 2,215,240 | 282,708 | 39,716 | - | 2,537,664 |
| Golf Course Cottage Reserve | 25,677 | - | 436 | - | 26,113 |
| Infrastructure Reserve | 167,558 | - | 2,673 | (55,371) | 114,860 |
| Infrastructure Reserve | 167,558 | - | 2,598 | (55,371) | 114,785 |
| Infrastructure Reserve - Town Centre | - | - | 75 | - | 75 |
| Refuse Reserve | 6,351,966 | - | 105,583 | (21,220) | 6,436,329 |
| Settlement Agreement Reserve | 150,000 | 64,042 | - | - | 214,042 |
| Un-Restricted Reserves Sub Total | 20,471,284 | 346,750 | 209,423 | (2,906,230) | 18,121,227 |

| RESERVE FUND DETAILS | Opening Balance 1 July 2015 | Transfers | | | Closing Balance 31 March 2016 |
|---|--------------------------------|------------------|----------------|--------------------|----------------------------------|
| | | To Reserve | Interest | From Reserve | |
| DCA 1 - Hard Infrastructure - Bertram | 1,758,122 | - | 29,834 | - | 1,787,956 |
| DCA 2 - Hard Infrastructure - Wellard East | 816,633 | 650,552 | 20,158 | - | 1,487,343 |
| DCA 5 - Hard Infrastructure - Wandi | 2,634,885 | - | 44,711 | - | 2,679,596 |
| DCA 8 - Soft Infrastructure - Mandogalup | - | - | - | - | - |
| DCA 9 - Soft Infrastructure - Wandi/Anketell | 8,422,111 | 41,458 | 143,487 | (1,205) | 8,605,851 |
| DCA 10 - Soft Infrastructure - Casuarina/Anketell | - | - | - | - | - |
| DCA 11 - Soft Infrastructure - Wellard East | 2,513,635 | 1,027,495 | 51,520 | (29,562) | 3,563,088 |
| DCA 12 - Soft Infrastructure - Wellard West | 4,651,447 | 209,493 | 80,429 | (10,846) | 4,930,523 |
| DCA 13 - Soft Infrastructure - Bertram | 260,897 | 23,829 | 4,464 | (6,663) | 282,527 |
| DCA 14 - Soft Infrastructure - Wellard/Leda | 268,434 | 359,339 | 5,282 | (278,017) | 355,038 |
| DCA 15 - Soft Infrastructure - Townsite | 83,377 | 183,923 | 1,841 | (134,450) | 134,691 |
| Developer Contribution Reserves Sub Total | 21,409,541 | 2,496,089 | 381,726 | (460,743) | 23,826,613 |
| Reserves Total | 41,880,825 | 2,842,839 | 591,149 | (3,366,973) | 41,947,840 |

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

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

6. RESERVES

| | March Actual \$ | 2015/16 Budget \$ |
|--|--------------------------------|----------------------------------|
| Cash/Investment Backed Reserves | | |
| (a) Aged Persons Units Reserve | | |
| Opening Balance | 404,358 | 404,358 |
| Amount Set Aside / Transfer to Reserve | - | 287,984 |
| Interest Applied to Reserve | 6,090 | 8,997 |
| Amount Used / Transfer from Reserve | (56,418) | (275,315) |
| | <u>354,030</u> | <u>426,024</u> |
| (b) Asset Management Reserve | | |
| Opening Balance | 1,277,498 | 1,277,498 |
| Amount Set Aside / Transfer to Reserve | - | 500,000 |
| Interest Applied to Reserve | 21,289 | 20,692 |
| Amount Used / Transfer from Reserve | (234,706) | (817,377) |
| | <u>1,064,081</u> | <u>980,813</u> |
| (c) Asset Replacement Reserve | | |
| Opening Balance | 457,328 | 457,328 |
| Amount Set Aside / Transfer to Reserve | - | 250,000 |
| Interest Applied to Reserve | 6,437 | 7,308 |
| Amount Used / Transfer from Reserve | (165,201) | (434,900) |
| | <u>298,564</u> | <u>279,736</u> |
| (d) Banksia Park DMF Reserve | | |
| Opening Balance | 173,273 | 173,273 |
| Amount Set Aside / Transfer to Reserve | - | - |
| Interest Applied to Reserve | 2,514 | 2,705 |
| Amount Used / Transfer from Reserve | (80,866) | (126,047) |
| | <u>94,921</u> | <u>49,931</u> |
| (e) Carried Forward Projects Reserve | | |
| Opening Balance | 4,065,475 | 4,065,475 |
| Amount Set Aside / Transfer to Reserve | - | - |
| Interest Applied to Reserve | - | - |
| Amount Used / Transfer from Reserve | (2,292,448) | (4,065,475) |
| | <u>1,773,027</u> | <u>-</u> |
| (f) CLAG Reserve | | |
| Opening Balance | 180,211 | 180,211 |
| Amount Set Aside / Transfer to Reserve | - | 48,450 |
| Interest Applied to Reserve | 2,931 | 4,176 |
| Amount Used / Transfer from Reserve | - | (36,620) |
| | <u>183,142</u> | <u>196,217</u> |
| (g) Community Services & Emergency Relief Reserve | | |
| Opening Balance | 24,542 | 24,542 |
| Amount Set Aside / Transfer to Reserve | - | - |
| Interest Applied to Reserve | 416 | 664 |
| Amount Used / Transfer from Reserve | - | - |
| | <u>24,958</u> | <u>25,206</u> |
| (h) Employee Leave Reserve | | |
| Opening Balance | 3,695,958 | 3,695,958 |
| Amount Set Aside / Transfer to Reserve | - | - |
| Interest Applied to Reserve | - | - |
| Amount Used / Transfer from Reserve | - | - |
| | <u>3,695,958</u> | <u>3,695,958</u> |
| (i) Family Day Care Reserve | | |
| Opening Balance | 1,282,200 | 1,282,200 |
| Amount Set Aside / Transfer to Reserve | - | - |
| Interest Applied to Reserve | 21,338 | 26,674 |
| Amount Used / Transfer from Reserve | - | (590,000) |
| | <u>1,303,538</u> | <u>718,874</u> |

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

6. RESERVES

| | March Actual \$ | 2015/16 Budget \$ |
|---|--------------------------------|----------------------------------|
| Cash/Investment Backed Reserves | | |
| (j) Future Community Infrastructure Reserve | | |
| Opening Balance | 2,215,240 | 2,215,240 |
| Amount Set Aside / Transfer to Reserve | 282,708 | 600,239 |
| Interest Applied to Reserve | 39,716 | 62,898 |
| Amount Used / Transfer from Reserve | - | (1,383,017) |
| | <u>2,537,664</u> | <u>1,495,360</u> |
| (k) Golf Course Cottage Reserve | | |
| Opening Balance | 25,677 | 25,677 |
| Amount Set Aside / Transfer to Reserve | - | - |
| Interest Applied to Reserve | 436 | 262 |
| Amount Used / Transfer from Reserve | - | - |
| | <u>26,113</u> | <u>25,939</u> |
| (l) Infrastructure Reserve | | |
| Opening Balance | 167,558 | 167,558 |
| Amount Set Aside / Transfer to Reserve | - | 3,765,864 |
| Interest Applied to Reserve | 2,673 | 11,848 |
| Amount Used / Transfer from Reserve | (55,371) | (75,343) |
| | <u>114,860</u> | <u>3,869,927</u> |
| (m) Refuse Reserve | | |
| Opening Balance | 6,351,966 | 6,351,966 |
| Amount Set Aside / Transfer to Reserve | - | - |
| Interest Applied to Reserve | 105,583 | 139,221 |
| Amount Used / Transfer from Reserve | (21,220) | (685,533) |
| | <u>6,436,329</u> | <u>5,805,654</u> |
| (n) Settlement Agreement Reserve | | |
| Opening Balance | 150,000 | 150,000 |
| Amount Set Aside / Transfer to Reserve | 64,042 | 150,042 |
| Interest Applied to Reserve | - | - |
| Amount Used / Transfer from Reserve | - | (300,042) |
| | <u>214,042</u> | <u>-</u> |
| Un-Restricted Reserves Sub Total | <u>18,121,227</u> | <u>17,569,639</u> |
| Developer Contributions Reserve - DCA 1 - Hard | | |
| (o) Infrastructure Bertram | | |
| Opening Balance | 1,758,122 | 1,758,122 |
| Amount Set Aside / Transfer to Reserve | - | 214,189 |
| Interest Applied to Reserve | 29,834 | 39,885 |
| Amount Used / Transfer from Reserve | - | (308,167) |
| | <u>1,787,956</u> | <u>1,704,029</u> |
| Developer Contributions Reserve - DCA 2 - Hard | | |
| (p) Infrastructure Wellard | | |
| Opening Balance | 816,633 | 816,633 |
| Amount Set Aside / Transfer to Reserve | 650,552 | 999,723 |
| Interest Applied to Reserve | 20,158 | 22,298 |
| Amount Used / Transfer from Reserve | - | - |
| | <u>1,487,343</u> | <u>1,838,654</u> |
| Developer Contributions Reserve - DCA 5 - Hard | | |
| (q) Infrastructure Wandii | | |
| Opening Balance | 2,634,885 | 2,634,885 |
| Amount Set Aside / Transfer to Reserve | - | - |
| Interest Applied to Reserve | 44,711 | 2,187 |
| Amount Used / Transfer from Reserve | - | - |
| | <u>2,679,596</u> | <u>2,637,072</u> |

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

6. RESERVES

| | March Actual \$ | 2015/16 Budget \$ |
|---|--------------------------------|----------------------------------|
| Cash/Investment Backed Reserves | | |
| Developer Contributions Reserve - DCA 8 -Soft | | |
| (r) Infrastructure Mandogalup | | |
| Opening Balance | - | - |
| Amount Set Aside / Transfer to Reserve | - | - |
| Interest Applied to Reserve | - | - |
| Amount Used / Transfer from Reserve | - | - |
| | <u>-</u> | <u>-</u> |
| Developer Contributions Reserve - DCA 9 -Soft | | |
| (s) Infrastructure Wandii/Anketell | | |
| Opening Balance | 8,422,111 | 8,422,111 |
| Amount Set Aside / Transfer to Reserve | 41,458 | 58,531 |
| Interest Applied to Reserve | 143,487 | 189,773 |
| Amount Used / Transfer from Reserve | (1,205) | (102,129) |
| | <u>8,605,851</u> | <u>8,568,286</u> |
| Developer Contributions Reserve - DCA 10 -Soft | | |
| (t) Infrastructure Casuarina/Anketell | | |
| Opening Balance | - | - |
| Amount Set Aside / Transfer to Reserve | - | - |
| Interest Applied to Reserve | - | 710 |
| Amount Used / Transfer from Reserve | - | - |
| | <u>-</u> | <u>710</u> |
| Developer Contributions Reserve - DCA 11 -Soft | | |
| (u) Infrastructure Wellard East | | |
| Opening Balance | 2,513,635 | 2,513,635 |
| Amount Set Aside / Transfer to Reserve | 1,027,495 | 1,544,937 |
| Interest Applied to Reserve | 51,520 | 75,035 |
| Amount Used / Transfer from Reserve | (29,562) | (97,131) |
| | <u>3,563,088</u> | <u>4,036,476</u> |
| Developer Contributions Reserve - DCA 12 -Soft | | |
| (v) Infrastructure Wellard West | | |
| Opening Balance | 4,651,447 | 4,651,447 |
| Amount Set Aside / Transfer to Reserve | 209,493 | 677,771 |
| Interest Applied to Reserve | 80,429 | 157,233 |
| Amount Used / Transfer from Reserve | (10,846) | (34,529) |
| | <u>4,930,523</u> | <u>5,451,922</u> |
| Developer Contributions Reserve - DCA 13 -Soft | | |
| (w) Infrastructure Bertram | | |
| Opening Balance | 260,897 | 260,897 |
| Amount Set Aside / Transfer to Reserve | 23,829 | 142,972 |
| Interest Applied to Reserve | 4,464 | 18,715 |
| Amount Used / Transfer from Reserve | (6,663) | (53,243) |
| | <u>282,527</u> | <u>369,341</u> |
| Developer Contributions Reserve - DCA 14 -Soft | | |
| (x) Infrastructure Wellard/Leda | | |
| Opening Balance | 268,434 | 268,434 |
| Amount Set Aside / Transfer to Reserve | 359,339 | 506,716 |
| Interest Applied to Reserve | 5,282 | 6,595 |
| Amount Used / Transfer from Reserve | (278,017) | (430,352) |
| | <u>355,038</u> | <u>351,393</u> |
| Developer Contributions Reserve - DCA 15 -Soft | | |
| (y) Infrastructure Townsite | | |
| Opening Balance | 83,377 | 83,377 |
| Amount Set Aside / Transfer to Reserve | 183,923 | 230,760 |
| Interest Applied to Reserve | 1,841 | 2,124 |
| Amount Used / Transfer from Reserve | (134,450) | (163,886) |
| | <u>134,691</u> | <u>152,375</u> |
| Developer Contributions Reserves Sub Total | <u>23,826,613</u> | <u>25,110,258</u> |
| Total Cash/Investment Backed Reserves | <u>41,947,840</u> | <u>42,679,897</u> |

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

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

6. RESERVES

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

Aged Persons Units Reserve

This Reserve has been established to provide funds for the capital acquisition and maintenance of the Aged Persons Units, Callistemon Court

Arts Centre Reserve

This Reserve was established to cover any increases in the cost of operations and maintenance for the Kwinana Arts Centre

Asset Management Reserve

This Reserve is utilised to provide funds for renewal projects for the City's building and infrastructure assets.

Asset Replacement Reserve

This Reserve is utilised to replace existing fleet, plant and other City assets

Banksia Park Reserve

This Reserve has been established to provide funds for the capital acquisition and maintenance of the Banksia Park Retirement Village

Carried Forward Projects Reserve

The Reserve is utilised to restrict funds required to complete projects from prior financial years

CLAG Reserve

This Reserve has been established to provide funds for the prevention and education of Mosquito management.

Community Services & Emergency Relief Reserve

This Reserve is established to provide funding to alleviate the effect of any disaster within the City of Kwinana boundaries and to provide funds to

Employee Leave Reserve

This Reserve is established for the purpose of ensuring that adequate funds are available to finance employee leave entitlements

Family Day Care Reserve

This Reserve provides for the capital acquisitions and maintenance of this facility

Future Community Infrastructure Reserve

This Reserve is established to accumulate the City's contributions for the capital funding of future community infrastructure in accordance with Town Planning Scheme #2

Golf Course Cottage Reserve

This Reserve was established to provide funds for the maintenance of this building

Infrastructure Reserve

This Reserve was established to provide funds to create new City assets

Refuse Reserve

This Reserve was established to provide funds for the costs and subsidy of Waste Management in the City

Settlement Agreement Reserve

This Reserve was established to provide funds to account for future negotiated settlement agreement payments.

DCA 1 - Hard Infrastructure - Bertram

This Reserve is established to restrict funds received from Developers for contributions towards future infrastructure costs and administrative costs for DCA 1 - Hard Infrastructure Bertram

DCA 2 - Hard Infrastructure - Wellard

This Reserve is established to restrict funds received from Developers for contributions towards future infrastructure costs and administrative costs for DCA 2 - Hard Infrastructure Wellard

DCA 5 - Hard Infrastructure - Wandí

This Reserve is established to restrict funds received from Developers for contributions towards future infrastructure costs and administrative costs for DCA 5 - Hard Infrastructure Wandí

DCA 8 - Soft Infrastructure - Mandogalup

This Reserve is established to restrict funds received from Developers for contributions towards future infrastructure costs and administrative costs for DCA 8 - Soft Infrastructure Mandogalup

DCA 9 - Soft Infrastructure - Wandí/Anketell

This Reserve is established to restrict funds received from Developers for contributions towards future infrastructure costs and administrative costs for DCA 9 - Soft Infrastructure Wandí/Anketell

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

6. RESERVES

DCA 10 - Soft Infrastructure - Casuarina/Anketell

This Reserve is established to restrict funds received from Developers for contributions towards future infrastructure costs and administrative costs for DCA 10 - Soft Infrastructure Casuarina/Anketell

DCA 11 - Soft Infrastructure - Wellard East

This Reserve is established to restrict funds received from Developers for contributions towards future infrastructure costs and administrative costs for DCA 11 - Soft Infrastructure Wellard East

DCA 12 - Soft Infrastructure - Wellard West

This Reserve is established to restrict funds received from Developers for contributions towards future infrastructure costs and administrative costs for DCA 12 - Soft Infrastructure Wellard West

DCA 13 - Soft Infrastructure - Bertram

This Reserve is established to restrict funds received from Developers for contributions towards future infrastructure costs and administrative costs for DCA 13 - Soft Infrastructure Bertram

DCA 14 - Soft Infrastructure - Wellard/Leda

This Reserve is established to restrict funds received from Developers for contributions towards future infrastructure costs and administrative costs for DCA 14 - Soft Infrastructure Wellard/Leda

DCA 15 - Soft Infrastructure - Townsite

This Reserve is established to restrict funds received from Developers for contributions towards future infrastructure costs and administrative costs for DCA 15 - Soft Infrastructure Townsite

7. NET CURRENT ASSETS

Composition of Estimated Net Current Asset Position

| | March 2016 Actual \$ | Brought Forward 1-Jul \$ |
|--|---|---|
| CURRENT ASSETS | | |
| Cash - Unrestricted | 12,736,266 | 6,397,721 |
| Cash - Restricted (Reserves) | 41,947,840 | 41,880,825 |
| Cash - Restricted (Unspent Loan Funds) | 87,570 | 94,435 |
| Cash - Restricted (Restricted Creditors) | 3,720,173 | 5,628,468 |
| Rates - Current | 6,194,123 | 1,429,979 |
| Sundry Debtors | 1,636,654 | 508,044 |
| GST Receivable | 154,192 | 531,719 |
| Accrued Receivables | - | 676,467 |
| Inventories | 41,239 | 20,926 |
| | 66,518,057 | 57,168,584 |
| LESS: CURRENT LIABILITIES | | |
| Sundry Creditors | (1,071,135) | (5,019,833) |
| Accrued payables - Current | - | (1,627,317) |
| Current Borrowings | (3,170,480) | (3,170,480) |
| Provisions - Current | (4,101,552) | (4,101,552) |
| | (8,343,167) | (13,919,182) |
| Net Current Asset Position (Prior to Adjustment) | 58,174,890 | 43,249,402 |
| Less: | | |
| Cash Restricted - (Unspent Loan Funds) | (87,570) | (94,435) |
| Cash Restricted - (Restricted Creditors) | (3,720,173) | (5,628,468) |
| Cash Restricted - (Reserves) | (41,947,840) | (41,880,825) |
| | (45,755,583) | (47,603,728) |
| Add Back: | | |
| Cash Backed Leave Reserve - Current | 4,101,552 | 4,101,552 |
| Current Loan Liability | 3,170,480 | 3,170,480 |
| | 7,272,032 | 7,272,032 |
| | \$ 19,691,339 | \$ 2,917,706 |

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

8. RATING INFORMATION

| <u>RATE TYPE</u> | Rate in \$ | Number of Properties | Rateable Value \$ | 2015/16 Actual Rate Revenue \$ | 2015/16 Actual Interim Rates \$ | 2015/16 Back Rates \$ | 2015/16 Total Revenue \$ | 2015/16 Total Budget \$ |
|---|---------------|----------------------------|-------------------------|---|--|--------------------------------|-----------------------------------|----------------------------------|
| Differential General Rate | | | | | | | | |
| Gross Rental Value (GRV) | | | | | | | | |
| Improved Residential | 0.07090 | 9,505 | 164,440,828 | 11,658,854 | 933,861 | - | 12,592,715 | 12,658,855 |
| Vacant Residential | 0.17450 | 582 | 8,342,505 | 1,455,767 | 365,945 | - | 1,821,712 | 1,455,767 |
| Improved Special Rural | 0.06199 | 712 | 16,742,680 | 1,037,879 | 7,171 | - | 1,045,050 | 1,037,879 |
| Light Industrial and Commercial | 0.08817 | 151 | 22,840,315 | 2,013,831 | (35,791) | - | 1,978,040 | 2,013,831 |
| General Industry and Service Commercial | 0.07510 | 311 | 33,179,469 | 2,491,778 | 20,866 | - | 2,512,644 | 2,491,778 |
| Large Scale General Industry and Service Commercial | 0.07792 | 47 | 50,218,935 | 3,913,059 | 164,462 | - | 4,077,521 | 3,913,059 |
| Improved Value (UV) | | | | | | | | |
| General Industrial | 0.03464 | 3 | 121,200,000 | 4,198,368 | - | - | 4,198,368 | 4,198,368 |
| Rural | 0.00450 | 188 | 182,787,000 | 822,542 | (44,482) | - | 778,060 | 822,542 |
| Mining | 0.00770 | 13 | 27,291,000 | 210,141 | 11,757 | - | 221,898 | 210,141 |
| Urban/Urban Deferred | 0.00594 | 294 | 229,856,000 | 1,365,345 | (422,262) | - | 943,083 | 1,365,345 |
| | | 11,806 | 856,898,732 | 29,167,564 | 1,001,527 | - | 30,169,091 | 30,167,565 |

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

.. RATING INFORMATION (Continued)

| | Minimum \$ | Number of Properties | Rateable Value \$ | 2015/16 Actual Rate Revenue \$ | 2015/16 Actual Interim Rates \$ | 2015/16 Back Rates \$ | 2015/16 Total Revenue \$ | 2015/16 Total Budget \$ |
|---|-----------------------|-------------------------------------|----------------------------------|---|--|--|---|--|
| Minimum Payments | | | | | | | | |
| Gross Rental Value (GRV) | | | | | | | | |
| Improved Residential | 916 | 2,655 | 31,262,248 | 2,431,980 | - | - | 2,431,980 | 2,431,980 |
| Vacant Residential | 916 | 1,117 | 5,038,102 | 1,023,172 | - | - | 1,023,172 | 1,023,172 |
| Improved Special Rural | 916 | 5 | 68,260 | 4,580 | - | - | 4,580 | 4,580 |
| Light Industrial and Commercial | 1190 | 19 | 168,058 | 22,610 | - | - | 22,610 | 22,610 |
| General Industry and Service Commercial | 1190 | 36 | 287,043 | 42,840 | - | - | 42,840 | 42,840 |
| Large Scale General Industry and Service Commercial | 1190 | 0 | - | - | - | - | - | - |
| Improved Value (UV) | | | | | | | | |
| General Industrial | 1190 | 0 | - | - | - | - | - | - |
| Rural | 916 | 11 | 1,453,000 | 10,076 | - | - | 10,076 | 10,076 |
| Mining | 1190 | 1 | 15,000 | 1,190 | - | - | 1,190 | 1,190 |
| Urban/Urban Deferred | 1190 | 72 | 13,589,600 | 85,680 | - | - | 85,680 | 85,680 |
| Sub-Totals | | 3,916 | 51,881,311 | 3,622,128 | - | - | 3,622,128 | 3,622,128 |
| | | | | | | | 33,791,219 | 33,789,693 |
| Specified Area Rates | | | | | | | - | - |
| Totals | | 15,722 | 908,780,043 | 32,789,692 | 1,001,527 | - | 33,791,219 | 33,789,693 |

The City of Kwinana raises rates on all land within its boundaries, except exempt land, using a combination of dual rating and differential rating. Generally land within the urban area is rated at Gross Rental Value (GRV) and land within the rural area being rated with Unimproved Valuations (UV). Certain Town Planning zonings have attracted different rates so as to achieve greater equity within the urban and rural sectors.

The general rates detailed above for the 2015/16 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also bearing considering the extent of any increase in rating over the level adopted in the previous year.

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

CITY OF KWINANA
NOTES TO AND FORMING PART OF THE FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2015 TO 31 MARCH 2016

9. TRUST FUNDS

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

| | Balance 1-Jul-15 \$ | Amounts Received \$ | Amounts Paid \$ | Balance 2015/16 \$ |
|--------------------------------------|------------------------------------|------------------------------------|--------------------------------|-----------------------------------|
| Apex - Kwinana Carols by Candlelight | 1,403 | - | (1,403) | - |
| Kwinana Basketball Courts | 1,813 | - | (1,813) | - |
| | <u>3,216</u> | <u>-</u> | <u>(3,216)</u> | <u>-</u> |

Investment Portfolio
31 March 2016

| Report | Type | Rating | Interest Rate | Deposit Date | Maturity Date | Opening Balance | Interest | Addition | Withdrawal | Closing Balance | | | |
|--------------------|----------------|----------------|---------------|--------------|---------------|-----------------|-----------|----------|-------------------------|----------------------|------------------------|---------------------------|-------------------------|
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 3.00% | 1-Oct-15 | 12-Apr-16 | 12 | 2,000,000.00 | 2,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 3.00% | 25-Jan-16 | 26-Apr-16 | 26 | 1,000,000.00 | 1,000,000.00 | | | |
| Rabo | 100019.0265.01 | 100019.0265.01 | TD | AA- | 2.90% | 5-May-15 | 26-Apr-16 | 26 | 2,000,000.00 | 2,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 2.98% | 30-Sep-15 | 3-May-16 | 33 | 1,000,000.00 | 1,000,000.00 | | | |
| ANZ | 100019.0215.01 | 100019.0215.01 | TD | AA- | 2.94% | 2-Feb-16 | 10-May-16 | 40 | 1,000,000.00 | 1,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 2.85% | 21-Oct-15 | 17-May-16 | 47 | 1,000,000.00 | 1,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 2.85% | 21-Oct-15 | 17-May-16 | 47 | 1,000,000.00 | 1,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 2.93% | 26-May-15 | 24-May-16 | 54 | 1,000,000.00 | 1,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 2.93% | 26-May-15 | 24-May-16 | 54 | 1,000,000.00 | 1,000,000.00 | | | |
| ANZ | 100019.0215.05 | 100019.0215.01 | TD | AA- | 3.00% | 1-Dec-15 | 31-May-16 | 61 | 1,000,000.00 | 1,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 2.93% | 2-Jun-15 | 31-May-16 | 61 | 1,000,000.00 | 1,000,000.00 | | | |
| ANZ | 100019.0215.03 | 100019.0215.01 | TD | AA- | 3.00% | 8-Dec-15 | 14-Jun-16 | 75 | 1,000,000.00 | 1,000,000.00 | | | |
| Commonwealth | 100019.0345.01 | 100019.0345.01 | TD | AA- | 2.94% | 5-Jan-16 | 21-Jun-16 | 82 | 1,000,000.00 | 1,000,000.00 | | | |
| ANZ | 100019.0215.03 | 100019.0215.01 | TD | AA- | 3.00% | 15-Dec-15 | 28-Jun-16 | 89 | 1,000,000.00 | 1,000,000.00 | | | |
| Commonwealth | 100019.0345.01 | 100019.0345.01 | TD | AA- | 2.97% | 12-Jan-16 | 5-Jul-16 | 96 | 2,000,000.00 | 2,000,000.00 | | | |
| ANZ | 100019.0215.03 | 100019.0215.01 | TD | AA- | 3.00% | 19-Jan-16 | 12-Jul-16 | 103 | 1,000,000.00 | 1,000,000.00 | | | |
| Bankwest DD | 100019.0243.01 | 100019.0243.01 | DD/TD | AA- | 2.90% | 15-Jul-15 | 15-Jul-16 | 106 | 1,000,000.00 | 1,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 3.08% | 19-Jan-16 | 19-Jul-16 | 110 | 1,000,000.00 | 1,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 3.08% | 19-Jan-16 | 19-Jul-16 | 110 | 1,000,000.00 | 1,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 3.00% | 9-Feb-16 | 26-Jul-16 | 117 | 1,000,000.00 | 1,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 3.00% | 24-Feb-16 | 9-Aug-16 | 131 | 1,000,000.00 | 1,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 3.00% | 24-Feb-16 | 23-Aug-16 | 145 | 1,000,000.00 | 1,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 3.00% | 23-Feb-16 | 20-Sep-16 | 173 | 1,000,000.00 | 1,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 3.00% | 16-Feb-16 | 11-Oct-16 | 194 | 1,000,000.00 | 1,000,000.00 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 3.00% | 1-Mar-16 | 25-Oct-16 | 208 | 1,000,000.00 | 31,214.25 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 3.10% | 8-Mar-16 | 25-Oct-16 | 208 | 1,000,000.00 | 30,915.07 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 2.93% | 15-Mar-16 | 8-Nov-16 | 222 | 1,000,000.00 | 22,478.99 | | | |
| NAB | 100019.0214.01 | 100019.0214.01 | TD | AA- | 3.10% | 22-Mar-16 | 22-Nov-16 | 236 | 2,000,000.00 | 46,080.24 | | | |
| ANZ Call | 100018.0344.01 | 100018.344.01 | 11AM | AA- | | | At Call | At Call | 552.12 | 444.37 | 996.49 | | |
| BankWest Reserve | 100000.0002.01 | 100000.0002.01 | Reserve | AA- | 0.21% | | At Call | At Call | 189,743.63 | 32.86 | 189,776.49 | | |
| Rabo Call | 100018.0303.01 | 100018.0303.01 | 11AM | AA- | 2.00% | | At Call | At Call | 276,724.95 | 540.56 | 277,265.51 | | |
| | | | | | | | | | 32,467,020.70 | 131,706.34 | 5,000,000.00 | (5,130,688.55) | 32,468,038.49 |
| Rural | 100019.0313.01 | 100019.0313.01 | TD | A- | 2.80% | 17-Nov-15 | 15-Mar-16 | - | 1,000,000.00 | 9,113.26 | (1,009,113.26) | - | T |
| Suncorp | 100019.0216.01 | 100019.0216.01 | TD | A+ | 2.90% | 15-Sep-15 | 29-Mar-16 | - | 1,000,000.00 | 15,572.60 | (1,015,572.60) | - | T |
| Bank of Queensland | 100019.0309.01 | 100019.0309.01 | TD | A- | 3.00% | 6-Oct-15 | 5-Apr-16 | 5 | 1,000,000.00 | | | 1,000,000.00 | |
| Bank of Queensland | 100019.0309.01 | 100019.0309.01 | TD | A- | 2.95% | 22-Sep-15 | 5-Apr-16 | 5 | 1,000,000.00 | | | 1,000,000.00 | |
| Suncorp | 100019.0216.01 | 100019.0216.01 | TD | A+ | 2.90% | 13-Oct-15 | 19-Apr-16 | 19 | 1,000,000.00 | | | 1,000,000.00 | |
| AMP | 100019.0294.01 | 100019.0294.01 | TD | A+ | 3.10% | 21-Jul-15 | 19-Apr-16 | 19 | 1,000,000.00 | 699.16 | (699.16) | 1,000,000.00 | |
| Rural | 100019.0313.01 | 100019.0313.01 | TD | A- | 2.80% | 19-Jan-16 | 3-May-16 | 33 | 1,000,000.00 | | | 1,000,000.00 | |
| AMP | 100019.0294.01 | 100019.0294.01 | TD | A+ | 3.10% | 21-Jul-15 | 10-May-16 | 40 | 1,000,000.00 | | | 1,000,000.00 | |
| AMP | 100019.0294.01 | 100019.0294.01 | TD | A+ | 3.10% | 21-Jul-15 | 17-May-16 | 47 | 1,000,000.00 | | | 1,000,000.00 | |
| Bank of Queensland | 100019.0309.01 | 100019.0309.01 | TD | A- | 2.90% | 8-Oct-15 | 5-Jul-16 | 96 | 1,000,000.00 | | | 1,000,000.00 | |
| ME Bank | 100019.0247.01 | 100019.0247.01 | TD | BBB | 2.90% | 8-Mar-16 | 20-Jul-16 | 111 | 1,000,000.00 | 9,728.77 | 1,000,000.00 | (1,009,728.77) | 1,000,000.00 |
| AMP | 100019.0294.01 | 100019.0294.01 | TD | A+ | 3.10% | 5-Aug-15 | 2-Aug-16 | 124 | 1,000,000.00 | | | 1,000,000.00 | |
| Bendigo & Adelaide | 100019.0311.01 | 100019.0311.01 | TD | A- | 3.55% | 18-Aug-15 | 16-Aug-16 | 138 | 1,000,000.00 | | | 1,000,000.00 | |
| Bank of Queensland | 100019.0309.01 | 100019.0309.01 | TD | A- | 3.10% | 23-Feb-16 | 23-Aug-16 | 145 | 1,000,000.00 | | | 1,000,000.00 | |
| Bendigo & Adelaide | 100019.0311.01 | 100019.0311.01 | TD | A- | 2.80% | 8-Sep-15 | 6-Sep-16 | 159 | 1,000,000.00 | | | 1,000,000.00 | |
| Bank of Queensland | 100019.0247.01 | 100019.0247.01 | TD | BBB | 3.10% | 24-Feb-16 | 13-Sep-16 | 166 | 1,000,000.00 | | | 1,000,000.00 | |
| Suncorp | 100019.0216.01 | 100019.0216.01 | TD | A+ | 3.05% | 1-Mar-16 | 27-Sep-16 | 180 | 1,000,000.00 | 14,132.88 | 1,000,000.00 | (1,014,132.88) | 1,000,000.00 |
| Bendigo & Adelaide | 100019.0311.01 | 100019.0311.01 | TD | A- | 2.91% | 30-Sep-15 | 27-Sep-16 | 180 | 1,000,000.00 | | | 1,000,000.00 | |
| Bendigo & Adelaide | 100019.0311.01 | 100019.0311.01 | TD | A- | 2.91% | 30-Sep-15 | 27-Sep-16 | 180 | 1,000,000.00 | | | 1,000,000.00 | |
| Bendigo & Adelaide | 100019.0311.01 | 100019.0311.01 | TD | A- | 2.91% | 30-Sep-15 | 4-Oct-16 | 187 | 1,000,000.00 | | | 1,000,000.00 | |
| Bendigo & Adelaide | 100019.0311.01 | 100019.0311.01 | TD | A- | 2.90% | 20-Oct-15 | 18-Oct-16 | 201 | 1,000,000.00 | | | 1,000,000.00 | |
| AMP | 100018.0317.01 | 100018.0317.01 | 11AM | A+ | 3.25% | | At Call | At Call | 1,012,935.28 | 2,052.23 | | | 1,014,987.51 |
| ME Bank | 100018.0248.01 | 100018.0248.01 | 11AM | BBB | | | At Call | At Call | 2,370,617.23 | 3,253.22 | 179,935.22 | (2,200,000.00) | 353,805.67 |
| | | | | | | | | | 24,383,552.51 | 54,552.12 | 2,179,935.22 | (6,249,246.67) | 20,368,793.18 |
| Bank of Sydney | 100019.0314.01 | 100019.0314.01 | TD | UR | 2.90% | 9-Jun-15 | 7-Jun-16 | 68 | 1,000,000.00 | | | 1,000,000.00 | |
| Arab Bank | 100019.0314.01 | 100019.0314.01 | TD | BB+ | 3.05% | 22-Sep-15 | 21-Jun-16 | 82 | 1,000,000.00 | | | 1,000,000.00 | |
| Bank of Sydney | 100019.0314.01 | 100019.0314.01 | TD | UR | 2.80% | 24-Nov-15 | 30-Aug-16 | 152 | 1,000,000.00 | | | 1,000,000.00 | |
| ECU | 100019.0314.01 | 100019.0314.01 | TD | UR | 2.95% | 3-Nov-15 | 1-Nov-16 | 215 | 1,000,000.00 | | | 1,000,000.00 | |
| | | | | | | | | | 4,000,000.00 | - | - | - | 4,000,000.00 |
| | | | | | | | | | \$ 60,850,573.21 | \$ 186,258.46 | \$ 7,179,935.22 | \$ (11,379,935.22) | \$ 56,836,831.67 |
| Bankwest Loan | 100000.0150.01 | 100000.0150.01 | Loan | | | | At Call | | 87,569.65 | | | (9,453.83) | 78,115.82 |
| | | | | | | | | | \$ 60,938,142.86 | \$ 186,258.46 | \$ 7,179,935.22 | \$ (11,389,389.05) | \$ 56,914,947.49 |

9820/2016
9821/2016
9822/2016
9823/2016
9824/2016
9825/2016

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Investment Reconciliation as at March 2016

| Market Value - Products | Opening Balance | Coupon Interest | Allocation | Withdrawal | Calculated Balance | Closing Balance per Reports |
|----------------------------|-----------------|-----------------|------------|------------|--------------------|-----------------------------|
| <i>Structured Products</i> | - | - | - | - | - | - |
| | - | - | - | - | - | - |

| Cash Investments | GL | Opening Balance | Interest | Allocation | Withdrawal | Calculated Balance | Closing Balance per Statements | GL Account # | GL Balance | CHECKSUM |
|--------------------------------|----------------------------|----------------------|-------------------|---------------------|------------------------|----------------------|--------------------------------|----------------|----------------------|----------------------|
| Current - Cash At Call | 100018 | | | | | | | | | |
| Bankwest | 0196 | - | - | - | - | - | - | 100018.0196.01 | - | - |
| ME Bank | 0248 | 2,370,617.23 | 3,253.22 | 179,935.22 | (2,200,000.00) | 353,805.67 | 353,805.67 | 100018.0248.01 | 353,805.67 | 353,805.67 |
| Rabo | 0303 | 276,724.95 | 540.56 | - | - | 277,265.51 | 277,265.51 | 100018.0303.01 | 277,265.51 | 277,265.51 |
| AMP | 0317 | 1,012,935.28 | 2,052.23 | - | - | 1,014,987.51 | 1,014,987.51 | 100018.0317.01 | 1,014,987.51 | 1,014,987.51 |
| ANZ | 0344 | 552.12 | 444.37 | - | - | 996.49 | 996.49 | 100018.0344.01 | 996.49 | 996.49 |
| | | 3,660,829.58 | 6,290.38 | 179,935.22 | (2,200,000.00) | 1,647,055.18 | 1,647,055.18 | | 1,647,055.18 | 1,647,055.18 |
| Current - Term Deposits | 100019 | | | | | | | | | |
| Bankwest | 0197 | - | - | - | - | - | - | 100019.0197.01 | - | - |
| NAB | 0214 | 21,000,000.00 | 130,688.55 | 5,000,000.00 | (5,130,688.55) | 21,000,000.00 | 21,000,000.00 | 100019.0214.01 | 21,000,000.00 | 21,000,000.00 |
| ANZ | 0215 | 5,000,000.00 | - | - | - | 5,000,000.00 | 5,000,000.00 | 100019.0215.01 | 5,000,000.00 | 5,000,000.00 |
| Suncorp | 0216 | 3,000,000.00 | 29,705.48 | 1,000,000.00 | (2,029,705.48) | 2,000,000.00 | 2,000,000.00 | 100019.0216.01 | 2,000,000.00 | 2,000,000.00 |
| Macquarie | 0235 | - | - | - | - | - | - | 100019.0235.01 | - | - |
| Westpac | 0240 | - | - | - | - | - | - | 100019.0240.01 | - | - |
| FIIG | 0241 | - | - | - | - | - | - | 100019.0241.01 | - | - |
| Bankwest | 0243 | 1,000,000.00 | - | - | - | 1,000,000.00 | 1,000,000.00 | 100019.0243.01 | 1,000,000.00 | 1,000,000.00 |
| ME Bank | 0247 | 1,000,000.00 | 9,728.77 | 1,000,000.00 | (1,009,728.77) | 1,000,000.00 | 1,000,000.00 | 100019.0247.01 | 1,000,000.00 | 1,000,000.00 |
| CUA | 0250 | - | - | - | - | - | - | 100019.0250.01 | - | - |
| IMB | 0258 | - | - | - | - | - | - | 100019.0258.01 | - | - |
| ING | 0264 | - | - | - | - | - | - | 100019.0264.01 | - | - |
| Curve | 0265 | 2,000,000.00 | - | - | - | 2,000,000.00 | 2,000,000.00 | 100019.0265.01 | 2,000,000.00 | 2,000,000.00 |
| AMP | 0294 | 4,000,000.00 | 699.16 | - | (699.16) | 4,000,000.00 | 4,000,000.00 | 100019.0294.01 | 4,000,000.00 | 4,000,000.00 |
| Bank of Queensland | 0309 | 5,000,000.00 | - | - | - | 5,000,000.00 | 5,000,000.00 | 100019.0309.01 | 5,000,000.00 | 5,000,000.00 |
| Bendigo & Adelaide | 0311 | 6,000,000.00 | - | - | - | 6,000,000.00 | 6,000,000.00 | 100019.0311.01 | 6,000,000.00 | 6,000,000.00 |
| Rural | 0313 | 2,000,000.00 | 9,113.26 | - | (1,009,113.26) | 1,000,000.00 | 1,000,000.00 | 100019.0313.01 | 1,000,000.00 | 1,000,000.00 |
| RIM | 0314 | 4,000,000.00 | - | - | - | 4,000,000.00 | 4,000,000.00 | 100019.0314.01 | 4,000,000.00 | 4,000,000.00 |
| CBA | 0345 | 3,000,000.00 | - | - | - | 3,000,000.00 | 3,000,000.00 | 100019.0345.01 | 3,000,000.00 | 3,000,000.00 |
| Sub Total | | 57,000,000.00 | 179,935.22 | 7,000,000.00 | (9,179,935.22) | 55,000,000.00 | 55,000,000.00 | | 55,000,000.00 | 55,000,000.00 |
| Current - Cash at Bank | 100000 & 100001 | | | | | | | | | |
| Bankwest Municipal | 0001 | 1,952,815.22 | - | - | - | 1,952,815.22 | 1,755,235.27 | 100000.0001.01 | 1,755,235.27 | 1,755,235.27 |
| Bankwest Reserve | 0002 | 189,743.63 | 32.86 | - | - | 189,776.49 | 189,776.49 | 100000.0002.01 | 189,776.49 | 189,776.49 |
| Bankwest Recquatic ATM | 0003 | 3,000.00 | - | - | - | 3,000.00 | 3,000.00 | 100000.0003.01 | 3,000.00 | 3,000.00 |
| Petty Cash | 0005 | 5,200.00 | - | - | (150.00) | 5,050.00 | 5,050.00 | 100001.0005.01 | 5,050.00 | 5,050.00 |
| Bankwest Loan | 0150 | 87,569.65 | - | - | (9,453.83) | 78,115.82 | 78,115.82 | 100000.0150.01 | 78,115.82 | 78,115.82 |
| Loan Sub Total | | 2,238,328.50 | 32.86 | - | (9,603.83) | 2,228,757.53 | 2,031,177.58 | | 2,031,177.58 | 2,031,177.58 |
| Total | | 62,899,158.08 | 186,258.46 | 7,179,935.22 | (11,389,539.05) | 58,875,812.71 | 58,678,232.76 | | 58,678,232.76 | 58,678,232.76 |

| | | Allocation of Interest Earned on At Call Accounts | | | | Total |
|----------|----------------|---|---|---------------------------|------------------------|---------------------|
| | | Municipal (Unrestricted) | Municipal (Restricted Creditors) | Restricted Reserve | Restricted Loan | |
| A | 9820/2016 | Opening Balances | | | | |
| | | 900039.0325.08 | 900039.0326.08 | 900039.0327.08 | 900039.0328.08 | |
| | | 3,660,829.58 | - | - | - | 3,660,829.58 |
| | | DEBIT | | | | |
| | 100018.0196.01 | Bankwest | - | - | - | - |
| | 100018.0248.01 | ME Bank | 3,253.22 | 3,253.22 | - | 3,253.22 |
| | 100018.0303.01 | RaboDirect | 540.56 | 540.56 | - | 540.56 |
| | 100018.0317.01 | AMP | 2,052.23 | 2,052.23 | - | 2,052.23 |
| | 100018.0344.01 | ANZ | 444.37 | 444.37 | - | 444.37 |
| | | CREDIT | | | | |
| | 300028.1811.35 | Reserve Fund Interest | | | - | - |
| | 300028.1812.35 | Municipal Fund Interest | (6,290.38) | - | - | (6,290.38) |
| | | <i>Being interest earned on at call deposits for the month of</i> | | | | |

| | | Allocation of Interest Earned on Term Deposits | | | | Total | |
|----------|----------------|--|---|---|---|----------------------|------------|
| | | Cash Term Deposit (Unrestricted) | Cash Term Deposit (Restricted Creditors) | Cash Term Deposit (Restricted Reserve) | Cash Term Deposit (Restricted Loans) | | |
| B | 9821/2016 | Opening Balances | | | | | |
| | | 900039.0329.08 | 900039.0330.08 | 900039.0331.08 | 900039.0332.08 | | |
| | | 13,099,775.90 | 3,839,534.97 | 40,060,689.13 | - | 57,000,000.00 | |
| | | DEBIT | | | | | |
| | 100018.0248.01 | ME Business Investment Account | 179,935.22 | 41,352.83 | 12,120.48 | 126,461.91 | 179,935.22 |
| | | CREDIT | | | | | |
| | 300028.1811.35 | Reserve Fund Interest | | | (126,461.91) | (126,461.91) | |
| | 300028.1812.35 | Municipal Fund Interest | (41,352.83) | (12,120.48) | - | (53,473.31) | |
| | | <i>Being interest earned on current term deposits for the month of</i> | | | | | |

| | | Allocation of Interest Earned on Managed Portfolio | | |
|----------|----------------|---|--------------|------|
| | | Municipal | Total | |
| C | | Opening Balances | | |
| | | 100016.0006.01 | 1.00 | 1.00 |
| | 100002.0196.01 | Bankwest | - | - |
| | 300028.1812.35 | Municipal Fund Interest | - | - |

| 5 | Reserve Fund Interest Prorata | | Balance 1.03.16 | At Call Interest | Term Deposit Interest | Reserve Bank Interest | Transfers | Checksum |
|---|-------------------------------|---|-----------------|------------------|-----------------------|-----------------------|----------------|-----------------|
| | | | \$ - | \$ - | 126,461.91 | \$ 32.86 | | |
| | DR 800004.1794.07 | Aged Persons Units Reserve | 362,683.36 | - | 1,262.11 | 0.33 | (8,653.35) | 355,292.45 |
| | DR 800004.1906.07 | Asset Management Reserve | 1,126,815.83 | - | 3,921.23 | 1.02 | (62,735.03) | 1,068,003.05 |
| | DR 800004.1256.07 | Asset Replacement Reserve | 298,564.95 | - | 1,038.98 | 0.27 | | 299,604.20 |
| | DR 800004.1787.07 | Banksia Park DMF Reserve | 97,520.76 | - | 339.36 | 0.09 | (2,600.00) | 95,260.21 |
| | DR 800004.1905.07 | CLAG Reserve | 183,141.30 | - | 637.32 | 0.17 | | 183,778.79 |
| | DR 800004.1263.07 | Comm Serv & Emerg Rel Res | 24,958.54 | - | 86.85 | 0.02 | | 25,045.41 |
| | DR 800076.1869.07 | DCA 1 - Hard Infrastructure - Bertr | 1,787,955.61 | - | 6,221.95 | 1.62 | | 1,794,179.18 |
| | DR 800076.1870.07 | DCA 2 - Hard Infrastructure - Welli | 1,487,342.45 | - | 5,175.84 | 1.34 | | 1,492,519.63 |
| | DR 800076.1873.07 | DCA 5 - Hard Infrastructure - Wan | 2,679,596.35 | - | 9,324.79 | 2.42 | | 2,688,923.56 |
| | DR 800076.1877.07 | DCA 9 - Soft Infra - Wandl / Anket | 8,605,850.44 | - | 29,947.70 | 7.78 | 9,472.69 | 8,645,278.61 |
| | DR 800076.1879.07 | DCA 11 - Soft Infra - Wellard East | 3,563,088.20 | - | 12,399.27 | 3.22 | | 3,575,490.69 |
| | DR 800076.1880.07 | DCA 12 - Soft Infra - Wellard West | 4,930,523.56 | - | 17,157.84 | 4.46 | | 4,947,685.86 |
| | DR 800076.1881.07 | DCA 13 - Soft Infrastructure - Bert | 282,527.17 | - | 983.17 | 0.26 | | 283,510.60 |
| | DR 800076.1882.07 | DCA 14 - Soft Infra - Wellard / Led | 355,038.72 | - | 1,235.51 | 0.32 | 14,357.09 | 370,631.64 |
| | DR 800076.1883.07 | DCA 15 - Soft Infrastructure - Tow | 134,691.28 | - | 468.72 | 0.12 | 305.47 | 135,465.59 |
| | DR 800004.1261.07 | Family Day Care Res | 1,303,537.39 | - | 4,536.21 | 1.18 | | 1,308,074.78 |
| | DR 800004.1925.07 | Future Community Infrastructure F | 2,537,663.74 | - | 8,830.87 | 2.29 | | 2,546,496.90 |
| | DR 800004.1262.07 | Golf Course Cottage Res | 26,112.89 | - | 90.87 | 0.02 | | 26,203.78 |
| | DR 800004.1258.07 | Infrastructure Res | 114,784.31 | - | 399.44 | 0.10 | | 115,183.85 |
| | DR 800004.1790.07 | Infrastructure Res - Town Ctr | 74.61 | - | 0.26 | - | | 74.87 |
| | DR 800004.1259.07 | Refuse Res | 6,437,961.24 | - | 22,403.62 | 5.83 | (1,629.67) | 6,458,741.02 |
| | CR 900004.0199.08 | Aged Persons Units Reserve | - | - | (1,262.11) | (0.33) | | |
| | CR 900004.0310.08 | Asset Management Reserve | - | - | (3,921.23) | (1.02) | | |
| | CR 900004.0081.08 | Asset Replacement Reserve | - | - | (1,038.98) | (0.27) | | |
| | CR 900004.0220.08 | Banksia Park DMF Reserve | - | - | (339.36) | (0.09) | | |
| | CR 900004.0304.08 | CLAG Reserve | - | - | (637.32) | (0.17) | | |
| | CR 900004.0086.08 | Comm Serv & Emerg Rel Res | - | - | (86.85) | (0.02) | | |
| | CR 900004.0084.08 | Family Day Care Reserve | - | - | (4,536.21) | (1.18) | | |
| | CR 900004.0334.08 | Future Community Infrastructure Reserve | - | - | (8,830.87) | (2.29) | | |
| | CR 900004.0085.08 | Golf Course Cottage Reserve | - | - | (90.87) | (0.02) | | |
| | CR 900004.0080.08 | Infrastructure Reserve | - | - | (399.44) | (0.10) | | |
| | CR 900004.0193.08 | Infrastructure Res - Town Ctr | - | - | (0.26) | - | | |
| | CR 900004.0082.08 | Refuse Res | - | - | (22,403.62) | (5.83) | | |
| | | | 36,340,432.70 | - | 126,461.91 | 32.86 | (51,482.80) | 36,415,444.67 |
| | | Carried Forward Reserve | 4,065,475.12 | - | - | - | (2,292,448.31) | 1,773,026.81 |
| | | Employee Leave Reserve | 3,695,957.58 | - | - | - | - | 3,695,957.58 |
| | DR 800004.1926.07 | LG Reform Reserve | - | - | - | - | - | - |
| | | Settlement Agreement Reserve | 214,042.48 | - | - | - | - | 214,042.48 |
| | | | 44,315,907.88 | - | 126,461.91 | 32.86 | (2,343,931.11) | 42,098,471.54 |
| | | | (44,315,907.88) | | | | | (42,098,471.54) |

| | | | |
|------------|-----|-----------|-----------|
| DEF | n/a | 9822/2016 | 9823/2016 |
| G | | 9824/2016 | |

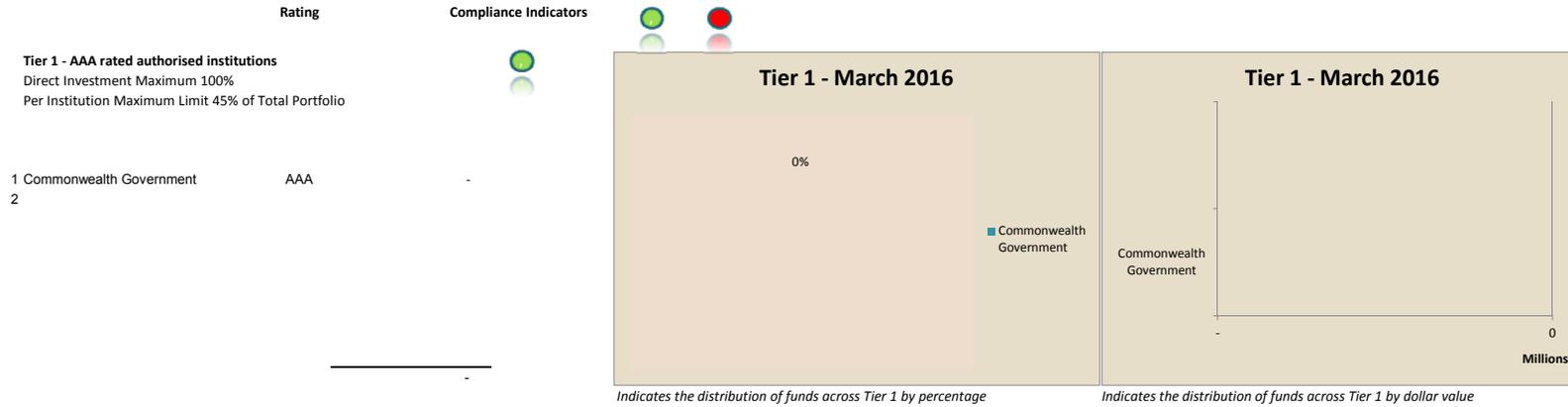
| | TOTAL | CASH - UNRESTRICTED | | CASH - RESTRICTED | | TOTAL |
|----------------------------------|---------------|---------------------|----------------|-------------------|------------|-------|
| | | MUNI | MUNI CREDITORS | RESERVE FUNDS | LOAN FUNDS | |
| CONTROL ACCOUNT BALANCES: | 58,678,232.76 | 12,781,472.43 | 3,720,172.97 | 42,098,471.54 | 78,115.82 | |

| | | | | | | | | | | |
|--------------------|------|----|------------------------------|----------------------|----------------------|----------------------|---------------------|----------------------|------------------|----------------------|
| 100000 | 0001 | 01 | Muni | 1,755,235.27 | | 1,755,235.27 | | | 1,755,235.27 | |
| 100000 | 0002 | 01 | Reserve | 189,776.49 | | | 189,776.49 | | 189,776.49 | |
| 100000 | 0003 | 01 | Recquatic ATM | 3,000.00 | | 3,000.00 | | | 3,000.00 | |
| 100000 | 0150 | 01 | Loan | 78,115.82 | 2,026,127.58 | | | 78,115.82 | 78,115.82 | |
| 100001 | 0005 | 01 | Petty Cash | 5,050.00 | 5,050.00 | 5,050.00 | | | 5,050.00 | |
| | | | | 2,031,177.58 | 2,031,177.58 | 1,763,285.27 | - | 189,776.49 | 78,115.82 | 2,031,177.58 |
| 100018 | 0196 | 01 | At Call - BankWest | - | | | | | - | |
| 100018 | 0344 | 01 | At Call - ANZ | 996.49 | | 996.49 | | | 996.49 | |
| 100018 | 0248 | 01 | At Call - ME Bank | 353,805.67 | | 353,805.67 | | | 353,805.67 | |
| 100018 | 0303 | 01 | At Call - RaboDirect | 277,265.51 | | 277,265.51 | | | 277,265.51 | |
| 100018 | 0317 | 01 | At Call - AMP | 1,014,987.51 | 1,647,055.18 | 1,014,987.51 | | | 1,014,987.51 | |
| | | | | 1,647,055.18 | 1,647,055.18 | 1,647,055.18 | - | - | - | 1,647,055.18 |
| 100019 | 0197 | 01 | TD - BankWest | - | | | | | - | |
| 100019 | 0214 | 01 | TD - NAB | 21,000,000.00 | | 9,371,131.98 | 3,720,172.97 | 7,908,695.05 | 21,000,000.00 | |
| 100019 | 0215 | 01 | TD - ANZ | 5,000,000.00 | | | | 5,000,000.00 | 5,000,000.00 | |
| 100019 | 0216 | 01 | TD - Suncorp | 2,000,000.00 | | | | 2,000,000.00 | 2,000,000.00 | |
| 100019 | 0235 | 01 | TD - Macquarie | - | | | | | - | |
| 100019 | 0240 | 01 | TD - Westpac | - | | | | | - | |
| 100019 | 0241 | 01 | TD - FIIG | - | | | | | - | |
| 100019 | 0243 | 01 | TD - BWA Direct Debit (Bond) | 1,000,000.00 | | | | 1,000,000.00 | 1,000,000.00 | |
| 100019 | 0247 | 01 | TD - ME Bank | 1,000,000.00 | | | | 1,000,000.00 | 1,000,000.00 | |
| 100019 | 0250 | 01 | TD - CUA | - | | | | | - | |
| 100019 | 0258 | 01 | TD - IMB | - | | | | | - | |
| 100019 | 0264 | 01 | TD - ING | - | | | | | - | |
| 100019 | 0265 | 01 | TD - Curve | 2,000,000.00 | | | | 2,000,000.00 | 2,000,000.00 | |
| 100019 | 0294 | 01 | TD - AMP | 4,000,000.00 | | | | 4,000,000.00 | 4,000,000.00 | |
| 100019 | 0309 | 01 | TD - Bank of Queensland | 5,000,000.00 | | | | 5,000,000.00 | 5,000,000.00 | |
| 100019 | 0311 | 01 | TD - Bendigo & Adelaide | 6,000,000.00 | | | | 6,000,000.00 | 6,000,000.00 | |
| 100019 | 0313 | 01 | TD - Rural | 1,000,000.00 | | | | 1,000,000.00 | 1,000,000.00 | |
| 100019 | 0314 | 01 | TD - RIM Securities | 4,000,000.00 | | | | 4,000,000.00 | 4,000,000.00 | |
| 100019 | 345 | 01 | TD - CBA | 3,000,000.00 | 55,000,000.00 | | | 3,000,000.00 | 3,000,000.00 | |
| | | | | 55,000,000.00 | 55,000,000.00 | 9,371,131.98 | 3,720,172.97 | 41,908,695.05 | - | 55,000,000.00 |
| | | | | 58,678,232.76 | 58,678,232.76 | 12,781,472.43 | 3,720,172.97 | 42,098,471.54 | 78,115.82 | 58,678,232.76 |
| From Report | | | | 58,678,232.76 | 58,678,232.76 | - | - | - | - | - |

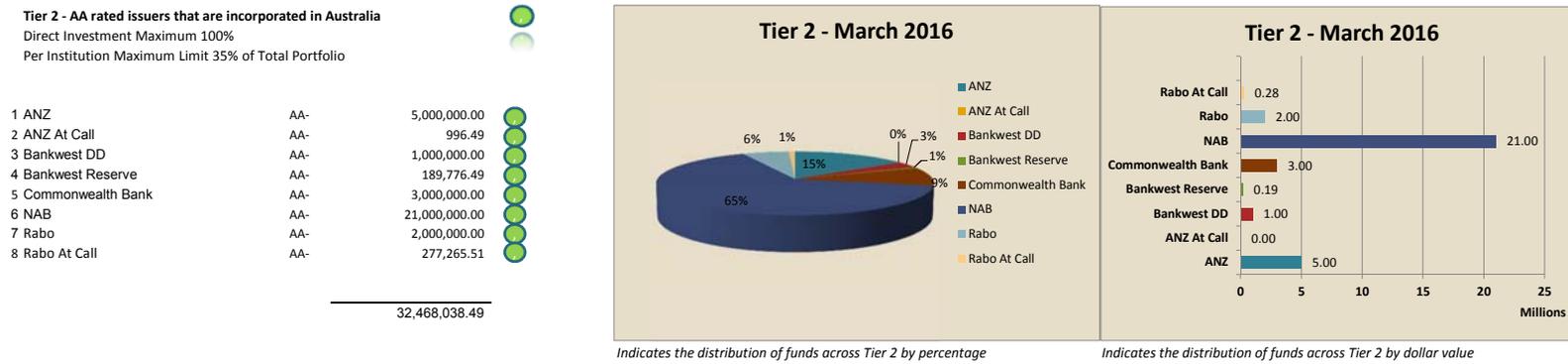
1. Bank accounts balances to appropriate fund
2. Term Deposits to Reserve first, then Muni Rest
3. At Call

| <u>Control Accounts</u> | | | | Current Month | Prior Month | Variance (JNL) |
|--|------|----|---|----------------------|--------------------|-----------------------|
| 900039 | 0321 | 08 | Cash - Bank - Unrestricted | 1,763,285.27 | 1,961,015.22 | (197,729.95) |
| 900039 | 0322 | 08 | Cash - Bank - Restricted (Creditors) | - | - | - |
| 900039 | 0323 | 08 | Cash - Bank - Restricted (Reserves) | 189,776.49 | 189,743.63 | 32.86 |
| 900039 | 0324 | 08 | Cash - Bank - Restricted (Loans) | 78,115.82 | 87,569.65 | (9,453.83) |
| 900039 | 0325 | 08 | Cash - At Call - Unrestricted | 1,647,055.18 | 3,660,829.58 | (2,013,774.40) |
| 900039 | 0326 | 08 | Cash - At Call - Restricted (Creditors) | - | - | - |
| 900039 | 0327 | 08 | Cash - At Call - Restricted (Reserves) | - | - | - |
| 900039 | 0328 | 08 | Cash - At Call - Restricted (Loans) | - | - | - |
| 900039 | 0329 | 08 | Cash - TD - Unrestricted | 9,371,131.98 | 13,099,775.90 | (3,728,643.92) |
| 900039 | 0330 | 08 | Cash - TD - Restricted (Creditors) | 3,720,172.97 | 3,839,534.97 | (119,362.00) |
| 900039 | 0331 | 08 | Cash - TD - Restricted (Reserves) | 41,908,695.05 | 40,060,689.13 | 1,848,005.92 |
| 900039 | 0332 | 08 | Cash - TD - Restricted (Loans) | - | - | - |
| 900039 | 0333 | 08 | Cash and Cash Equivalents | (58,678,232.76) | (62,899,158.08) | 4,220,925.32 |
| Being transfer to recognise funds as Reserved for the month of ... | | | | - | - | - |

9825/2016



Comment: Tier 1 rates available to the City were not favourable and therefore no funds were invested in this tier.

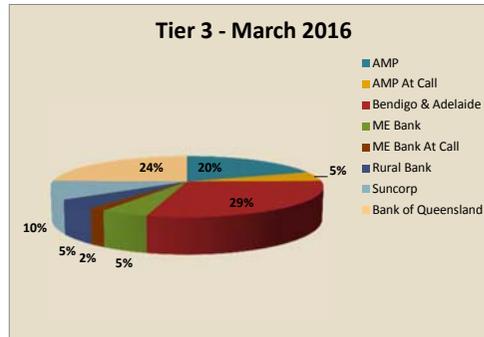


Comment: Funds were allocated in accordance with the guidelines of Investment Policy.

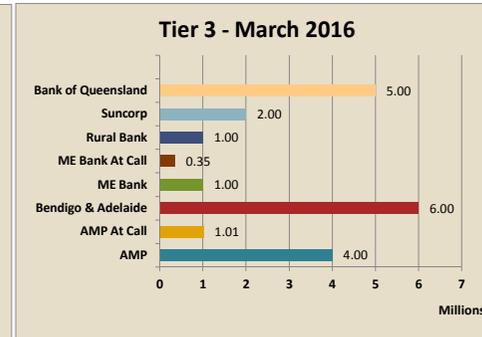
Tier 3 - other investment grade authorised institutions
Direct Investment Maximum 40%
Per Institution Maximum Limit 20% of Total Portfolio

| | | | | |
|---|--------------------|-----|--------------|---|
| 1 | AMP | A+ | 4,000,000.00 | ● |
| 2 | AMP At Call | A+ | 1,014,987.51 | ● |
| 3 | Bendigo & Adelaide | A- | 6,000,000.00 | ● |
| 4 | ME Bank | BBB | 1,000,000.00 | ● |
| 5 | ME Bank At Call | BBB | 353,805.67 | ● |
| 6 | Rural Bank | A- | 1,000,000.00 | ● |
| 7 | Suncorp | A+ | 2,000,000.00 | ● |
| 8 | Bank of Queensland | A- | 5,000,000.00 | ● |

20,368,793.18



Indicates the distribution of funds across Tier 3 by percentage



Indicates the distribution of funds across Tier 3 by dollar value

Comment: Funds were allocated in accordance with the guidelines of Investment Policy.

Tier 4 - other compliant authorised institutions
Direct Investment Maximum 30%
Per Institution Maximum Limit 5% of Total Portfolio

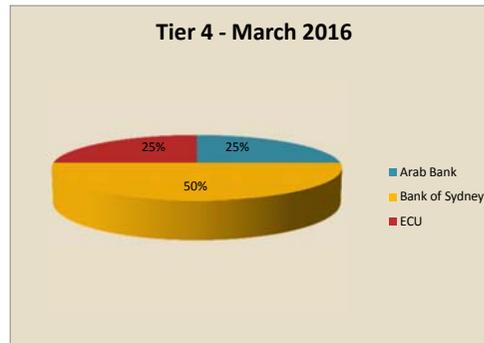
| | | | | |
|----------------------|----------------|-----|--------------|---|
| Term Deposits | | | | |
| 1 | Arab Bank | BB+ | 1,000,000.00 | ● |
| 2 | Bank of Sydney | UR | 2,000,000.00 | ● |
| 3 | ECU | UR | 1,000,000.00 | ● |

FRNs -

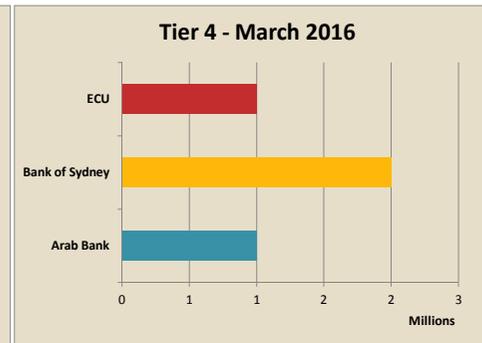
| | | | |
|--------------------------|----|--|--|
| CDOs | | | |
| MA S6-7 (Parkes IA'AAA') | NR | | |
| MA S6-7 (Parkes IA'AAA') | NR | | |

4,000,000.00

\$ 56,836,831.67



Indicates the distribution of funds across Tier 4 by percentage



Indicates the distribution of funds across Tier 4 by dollar value

Comment: Funds were allocated in accordance with the guidelines of Investment Policy.

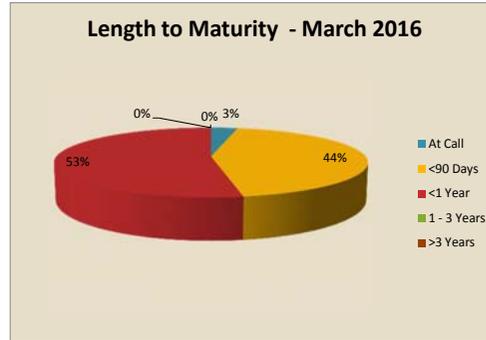
Legend

FRNs Floating Rate Notes
CDOs Collateralised Debt Obligations

**City of Kwinana
Statement of Investments
For the Period Ending 31 March 2016**



| | | |
|-------------|----------------------|---|
| At Call | 1,836,831.67 | ● |
| <90 Days | 25,000,000.00 | ● |
| <1 Year | 30,000,000.00 | ● |
| 1 - 3 Years | - | ● |
| >3 Years | - | ● |
| \$ | 56,836,831.67 | |



Portfolio Term to Maturity Limits

At Call investment

| | At Call | <90 Days | <1 Year | 1-3 Years | >3 Years |
|---|--------------|------------------|------------------|-----------|----------|
| \$ | 1,836,831.67 | | | | |
| | 3.23% | | | | |
| Compliance Indicator | ✓ | | | | |
| Funds invested for 90 days or less | | \$ 25,000,000.00 | | | |
| 100% (with 10% minimum) of Total Portfolio | | 43.99% | | | |
| Compliance Indicator | | ✓ | | | |
| Funds invested for between 90 days and up to 1 year | | | \$ 30,000,000.00 | | |
| 100% (with 40% minimum) of Total Portfolio | | | 52.78% | | |
| Compliance Indicator | | | ✓ | | |
| Funds invested for between 1 and 3 years | | | | \$ - | |
| 60% (Bonds Only) of Total Portfolio | | | | 0.00% | |
| Compliance Indicator | | | | ✓ | |
| Funds invested for greater than 3 years | | | | | \$ - |
| 0% of Total Portfolio | | | | | 0.00% |
| Compliance Indicator | | | | | ✓ |

Comment: Portfolio compliant with the Policy

Portfolio Credit Framework

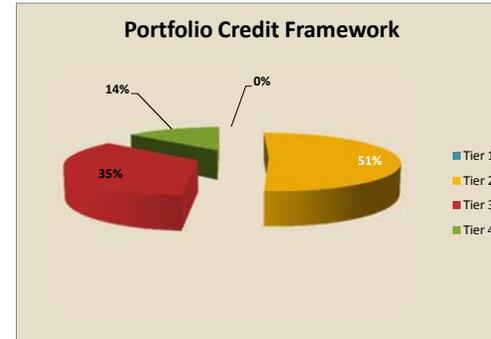
Direct Investment Maximum 100%
 Per Institution Maximum Limit 45% of Total Portfolio

Direct Investment Maximum 100%
 Per Institution Maximum Limit 35% of Total Portfolio

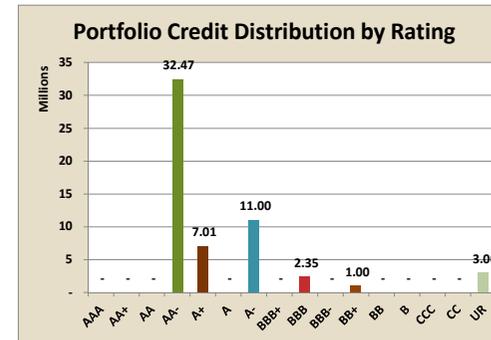
Direct Investment Maximum 40%
 Per Institution Maximum Limit 20% of Total Portfolio

Direct Investment Maximum 30%
 Per Institution Maximum Limit 5% of Total Portfolio

| Tier 1 | Tier 2 | Tier 3 | Tier 4 |
|------------|-------------|-------------|------------|
| 0.00% ✓ | | | |
| | 57.12% ✓ | | |
| | | 35.84% ✓ | |
| | | | 7.04% ✓ |

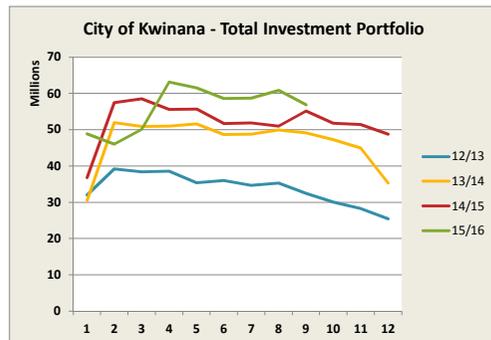


Indicates the distribution of funds across the 4 Tiers

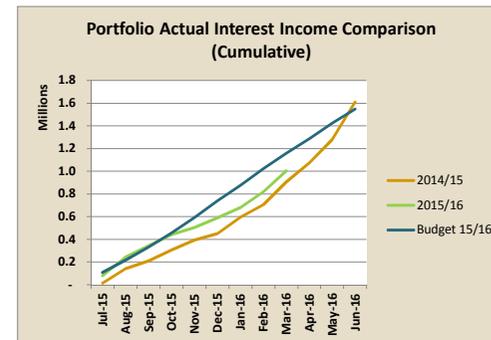


Indicates the distribution of funds by credit rating

Comment: Portfolio compliant with the Policy



Indicates the total amount invested at the report date compared to prior years



Indicates the amount of interest earned on investments for the period to report date

16.4 Naming of the Kwinana Adventure Playground, Homestead Ridge Reserves, Rotary Wildflower Tower and the re-naming of Gabor Park

SUMMARY:

The Naming of Parks, Places and Buildings Working Group is tasked with assessing and recommending new names for existing and new facilities within the City. The working group has assessed the potential names for the 4 sites, the Adventure Playground, Homestead Ridge Reserves, Gabor Park and the lookout tower within the Rotary Wildflower Reserve and makes the following recommendations.

OFFICER RECOMMENDATION:

That Council endorse the name for the new adventure playground facility, including the re-naming of Calista Oval, as recommended by the Naming of Parks, Places and Buildings Working Group, as "The Adventure Park".

That Council endorse the name for existing reserves 40218 and 40451 in Homestead Ridge, as recommended by the Naming of Parks, Places and Buildings Working Group, as "Weaver Park", "Crofter Park" and "Crossroads Park" as detailed in Attachment A.

That Council endorse the re-naming for Gabor Park in Leda, as recommended by the Naming of Parks, Places and Buildings Working Group, as "Whyatt Park".

That Council endorse the name for the existing lookout tower within the Rotary Wildflower Reserve, as recommended by the Naming of Parks, Places and Buildings Working Group, as "The Rodger Hamilton Wildflower Lookout Tower".

DISCUSSION:

As Councillors will recall, the Naming of Council Parks, Places and Buildings Working Group was tasked with recommending appropriate names for Council facilities. In recent months the Working Group have considered the naming of the below listed community facilities and destinations with the following recommendations:

Kwinana Adventure Playground Naming

The Kwinana Adventure Playground Project is a much anticipated new facility for the City and surrounding Regions. In assessing options for naming of this new infrastructure, the team had two guiding objectives:

1. Reduce ambiguity by choosing a name with instant appeal, and as a result;
2. Limit costs (both financial and time-based) associated with developing brand awareness.

"The Adventure Park, Kwinana | WA" was chosen with these objectives in mind.

This name has been chosen for the following reasons:

- It takes advantage of existing brand awareness surrounding the terms 'Adventure Park' and 'Adventure Playground' in Kwinana and nearby communities. This is particularly important given the project has been in the minds of target publics for the past several years.

16.4 NAMING OF THE KWINANA ADVENTURE PLAYGROUND, HOMESTEAD RIDGE RESERVES, ROTARY WILDFLOWER TOWER AND THE RE-NAMING OF GABOR PARK

- The term 'Adventure Park' is synonymous with 'family destination'.
- Two of the most popular terms used by families when searching for activities relating to the outdoors are 'playground' and 'park'.
- Suggests the venue has relevance beyond Kwinana and elicits a 'regional feel' by positioning the venue with a locality tagline.
- Retains focus on 'Kwinana location' and Kwinana remains a key part of the branding.

Homestead Ridge Reserves Naming

The naming of the Homestead Ridge Reserves has previously been presented to, and adopted by, Council on 24 June 2014. Upon receiving Council Resolution the names were submitted to Landgate as protocol dictates. Follow up correspondence from Landgate indicated that the preferred names did not meet required naming conventions as per the Policies and Standards for Geographical Naming in WA. As such alternate names that would be acceptable were suggested. These were Weaver Park, Crofter Park and Crossroads Park. Correspondence with both Landgate and the Homestead Ridge Progress Association has been ongoing since the original resolution. As Landgate has indicated they are not prepared to consider alternate naming conventions to replace the term "park" the above names suggested by Landgate have been deemed the most suitable names to progress with.

Gabor Park Renaming

The re-naming of Gabor Park in Leda was also included in the above resolution from 24 June 2014. The mother of the park's namesake, Gabor, has requested on multiple occasions for the name of the park to be changed, as she no longer wants her son's memory associated with the park. Council has previously approved the new name to be Whyatt Garden; however, similarly to the above situation with Homestead Ridge, Landgate has since advised the City that the term "garden" is not applicable to the requested site. The advice received from Landgate is that "Whyatt Park" is the correct titling of the site.

Lookout Tower Naming

On 14 March 2016 the Rotary Club of Kwinana made contact with the City looking to commemorate Past President of the club Charles Rodger Hamilton. Rodger had been a member of the club since 1988 and was instrumental in the implementation of the lookout tower within the Rotary Wildflower Reserve. The Rotary Club proposed naming the lookout tower as the Rodger Hamilton Wildflower Lookout Tower. The Naming of Parks, Places and Buildings Working Group has reviewed this request and recommends endorsing the new name.

LEGAL/POLICY IMPLICATIONS:

Council approval of the naming of buildings is not a legislative requirement, however Council has a Policy "NAMING OF PARKS, PLACES AND BUILDINGS" that states that the naming of all Council's Parks, Places and Buildings is to be determined by Council resolution.

16.4 NAMING OF THE KWINANA ADVENTURE PLAYGROUND, HOMESTEAD RIDGE RESERVES, ROTARY WILDFLOWER TOWER AND THE RE-NAMING OF GABOR PARK

FINANCIAL/BUDGET IMPLICATIONS:

Provision for signage of the new play ground has been included within the contract for construction of the facility. All other new names are located at sites where Council does not normally erect signage. As such there will be no additional financial implications for Council.

ASSET MANAGEMENT IMPLICATIONS:

No significant asset management implications have been identified as a result of this report or officer recommendation, although any new signage will incur periodic maintenance expense.

ENVIRONMENTAL IMPLICATIONS:

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

STRATEGIC/SOCIAL IMPLICATIONS:

The naming of these facilities will provide significant opportunity for local people to relax, recreate, gain knowledge and skills and receive services from community focused service providers. It is very important that the name of these places is a name that will not become irrelevant in a short space of time.

RISK IMPLICATIONS:

No risk implications have been identified as a result of this report or officer recommendation.

COUNCIL DECISION

208

MOVED CR P FEASEY

SECONDED CR S LEE

- 1. That Council endorse the name for the new adventure playground facility, including the re-naming of Calista Oval, as recommended by the Naming of Parks, Places and Buildings Working Group, as “The Adventure Park”.**
- 2. That Council endorse the name for existing reserves 40218 and 40451 in Homestead Ridge, as recommended by the Naming of Parks, Places and Buildings Working Group, as “Weaver Park”, “Crofter Park” and “Crossroads Park” as detailed in Attachment A.**
- 3. That Council endorse the re-naming for Gabor Park in Leda, as recommended by the Naming of Parks, Places and Buildings Working Group, as “Whyatt Park”.**

16.4 NAMING OF THE KWINANA ADVENTURE PLAYGROUND, HOMESTEAD RIDGE RESERVES, ROTARY WILDFLOWER TOWER AND THE RE-NAMING OF GABOR PARK

4. That Council endorse the name for the existing lookout tower within the Rotary Wildflower Reserve, as recommended by the Naming of Parks, Places and Buildings Working Group, as “The Rodger Hamilton Wildflower Lookout Tower”.

**CARRIED
6/0**

NOTE – That the Officer Recommendation has been amended to include numbering.



16.5 Temporary Road Closure of Pimlico Crescent and the Southern Portion of Endell Way, Wellard – Local Public Notice

SUMMARY:

The City was approached by Jaxon Construction to initiate the temporary closure of Pimlico Crescent and the southern portion of Endell Way, Wellard (east of Pimlico Crescent) for approximately 12 months, for the construction of new apartments at Lot 533 Wellard Village Centre, Wellard, as detailed in Attachment A.

OFFICER RECOMMENDATION:

That Council give local public notice of the proposed road closure as detailed in Attachment A.

DISCUSSION:

The City was approached by Jaxon Construction to temporarily close Pimlico Crescent (between Runnymede Gate and Twickenham Parade) and the southern portion of Endell Way (east of Pimlico Crescent), Wellard for approximately 12 months, for the construction of new apartments, at Lot 533 Wellard Village Centre, Wellard. The closure will not involve any excavation. The main purpose for the closure of Pimlico Crescent and the southern portion of Endell Way is for carting building materials from the adjacent lot, where the contractors will store materials for the construction site. The access to and from the site, during construction will be via crossovers located on Pimlico Crescent and Runnymede Gate, with entry to site via Pimlico Crescent and exit from the site via Runnymede Gate.

The northern section of Endell Way accessed from the Strand will remain open to ensure access to and from the John Wellard Community Centre is maintained at all times. There are footpaths on the other side from where the road (including footpath) is temporarily closed for pedestrians to use.

The project involves the construction of various structures, car parks and vehicle crossovers within the Wellard Village Centre, Wellard. The Wellard Village Centre is bounded by Lambeth Circle, Twickenham Parade, Runnymede Gate and Pimlico Crescent, Wellard, within the City of Kwinana.

LEGAL/POLICY IMPLICATIONS:

Local Government Act 1995

3.50. Closing certain thoroughfares to vehicles

- (1a) *A local government may by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.*

16.5 TEMPORARY ROAD CLOSURE OF PIMLICO CRESCENT AND THE SOUTHERN PORTION OF ENDELL WAY, WELLARD – LOCAL PUBLIC NOTICE

- (4) *Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —*
- (a) *give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and*
 - (b) *give written notice to each person who —*
 - (i) *is prescribed for the purposes of this section; or*
 - (ii) *owns land that is prescribed for the purposes of this section; and*
 - (c) *allow a reasonable time for submissions to be made and consider any submissions made.*
- (5) *The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).*

FINANCIAL/BUDGET IMPLICATIONS:

The City has received payment of the administration fee in the amount of \$1,500 from Jaxon Construction to meet the costs for the initiation of this road closure process.

ASSET MANAGEMENT IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

There are no environmental implications identified as a result of this report.

STRATEGIC/SOCIAL IMPLICATIONS:

A traffic management plan has been prepared in accordance with Main Roads Traffic Management for Works on Roads Code of Practice and Australian Standards 1742.3.

RISK IMPLICATIONS:

Should Council resolve not to give local public notice, as per Section 3.50 of the Local Government Act 1995, the closure process cannot proceed.

16.5 TEMPORARY ROAD CLOSURE OF PIMLICO CRESCENT AND THE SOUTHERN PORTION OF ENDELL WAY, WELLARD – LOCAL PUBLIC NOTICE

COUNCIL DECISION

209

MOVED CR P FEASEY

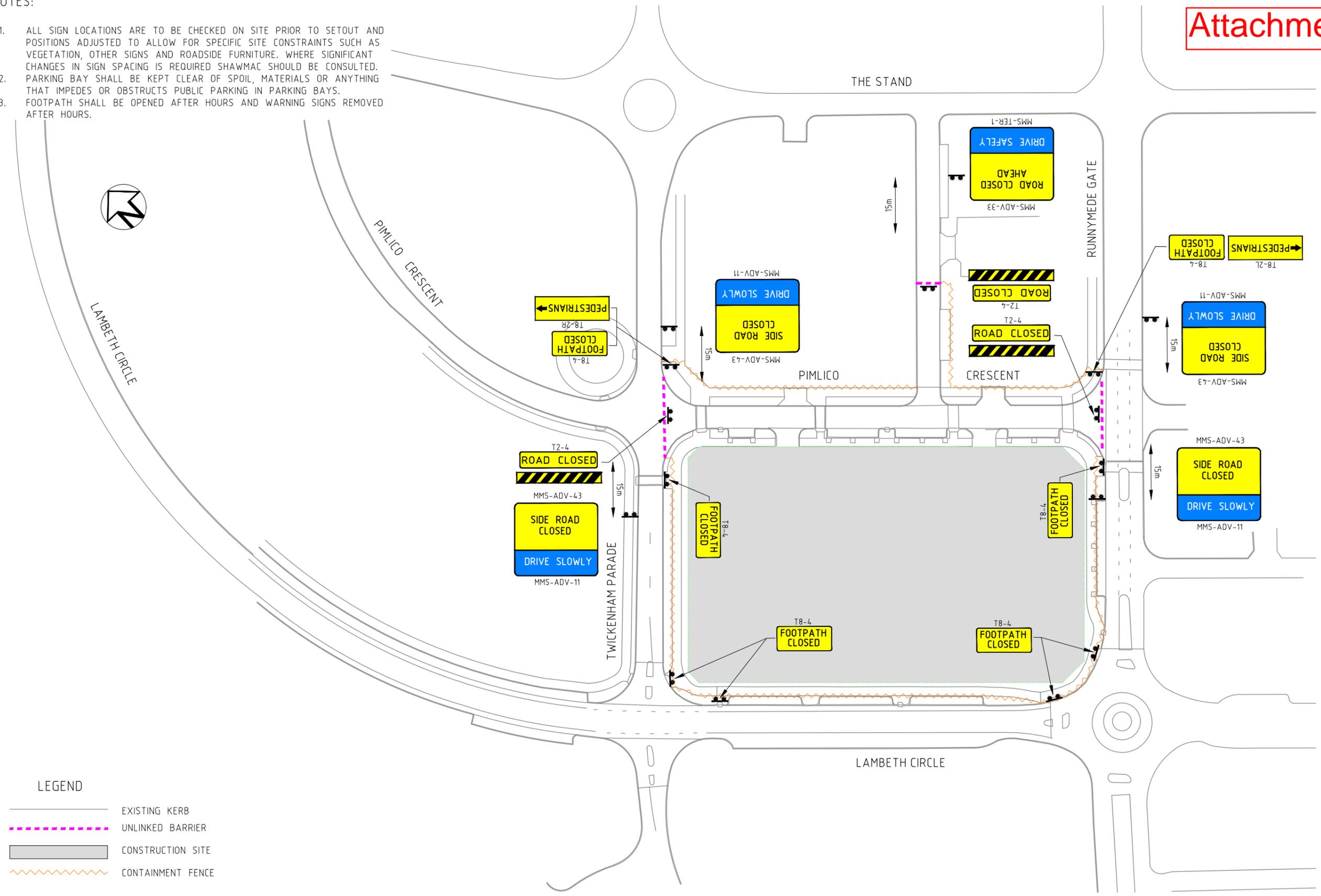
SECONDED CR B THOMPSON

That Council give local public notice of the proposed road closure as detailed in Attachment A.

**CARRIED
6/0**

NOTES:

1. ALL SIGN LOCATIONS ARE TO BE CHECKED ON SITE PRIOR TO SETOUT AND POSITIONS ADJUSTED TO ALLOW FOR SPECIFIC SITE CONSTRAINTS SUCH AS VEGETATION, OTHER SIGNS AND ROADSIDE FURNITURE. WHERE SIGNIFICANT CHANGES IN SIGN SPACING IS REQUIRED SHAWMAC SHOULD BE CONSULTED.
2. PARKING BAY SHALL BE KEPT CLEAR OF SPOIL, MATERIALS OR ANYTHING THAT IMPEDES OR OBSTRUCTS PUBLIC PARKING IN PARKING BAYS.
3. FOOTPATH SHALL BE OPENED AFTER HOURS AND WARNING SIGNS REMOVED AFTER HOURS.



LEGEND

- EXISTING KERB
- UNLINKED BARRIER
- CONSTRUCTION SITE
- CONTAINMENT FENCE

| | | | | | | | | | |
|--|------|-------------|---|-------------------------|-----------------------------|---|--|--|--|
| <p>CLIENT:</p> | | | <p>1ST FLOOR 908 ALBANY HIGHWAY EAST VICTORIA PARK WA 6101 P 9355 1300 E admin@shawmac.com.au</p> | | <p>DATE DRAWN: 03.03.16</p> | | <p>TITLE: LOT 533 WELLARD VILLAGE CENTRE, WELLARD PIMLICO CRESCENT CLOSURE TRAFFIC MANAGEMENT PLAN</p> | | |
| <p>SCALE: HORIZ: 1:1000 VERT: RTM: T.SHAW_0007</p> | | | <p>DESIGNED: RG</p> | | <p>DRAWN: TR</p> | | | | |
| <p>ISSUE AND REVISION HISTORY</p> | | | <p>APPROVED: T SHAW</p> | | <p>CHECKED: RG</p> | | <p>DRAWING NUMBER: 1602009-TCD-007 REV. B</p> | | |
| No. | DATE | DESCRIPTION | APPR. | <p>APPROVED: T SHAW</p> | | | | | |
| <p>B 28.04.16 PEDESTRIANS PATH AMENDMENTS RG</p> <p>A 03.03.16 ISSUED FOR CLIENT REVIEW RG</p> | | | <p>FILE REF: Z:\Jobs Active 2016\T&T - Construction Traffic Management\Jaxon Lot 533 Wellard Village Centre Wellard 1602009\Drawing\1602009-TCD-007.dwg</p> | | | <p>LAST SAVED BY: Tanjina DATE: 28 April 2016 7:47 AM</p> | | | |

16.6 Southern Metropolitan Regional Council Draft Budget – 2016/2017

SUMMARY:

The Southern Metropolitan Regional Council (SMRC) Draft Budget 2016/2017 has been accepted by the SMRC at its meeting on the 28 April 2016 for submission to member Councils for consideration and comment, prior to adoption by the SMRC on 30 June 2016.

The SMRC draft budget report is attached for reference and consideration. The \$29 million operational budget and \$1.5 Million Capital Budget is based on an average increase per household of 1.6% (\$4 per household) for the proposed 2016/2017 budget. The City of Kwinana share of governance and program costs is determined to be \$75,201 based on population changes and is an average increase of 2.5%.

The Regional Resource and Recovery Centre (RRRC) project operational costs do not impact directly on the City of Kwinana (the City) other than as they relate to the Agreement between the City and the SMRC for the disposal of recyclable resources to the Materials Recovery Facility (MRF) at Canning Vale. The cost of disposal of recyclable resources will however remain the same as 2015/16, gate fee being \$82.40 per tonne in 2016/2017. This has not changed since 2014/2015.

The regional waste education projects, environment and climate adaptation projects and waste auditing are also included in the City's waste budget.

There will be an impact in this budget with regard to the landfill waste levy. The 2014 State Budget provided that the landfill waste levy rate will increase to \$55.00 per tonne for putrescible waste and to \$40 per tonne for inert waste through to the end of June 2016. From 1 July 2016 it will rise by \$5 per tonne for putrescible waste and \$10 per tonne for inert waste each year until it reaches \$70.00 per tonne for both putrescible waste and for inert waste by July 2018/2019 and remain at that price onwards after 1 July 2019.

OFFICER RECOMMENDATION:

That Council:

1. Accepts the Southern Metropolitan Regional Council draft Budget for 2016/2017 (as per Attachment).
2. Advises the Southern Metropolitan Regional Council that the proposed recyclables resources gate fee and the annual contributions for 2016/2017, as outlined in the draft SMRC Annual Budget, are accepted in accordance with the Establishment Agreement, and City of Kwinana and SMRC Agreement for processing recyclable resources at the Canning Vale Materials Recovery Facility.

DISCUSSION:

The City is a member of the SMRC under the Establishment Agreement and is only a project participant in the Office Project at Booragoon. Council is not a member of the RRRC project at Canning Vale. Under the Establishment Agreement the City is afforded the right to comment on the draft budget 2016/2017 before it is adopted by the SMRC on 30 June 2016.

16.6 SOUTHERN METROPOLITAN REGIONAL COUNCIL DRAFT BUDGET – 2016/2017

The proposed annual operating increase for the governance, administration, education and research and development functions is 2.5% based on changes in population data for each of the Participants. The population data is adjusted in accordance with the SMRC adopted “Participants” Estimated Resident Population Policy”, and in Kwinana’s case, this will result in an increase of \$3564 over the 2015/16 figure (up from \$71,637 to \$75,201).

As the City of Kwinana is not a RRRC Project Participant, the RRRC project operational costs only impact on the City as they relate to the terms of the City of Kwinana and SMRC Agreement for the disposal of recyclable resources at the MRF at Canning Vale. The proposed 2016/17 processing costs for recyclables processing under the Agreement will remain the same as the 2014/2015 and 2015/2016 gate rate, being \$82.40 per tonne which is a discounted of \$1.60 per tonne from the gate fee of \$84.00.

Note: RRRC Project Participants have no increase as it is proposed that a surplus of \$600,000 from 2015/2016 operations will be returned to Member councils who will continue to pay \$65 per tonne with a discount of \$19.00 per tonne (\$17.40 per tonne plus \$1.60 per tonne) for RRRC member Council’s only.

It should also be noted that while the Office Project is an interest only loan, the City’s loan liability will not increase remaining at \$225,360 a decrease of \$47 from the estimate of the loan of \$225,407 as at 30 June, 2016.

LEGAL/POLICY IMPLICATIONS:

Council, under the SMRC Establishment Agreement, is afforded the opportunity to comment on the 2016/2017 draft Budget prior to its adoption on 30 June 2016.

The City has an obligation under the Waste Avoidance and Resource Recovery Act to provide waste services and to meet the targets of the State Waste Strategy to divert 50% waste from landfill by 2015 and 65% by 2020. Currently Council will not meet this State Waste Strategy target by 2015 due to the putrescible waste being sent for disposal to the Millar Road Landfill Facility. However, when the Phoenix Waste to Energy Project is operational, the City will meet this State Waste Strategy target and be cost effective compared to landfill disposal or waste composting.

FINANCIAL/BUDGET IMPLICATIONS:

The City of Kwinana draft waste budget for 2016/17 makes provision for the City’s contribution to the SMRC general costs outlined above, the processing costs of recyclables at the MRF, and for the preparation of education and promotional material for the waste, recyclable and verge collections.

Regional environmental programs are also included in the waste budget under the allocation to the SMRC.

ASSET MANAGEMENT IMPLICATIONS:

There are no Asset Management Implications as a consequence of this report or its recommendations.

16.6 SOUTHERN METROPOLITAN REGIONAL COUNCIL DRAFT BUDGET – 2016/2017

However, the SMRC member Councils are currently reviewing the opportunity to sell the Material Recovery Facility (MRF) at Canning Vale. This MRF is part of the Regional Resource Recovery Centre (RRRC) covered by the RRRC Project Participant Agreement. This potential MRF sale may trigger an opportunity to cancel the City of Kwinana and SMRC Processing Agreement with the possibility to directly negotiate with the successful MRF purchaser in an effort to reduce the processing costs. Processing costs below the current \$82.40 per tonne may achieve a saving of more than \$60,000 and as high as \$125,000 for the processing costs based on current tonnes and industry costs.

ENVIRONMENTAL IMPLICATIONS:

The SMRC assists the City of Kwinana in processing recyclables, diverting them from landfill as part of the Strategic Waste Management Plan.

The RRRC recovers 70% of waste it receives from Project participant member councils (excluding Kwinana) thus diverting waste from landfill and achieving the State Waste Objective of 50% by 2015

STRATEGIC/SOCIAL IMPLICATIONS:

It is critical for the City of Kwinana to have a secure pathway for the long term disposal and processing of waste and recyclable resources collected from the community.

The State Government's recent waste strategy targets for Municipal Solid Waste (MSW) for metropolitan Perth are:

- 50% diversion from landfill of material presented for collection in the metropolitan region by 30 June 2015 (metro region recovery in 2009/10 was 36%); and
- 65% diversion from landfill of material presented for collection in the metropolitan region by 30 June 2020.

These targets for landfill diversion and the future of Council participation in the SMRC or regional groups are currently under review as part of the State Government Waste Avoidance and Resource Recovery Act strategic review.

RISK IMPLICATIONS:

The proposed SMRC budget is considered to be reasonable in relation to the level of services provided, and as such poses no great risk for the City for the 2016/17 financial year.

16.6 SOUTHERN METROPOLITAN REGIONAL COUNCIL DRAFT BUDGET – 2016/2017

COUNCIL DECISION

210

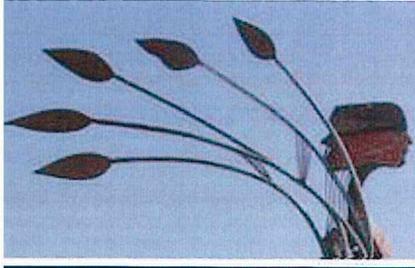
MOVED CR P FEASEY

SECONDED CR S LEE

That Council:

- 1. Accepts the Southern Metropolitan Regional Council draft Budget for 2016/2017 (as per Attachment).**
- 2. Advises the Southern Metropolitan Regional Council that the proposed recyclables resources gate fee and the annual contributions for 2016/2017, as outlined in the draft SMRC Annual Budget, are accepted in accordance with the Establishment Agreement, and City of Kwinana and SMRC Agreement for processing recyclable resources at the Canning Vale Materials Recovery Facility.**

**CARRIED
6/0**



DRAFT ANNUAL BUDGET 2016/17

For the Year ending 30 June 2017

Our Vision:

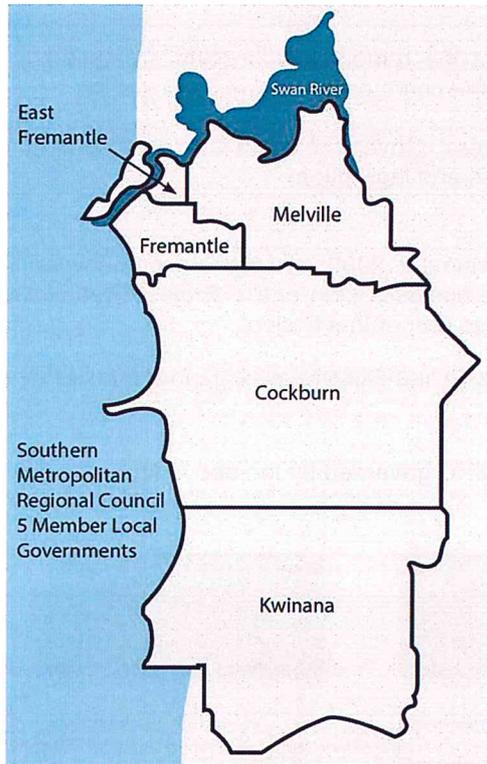
We deliver innovative and sustainable waste management solutions for the benefit of our communities and the environment

For our Participant Local Governments





2 THE SMRC AT A GLANCE



The Southern Metropolitan Regional Council (SMRC) is a statutory local government authority established in 1991 by local governments in the southern metropolitan region of Perth. The SMRC is responsible for developing environmentally sustainable waste management solutions and climate change abatement measures for the communities of

- City of Cockburn
- Town of East Fremantle
- City of Fremantle
- City of Kwinana
- City of Melville

The region encompasses 340 square kilometres within Perth's southern metropolitan area and has a combined population of over 263,612 people and over 105,000 households.

The SMRC operates the \$100 million Regional Resource Recovery Centre (RRRC) in Canning Vale, which receives and recovers waste from some its member local governments and the community.

Enabling legislation

The SMRC became a regional local government on October 30, 1991, pursuant to the Local Government Act 1960. By virtue of the transitional provisions of the Local Government Act 1995, it is constituted as a regional local government under that Act. On April 22, 1998, the constitution was replaced by an establishment agreement made between the participants and approved by the Minister for Local Government. A regional local government has the same general function of a local government, including its legislative and executive functions, except as stated in section 3.66 of the Local Government Act 1995.

4 STRATEGIC PLAN

Our Vision...

We deliver innovative and sustainable waste management solutions for the benefit of our communities and the environment

The SMRC adopted its Strategic Community Plan 2013 – 2023 and Corporate Business Plan 2013 -2017 in June 2013.

A review of these plans was undertaken in 2015 as required by Local Government regulations (2 year review), and is currently in consultation with its participants. The Plans are expected to be adopted in June 2016 and the actions for 2016/17 have been included in this budget.

A review of the Strategic Waste Management Plan was also undertaken in 2015 and the recommendations have been incorporated into the Corporate Business Plan.

The SMRC's Strategic Plan has 3 key focus areas:

1. Resource Recovery
2. Business Sustainability
3. Community & Stakeholder Relationships

The SMRC's integrated planning framework includes the following plans.

1. Strategic Waste Management Plan 2015 (draft) to be adopted in June 2016
2. Long Term Financial Plan 2013 – 2023
3. Workforce Plan 2013 - 2023
4. Long Term Asset Management Plan 2013 – 2023
5. Communications Plan

The financial obligations to achieve the strategies and actions referred to in the plan are included in the 2015/16 Annual Budget under the relevant business unit budgets.



Objective 1.2 We will lead the change to new waste solutions

| Strategies | Actions | Responsibility | Informing Document | | |
|---|--|----------------|--------------------|---------|------------|
| | | | 2016/17 | Amount | |
| NEW 1.2.1 Investigate the viability of new technologies for waste recovery, including Energy from Waste | a. Consider EfW for the MSW bin and processed residuals if a proven EfW technology satisfies agreed criteria (SWMP No 9) | CEO | ✓ | | SWMP |
| | b. Work with all Regional Councils to develop a protocol for any future EfW contracts in order to minimise risk. (SWMP No 25) | CEO | ✓ | \$15K | SWMP WALGA |
| | c. Advocate for the implementation of State Policies and in particular for the government to clarify how the EfW policy will operate in regards to 2 bin and 3 bin systems. (SWMP No 35) | CEO | ✓ | | SWMP |
| NEW 1.2.2 Investigate best use scenarios for current technology and site in regards to FOGO | a. Conduct a 3 bin FOGO trial through the RRRC WCF (SWMP No 1) | EMSP | ✓ | \$150K | SWMP |
| | b. Implement a 3 bin FOGO collection and composting system (SWMP No 2) | EMSP | ✓ | Members | SWMP |
| | c. Tender for FOGO processing and/or provision of composting technology (SWMP No 6) | EMSP | 17/18 | | SWMP |
| | d. Optimise the use and revenue obtained from the RRRC be either leasing or converting vacant sheds into an alternative use eg FOGO. (SWMP No 7) | SMG | 17/18 | | SWMP |
| | e. Analyse the existing "operational management overheads" based on existing 73,000tpa MSW compared with 32,000tpa FOGO (SWMP No 8) | EMCS | 15/16 | | SWMP |



| Strategies | Actions | Responsibility | Informing Document | | |
|---|--|--------------------|--------------------|----------|-----------------|
| | | | 2016/17 | Amount | |
| 2.2.3 Develop a sustainable long term financial plan | a. Schedule and deliver the Long Term Financial Plan | Corporate Services | ✓ | In-house | LTFP |
| | b. Conduct a full cost accounting study to differentiate SMRC governance and coordination overhead functions and costs from those as a waste and recycling service provider. (SWMP No 33) | Corporate Services | 15/16 | | SWMP |
| | c. If the FOGO bin collection system is adopted, explore cost reduction initiatives such as commercial rental of vacant shed space and reduction of any unnecessary management overhead expenses arising from the revised service delivery model. (SWMP No 34) | Corporate Services | 17/18 | | SWMP |
| 2.2.4 Being a responsible and considered employer | a. Schedule and deliver the Workforce Plan and OH&S Plan | Corporate Services | ✓ | In-house | WFP OHS Plan |

Key Focus: Community & Stakeholder Relationships

Objective 3.1 We operate as a community leader in waste reduction and reuse

| Strategies | Actions | Responsibility | Informing Documents | | |
|---|---|----------------|---------------------|----------|---|
| | | | 2016/17 | Amount | |
| 3.1.1 Proactively engage with member Councils on a regular basis | a. Identify & report key issues that apply to all members | CEO | ✓ | \$19K | Communications Plan Community Survey |
| | b. Quarterly update on all key issues | CEO | ✓ | In-house | Communications Plan |
| 3.1.2 Engage with the community to affect behavioural change | a. Review and implement the Community Engagement Plan | Communications | ✓ | \$4K | Community Engagement Plan |
| | b. Continue to work with, and provide support to the Community Advisory Group (CAG) | Communications | ✓ | \$16K | Community Engagement Plan Terms of Reference CAG |



Objective 3.2 Recycle Right is positively recognised by the community

| Strategies | Actions | Responsibility | Informing Document | | |
|---|--|------------------------|--------------------|----------|---|
| | | | 2016 /17 | Amount | |
| 3.2.1 Build a brand identity that focuses on sustainable waste solutions | a. Promote the Recycle Right Program amongst member councils as the regional recycling initiative | CEO and Communications | ✓ | \$10K | Communications Plan Recycle Right Plan |
| | b. Continue to actively promote Recycle Right activities via media channels such as TV, brochures, radio, tours, apps and social media. (SWMP No 31) | Communications | ✓ | \$10K | SWMP Recycle Right Plan |
| | c. Promote the Recycle Right brand at public events | Communications | ✓ | \$35K | Recycle Right Plan |
| 3.2.2 Develop and implement a successful community education program | a. Continue to implement the Recycle Right Program to provide consistent messaging / guidance to the community | Communications | ✓ | In-house | Community Engagement Plan Recycle Right Plan |
| 3.2.3 Educate communities to understand the importance of correct waste separation and reuse | a. Develop an educational module for schools | Communications | ✓ | In-house | Recycle Right Plan |
| | b. Develop a comprehensive resident behaviour change program for 3 bin FOGO through development of Recycle Right or similar model. (SWMP No 28) | Communications | 17/18 | | SWMP Recycle Right Plan |



7 FINANCIAL REPORT

| SOUTHERN METROPOLITAN REGIONAL COUNCIL | | | | |
|---|-------------|-------------|-------------|-------------|
| STATEMENT OF FINANCIAL ACTIVITY | | | | |
| FOR THE YEAR ENDED 30 JUNE 2017 | | | | |
| | 2015-16 | 2015-16 | 2015-16 | 2016-17 |
| | Budget | Rev. Budget | Est. Actual | Budget |
| | \$ | \$ | \$ | \$ |
| REVENUE | | | | |
| Operating Grants, Subsidies & Contributions | | | | |
| Members: | 22,562,214 | 21,840,214 | 21,581,169 | 22,391,543 |
| Others: | 83,000 | 279,000 | 239,000 | 5,000 |
| Fees and Charges | 7,218,572 | 6,631,472 | 6,012,052 | 6,001,562 |
| Interest Earnings | 135,000 | 135,000 | 135,000 | 101,000 |
| Other Revenues | 118,250 | 99,250 | 158,250 | 130,450 |
| | 30,117,036 | 28,984,936 | 28,125,471 | 28,629,555 |
| EXPENSES | | | | |
| Employee Costs | 7,514,919 | 7,429,919 | 7,471,684 | 7,482,219 |
| Materials and Contracts | 14,918,898 | 14,347,798 | 13,627,885 | 15,600,226 |
| Utility Charges | 1,765,380 | 1,664,380 | 1,484,186 | 1,402,200 |
| Depreciation on Non-current Assets | 6,303,415 | 6,303,415 | 6,108,988 | 6,613,083 |
| Interest Expenses | 1,432,654 | 1,432,654 | 1,416,915 | 1,129,510 |
| Insurance Expenses | 1,555,700 | 1,505,700 | 1,330,415 | 1,408,000 |
| | 33,490,966 | 32,683,866 | 31,440,073 | 33,635,238 |
| NET OPERATING SURPLUS (DEFICIT) | (3,373,930) | (3,698,930) | (3,314,602) | (5,005,683) |
| Add: | | | | |
| Depreciation on Non-current Assets | 6,303,415 | 6,303,415 | 6,108,988 | 6,613,083 |
| NET OPERATING POSITION | 2,929,485 | 2,604,485 | 2,794,386 | 1,607,400 |
| Add / (Less): | | | | |
| Less: Capital Expenditure | (4,526,000) | (4,926,000) | (4,926,000) | (1,460,000) |
| Less: Loan Repayments | (3,481,477) | (3,481,477) | (3,476,378) | (3,650,803) |
| Add :Loan Contributions from Members | 2,615,992 | 2,615,992 | 2,615,992 | 2,736,803 |
| Add : Transfer from Reserves | 3,765,000 | 3,765,000 | 3,765,000 | 1,460,000 |
| Less: Transfer to Reserves | (2,647,000) | (2,647,000) | (2,196,000) | (2,069,400) |
| NET CAPITAL POSITION | (4,273,485) | (4,673,485) | (4,217,386) | (2,983,400) |
| NET OPERATING & CAPITAL POSITION | (1,344,000) | (2,069,000) | (1,423,000) | (1,376,000) |
| Add: OPENING FUNDS | 2,386,342 | 3,057,306 | 3,057,306 | 1,634,306 |
| CLOSING FUNDS | 1,042,342 | 988,306 | 1,634,306 | 258,306 |

Explanations for material changes compared to 15/16 Revised Budget**Revenue: Decrease by \$355K**

Members – Increase of \$551K (WCF gate fee \$696K less reduction in Loan Interest \$246K)

Others-Grants & Reimbursements -Lower by \$274K (includes investment related \$156K)

Fees & Charges – Lower by \$630K – Due to lower MRF commodity sales

Expenses Increase by \$951K

Employee Costs – Increase by \$52K

Materials & Contracts – Increase by \$1.2 million

Utility Charges – Decrease by \$262K due to lower consumption and rates

Depreciation – Increase \$310K due to new assets

Interest - Decrease by \$303K due to reduction in loans / interest rates

Insurance - Decrease by \$98K due to lower premiums

Opening Funds of \$1.6 million will be used for MRF gate fee dividend \$600K, MRF \$480K, 3 bin trials as per SWMP \$150K, non-recurrent maintenance \$295K and consultants \$151K.



Estimated Annual Contributions towards RRRC Loan repayments (based on est. population changes). 16/17 Loan repayments have decreased due to lower interest on re-financed loans.

| RRRC Loans | Budget | Budget | Change |
|----------------|---------------------|---------------------|------------------|
| | 16/17 | 15/16 | \$ |
| Cockburn | \$ 1,586,929 | \$ 1,611,582 | (24,653) |
| East Fremantle | \$ 114,236 | \$ 118,386 | (4,151) |
| Fremantle | \$ 453,606 | \$ 467,053 | (13,448) |
| Melville | \$ 1,554,145 | \$ 1,621,893 | (67,749) |
| Total | \$ 3,708,915 | \$ 3,818,916 | (110,000) |

Proposed 2016/17 Gate fees for each participant based on distance from RRRC is as follows:

1. Materials Recovery Facility Gate Fee – No increase
2. Green Waste Gate Fee – No increase
3. Waste Composting Facility Gate Fee increase 2.8%

| REGIONAL RESOURCE RECOVERY CENTRE RRRC | | | |
|--|-----------------|-----------------|------------------|
| BUDGET | MRF | G/WASTE | WCF |
| | p/tonne | p/tonne | p/tonne |
| GATE FEES | | | |
| 2015/16 | \$ 82.40 | \$ 78.10 | \$ 232.80 |
| Add increase | 0.0% | 0.0% | 2.8% |
| 2016/17 | \$ 82.40 | \$ 78.10 | \$ 239.32 |
| Less annual Dividend for RRRC | | | |
| Project Participants | (17.40) | | |
| 2016/17 Participants Gate Fee | \$ 65.00 | | |

The Annual Dividend payment is explained further in this report.

MRF Compaction Penalty Rates

The Council adopts the following Gate fee penalties for the corresponding compactions densities for co-recyclables received at the RRRC. (no change from last year)

| Compaction density | Gate Fee Penalty |
|------------------------------|-------------------|
| 181 to 200 kg/m ³ | \$15.00 per tonne |
| 201 and greater | \$30.00 per tonne |

2016-17 DRAFT ANNUAL BUDGET REPORT



SOUTHERN METROPOLITAN
REGIONAL COUNCIL

The three tables below show the annual increases for the RRRC average gate fees. The MRF and GWF will retain prior year fees for FY2016-17.

| GATE FEE TREND - 5 YEARS | | |
|-----------------------------|-----------------|-------------------|
| WCF | Gate Fee | % Increase |
| 2012-13 | \$ 205 | 6% |
| 2013-14 | \$ 215 | 5% |
| 2014-15 | \$ 226 | 5% |
| 2015-16 | \$ 232 | 3% |
| 2016-17 | \$ 239 | 2.8% |
| Waste Composting Facility | | |
| MRF | Gate Fee | % Increase |
| 2012-13 | \$ 75 | |
| 2013-14 | \$ 80 | 7% |
| 2014-15 | \$ 80 | 0% |
| 2015-16 | \$ 65 | -19% |
| 2016-17 | \$ 65 | 0% |
| Materials Recovery Facility | | |
| GWF | Gate Fee | % Increase |
| 2012-13 | \$ 71 | 6% |
| 2013-14 | \$ 74 | 4% |
| 2014-15 | \$ 78 | 5% |
| 2015-16 | \$ 78 | 0% |
| 2016-17 | \$ 78 | 0% |
| Green Waste Facility | | |

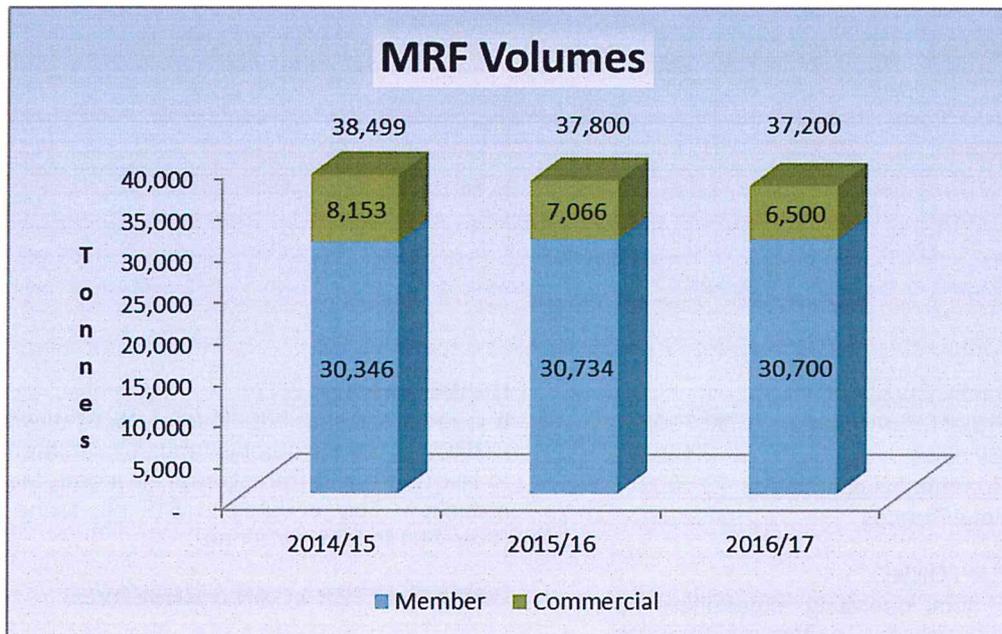
The table below shows the SMRC's total annual increase compared to CPI and the major reasons for the variation.

The average increase per household for the proposed 2016/17 budget is 1.6% (\$4 /household)

| ANNUAL INCREASE PER HOUSEHOLD - 5 YEARS | | | | |
|---|------------|-----------|-------|--|
| Total | % Increase | Household | CPI % | Comments |
| 2012-13 | 6.0% | | | 2.2% Intro Carbon Tax 2.6%, Power Tarrif 12% |
| 2013-14 | 4.2% | \$ 10 | 3.0% | DER Licence Restrictions, Wages 8% |
| 2014-15 | 3.8% | \$ 9 | 1.8% | Landfill Levy from \$27 to \$55 |
| 2015-16 | 0.6% | \$ 2 | 1.8% | Govt Loan Guarantee 0.7% increase |
| 2016-17 | 1.6% | \$ 4 | 1.8% | |

9 BUSINESS UNITS BUDGET PARAMETERS

9.1 MATERIAL RECOVERY FACILITY BUDGET



The MRF has been unable to increase its commercial customers and the 16/17 budget expects these tonnes to decline. The commercial tonnes includes City of Kwinana and a number of short-term commercial contracts.

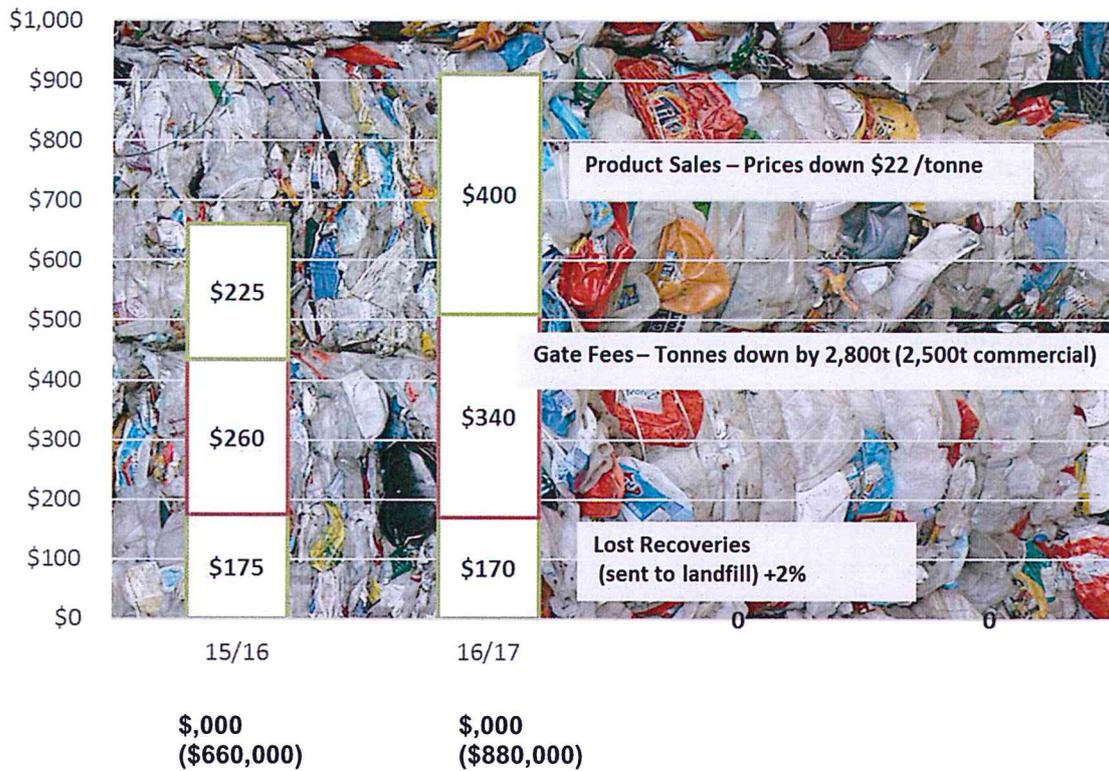
The SMRC's Marketing Plan details the strategies to grow our commercial customer base, however, it has not been successful in securing new long-term contracts from other metropolitan local governments.

The draft budget has only considered achievable annual revenue at this time, however, our marketing strategy will seek opportunities to improve commercial customer revenue.

A tender for the sale of the MRF is currently in the evaluation process.



Reason for MRF deficits



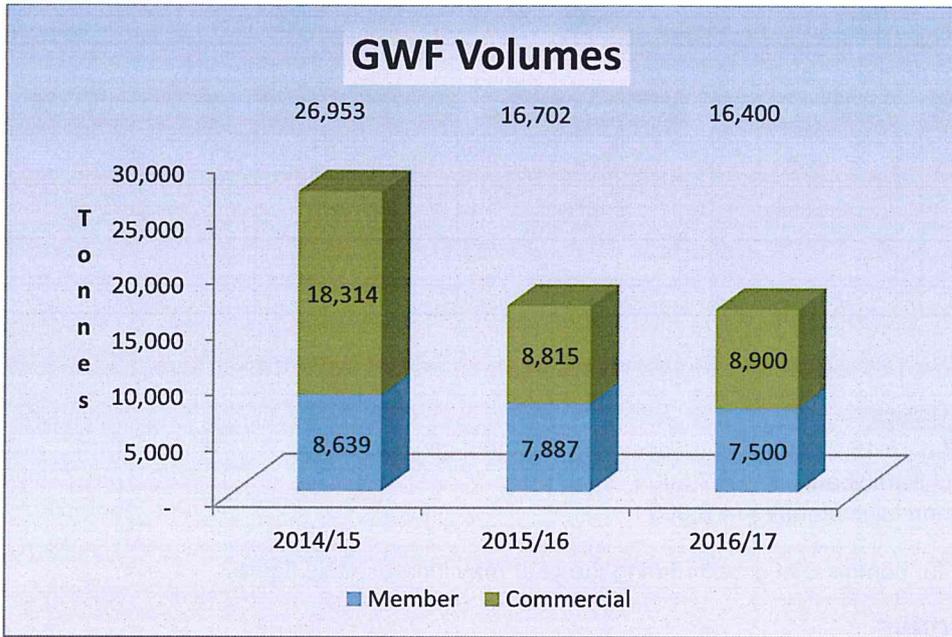
The graphic above shows the reasons for the FY 15/16 and estimated FY 16/17 operating deficits.

Tendered prices received for product sales has been declining due to the global market trend in commodity prices.

The estimated tonnes have also decreased over the past two years due to lower waste generation from households and the SMRC's reduction in commercial customers.



9.4 GREEN WASTE FACILITY BUDGET



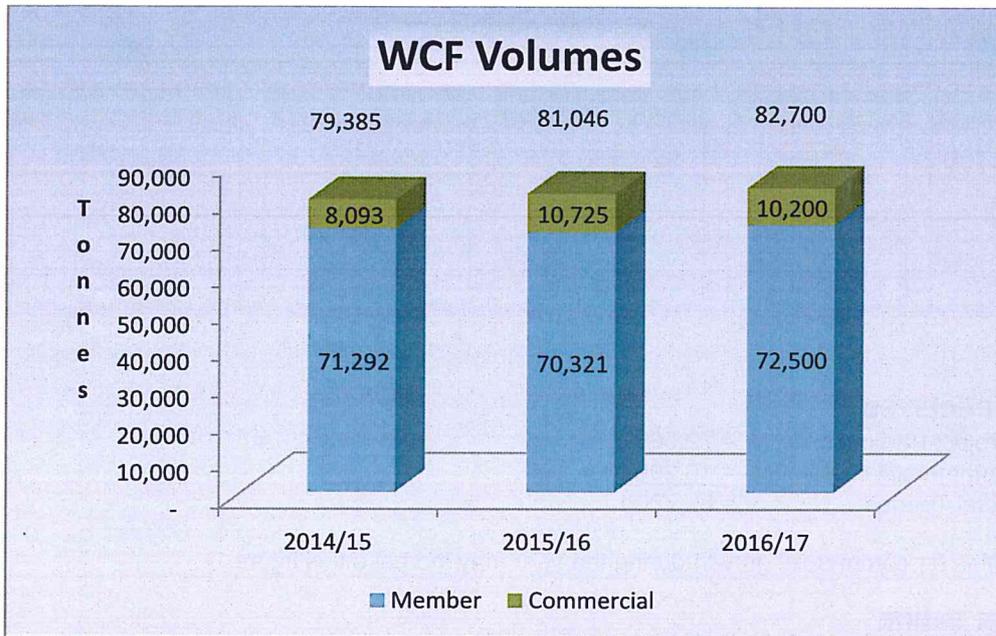
Budget is based on 16,400 tonnes pa
Accepting material all year round

The SMRC does not have long-term contracts for green waste processing other than its four RRRC Project Participants.

The increase in tonnes for 2014/15 was a result of receiving tonnes on a short-term basis from a number of metropolitan regional councils as part of their business continuity planning.

The 2016/17 budget has considered a conservative customer base. Opportunities to exceed targets for Green Waste will continue for higher volume customers. The operating license conditions requires a strict green waste management strategy by ensuring reduced stockpiling and shredding, the RRRC accepts green waste 7 days per week all year round.

9.6 WASTE COMPOSTING FACILITY BUDGET



RRRC amended Operating Licence Conditions allows the RRRC to receive putrescible waste up to 109,200 tonnes per annum.

The 2016/17 Budget estimates a growth of 3% from its four RRRC Project Participants. The budget has considered a conservative estimate for commercial volumes.

Table 2 below shows the estimated difference between the 2015-16 adopted budget tonnes that members & SMRC estimated in forming its budgets and the estimated actuals to 30 June 2016.

The estimated difference totalling \$927,000 (\$12 p/t) is the likely savings spread over the members' budgets where members estimated the tonnes provided to the SMRC.

| Table 2 WCF | 2015-16 Adopted Budget | | 2015-16 Est Actual | | Variance Bgt - Est Act | |
|----------------|------------------------|----------------------|--------------------|----------------------|------------------------|------------------|
| | Tonnes | Amount | Tonnes | Amount | Tonnes | Amount \$ |
| Cockburn | 30,210 | 7,038,930 | 28,460 | \$ 6,631,119 | (1,750) | (407,811) |
| East Fremantle | 2,691 | 627,003 | 2,463 | \$ 573,834 | (228) | (53,169) |
| Fremantle | 8,227 | 1,916,891 | 7,844 | \$ 1,827,558 | (383) | (89,333) |
| Melville | 33,172 | 7,729,076 | 31,555 | \$ 7,352,349 | (1,617) | (376,727) |
| Total | 74,300 | \$ 17,311,900 | 70,321 | \$ 16,384,860 | (3,979) | (927,040) |



10 CAPITAL EXPENDITURE BUDGET

The \$1.5 million new capital expenditure budget is as follows:

| Description | Equipment / Plant | Budget 16-17 | Reserves |
|--|-------------------------|------------------|------------------|
| WCF | WCF | | |
| WCF - Tip Floor Roof Access | Tip Floor | 100,000 | 100,000 |
| Drains in compactor rooms | Compactor | 100,000 | 100,000 |
| Mobile equipment wash down bund - Stage 2 | Wash Down Bund | 75,000 | 75,000 |
| Upgraded Lighting for WCF loaders | Mobile Plant | 25,000 | 25,000 |
| Reverse Sensors for WCF Loaders | Mobile Plant | 25,000 | 25,000 |
| Compactor Bins | Mobile Plant | 50,000 | 50,000 |
| FEL | Mobile Plant | 315,000 | 315,000 |
| Explosion proof fencing around digester | Digester | 40,000 | 40,000 |
| Bio filter - Media Change and other related jobs | Bio Filter | 485,000 | 485,000 |
| | | 1,215,000 | 1,215,000 |
| GWF | GWF | | |
| Enclose hydraulic pack and electrical panel. | GWF | 25,000 | 25,000 |
| | | 25,000 | 25,000 |
| MRF | MRF | | |
| Cleaning platform for Vibrator screen, | MRF | 40,000 | 40,000 |
| Work platform for QA container baler operator, | Bale Storage | 20,000 | 20,000 |
| Reposition Optic 2 Fortress gate, | Optic Sorters | 10,000 | 10,000 |
| New Down pipes required for new bale storage | Bale Storage | 20,000 | 20,000 |
| Install alarm for compressor. | Copressor | 10,000 | 10,000 |
| Walk ways and handrails/ladders -sorting cabi | Sorting Area | 30,000 | 30,000 |
| Production Display Screens | MRF | 30,000 | 30,000 |
| | | 160,000 | 160,000 |
| RRRC Admin | RRRC Admin | | |
| Additional CCTV for site perimeter | RRRC Site | 40,000 | 40,000 |
| | | 40,000 | 40,000 |
| RRRC Maintenance | RRRC Maintenance | | |
| Airconditioning system | Workshop | 20,000 | 20,000 |
| | | 20,000 | 20,000 |
| Total Capital Expenditure | | 1,460,000 | 1,460,000 |



12 BORROWINGS

| BORROWINGS 2016/17 | | | | |
|--------------------------|--------------------------|-------------------------|----------------------------|----------------------------------|
| | 2015/16 | | | 2016/17 Draft Budget \$ |
| | Original Budget \$ | Revised Budget \$ | Estimated Actuals \$ | |
| Opening Balance | 28,463,532 | 28,463,532 | 28,463,532 | 24,987,154 |
| Additional Borrowings | | | | |
| Repayments | | | | |
| Repayments of RRRC Loans | 2,615,992 | 2,615,992 | 2,615,992 | 2,736,803 |
| Repayments of MRF Loans | 865,485 | 865,485 | 860,386 | 914,000 |
| Total Repayments | 3,481,477 | 3,481,477 | 3,476,378 | 3,650,803 |
| Closing Balance | 24,982,055 | 24,982,055 | 24,987,154 | 21,336,351 |

1. The estimated outstanding loan balance is:

| | <u>30 June 2016</u> | <u>30 June 2017</u> |
|-------------------|-----------------------|-----------------------|
| a. RRRC Project | \$20.9 million. | \$18.1 million |
| b. MRF | \$ 2.3 million | \$ 1.4 million |
| c. Office Project | <u>\$ 1.8 million</u> | <u>\$ 1.8 million</u> |
| d. Total | \$25.0 million | \$21.3 million |

2. The Office Project is an interest only loan and interest repayments are paid through annual participants' operating contributions
3. The MRF loan has two loan terms:
- Loan Amount \$1.6M (to be re-financed in 30 Dec 2016)
 - Loan Amount \$700K (fully repaid 30 June 2017)
4. Loans totaling \$3.6 million are scheduled to be rolled over in accordance with the SMRC's borrowing portfolio with Western Australian Treasury Corporation (WATC).

Loan Liability Table

Change includes loan capital repayment or population %

| | 30-Jun-16 | 30-Jun-17 | Change |
|-----------------------------|-------------------|-------------------|--------------------|
| City of Cockburn | 10,449,359 | 8,908,720 | (1,540,639) |
| Town of East Fremantle | 767,582 | 654,407 | (113,175) |
| City of Fremantle | 3,028,389 | 2,581,896 | (446,493) |
| City of Kwinana | 225,360 | 225,360 | |
| City of Melville | 10,516,464 | 8,965,968 | (1,550,496) |
| Total Loan Liability | 24,987,154 | 21,336,351 | (3,650,803) |

16.7 Adoption of Fencing Local Law 2016

SUMMARY:

The proposed Fencing Local Law 2016 was advertised for the required period, as prescribed by the Local Government Act 1995, and a copy of this local law was forwarded to the Minister for Local Government and Communities. The Department of Local Government and Communities (DLGC) has recommended numerous style, formatting and grammar changes and these recommendations have been applied and are incorporated into the final version of the local law as attached at Attachment A.

No public submissions were received in response to this notice.

OFFICER RECOMMENDATION:

1. That the Presiding Member reads aloud the Fencing Local Law 2016 purpose and effect:
 - a) The purpose of this local law is to prescribe a sufficient fence and standard for the construction of fences throughout the district.
 - b) The effect of this local law is to establish the minimum requirements for safe, secure fencing that provides for good amenity within the district.
2. That Council resolve to:
 - a. Adopt the Fencing Local Law 2016 with minor amendments from the local law originally proposed, made during the public submission period, which do not impact on the purpose or effect of this local law at Attachment A; and
 - b. Cause the Fencing Local Law 2016 to be published in the Government Gazette and provide a local public notice stating when the local law comes into operation and that copies are available for public information.
 - c. Authorise the Mayor and Chief Executive Officer to sign the Explanatory Memorandum and Statutory Procedures Checklist of the process used at Attachment C, as is required to be provided to the Joint Standing Committee on Delegated Legislation and the Minister for Local Government and Communities within 10 working days of the Gazettal Notice publication date.
3. Include in the public notice that the Australian Standards stated in the local law can be freely access at the State Library.

NOTE: ABSOLUTE MAJORITY OF COUNCIL IS REQUIRED

16.7 ADOPTION OF FENCING LOCAL LAW 2016

DISCUSSION:

The **purpose** of this local law is to prescribe a sufficient fence and standard for the construction of fences throughout the district.

The **effect** of this local law is to establish the minimum requirements for safe, secure fencing that provides for good amenity within the district.

The City's current Fencing Local Law was adopted in January 2003 and reviewed in 2013 with no changes being made at that time.

A number of staff working group meetings and an elected member's forum have taken place to review the current local law with the resulting draft local law presented to Council at the Ordinary Council Meeting of 16 November 2015 and subsequently advertised for public submission.

A large number of changes are recommended and due to the volume, including the replacement of the schedules, it was not economical to make the changes via an amendment local law.

No public submissions were received in relation to this local law during the consultation period, however, the Department of Local Government and Communities (DLGC) provided comments which were of a minor nature and amendments have been made accordingly. A copy of the comments received from the Department of Local Government and Communities is at Attachment B, including a copy of the local law as advertised and provided to DLGC for comment.

A summary of the changes recommended by DLGC include:

- Removal of the contents pages from within the body of the local law;
- Inclusion of definitions to and standardisation of references to 'Australian Standards';
- Inclusion of some other additional definitions;
- Minor changes to terminology;
- Renumbering of Schedules;
- Dividing up of some existing modified penalties into separate penalties; and
- Minor editing throughout the document.

DLGC further advised that the comments provided:

- have been provided to assist the City with drafting matters in relation to the local law;
- do not constitute legal advice;
- have been provided in good faith for the City's consideration; and
- should not be taken as an approval of content.

A copy of the Explanatory Memorandum and Statutory Procedures Checklist of the process used, as is required to be provided to both the Joint Standing Committee on Delegated Legislation and the Minister for Local Government and Communities, is at Attachment C.

16.7 ADOPTION OF FENCING LOCAL LAW 2016**LEGAL/POLICY IMPLICATIONS:**

Section 3.12 of the Local Government Act 1995 sets out the procedure to be followed to make a local law as follows:

- The purpose and effect of the proposed local law needs to be included in the agenda and minutes of this meeting.
- State wide and local public notice that the local government wants to make a local law and its purpose and effect is to be undertaken. Copies are to be made available for public comment over a six week period and the closing date for public submissions is to be provided in the advertisement.
- A copy of the proposed local law is to be provided to the Minister for Local Government and Communities.
- The local government is to consider any submissions made before making the local law.
- The local government is to publish the local law in the Government Gazette.
- Local public notice is to be given of when the local law comes into operation and that copies are available for public information.
- The local government is to provide an explanatory memorandum of the process used to the Minister for Local Government and Communities.

FINANCIAL/BUDGET IMPLICATIONS:

| | |
|----------------------|---------------------------------------|
| Budget Item Name: | Governance Advertising and Promotions |
| Budgeted Amount: | \$30,000 |
| Expenditure to Date: | \$5,393 |
| Proposed Cost: | \$1,400 |
| Balance: | \$23,207 |

*NOTE: All figures are exclusive of GST

ASSET MANAGEMENT IMPLICATIONS:

There are no direct asset management implications related to this report.

ENVIRONMENTAL IMPLICATIONS:

There are no direct environmental implications related to this report.

STRATEGIC/SOCIAL IMPLICATIONS:

The role of Council is to ensure that the Council's local laws are aligned with the key goals and aspirations as set out in our Plan for the Future.

RISK IMPLICATIONS:

Creating local laws that guide the operations of the City will play a valuable role in reducing risk to levels acceptable to Council.

16.7 ADOPTION OF FENCING LOCAL LAW 2016

COUNCIL DECISION

211

MOVED CR R ALEXANDER

SECONDED CR B THOMPSON

1. That the Presiding Member reads aloud the Fencing Local Law 2016 purpose and effect:
 - a) The purpose of this local law is to prescribe a sufficient fence and standard for the construction of fences throughout the district.
 - b) The effect of this local law is to establish the minimum requirements for safe, secure fencing that provides for good amenity within the district.
2. That Council resolve to:
 - a. Adopt the Fencing Local Law 2016 with minor amendments from the local law originally proposed, made during the public submission period, which do not impact on the purpose or effect of this local law at Attachment A; and
 - b. Cause the Fencing Local Law 2016 to be published in the Government Gazette and provide a local public notice stating when the local law comes into operation and that copies are available for public information.
 - c. Authorise the Mayor and Chief Executive Officer to sign the Explanatory Memorandum and Statutory Procedures Checklist of the process used at Attachment C, as is required to be provided to the Joint Standing Committee on Delegated Legislation and the Minister for Local Government and Communities within 10 working days of the Gazettal Notice publication date.
3. Include in the public notice that the Australian Standards stated in the local law can be freely accessed at the State Library.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

6/0

ATTACHMENT A

Local Government Act 1995 City of Kwinana

FENCING LOCAL LAW 2016

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

Part 1 - Preliminary

1.1 Citation

This local law is cited as the *City of Kwinana Fencing Local Law 2016*.

1.2 Commencement

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

1.3 Application of local law

This local law applies throughout the district.

1.4 Repeal

The *City of Kwinana Fencing Local Law*, published in the *Government Gazette* on 10 January 2003, is repealed.

1.5 Definitions

In this local law, unless the context requires otherwise-

AS 2870 means Australian Standard 2870-2011 - Residential slabs and footings, published by Standards Australia and amended from time to time;

AS/NZS 3016 means Australian/New Zealand Standard 3016:2002 - Electrical Installations - Electricity security fences, published by Standards Australia and amended from time to time

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

boundary fence means a fence that separates the lands of different owners whether the fence is on the common boundary of adjoining lands or on a line other than the common boundary;

CEO means the Chief Executive Officer of the local government;

commercial lot means a lot where a commercial use-

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

dangerous in relation to any fence means-

- (a) an electrified fence other than a fence in respect of which an approval under Part 4 of this local law has been issued and is current;
- (b) a fence containing barbed wire other than a fence erected and maintained in accordance with this local law;
- (c) a fence containing exposed broken glass, asbestos fibre, razor wire or any other potentially harmful projection or material; or
- (d) a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, from any cause;

district means the district of the local government;

dividing fence has the same meaning as a boundary fence;

electrified fence means a fence carrying or designed to carry an electric charge;

fence means any structure, including a retaining wall, used or functioning as a barrier, irrespective of where it is located and includes any gate;

footpath has the meaning of an area that is open to the public that is designated for, or has as one of its main uses, use by pedestrians, as given to it by the *Road Traffic Code 2000*;

front boundary means-

- (a) the boundary line between a lot and the thoroughfare upon which that lot abuts; or
- (b) in the case of a lot abutting on more than one thoroughfare, the boundary line between the lot and the primary thoroughfare, as determined by the property owner and approved by the City;

front setback area means the area between the building line of a lot and the front boundary of that lot;

height in relation to a fence means the vertical distance between-

- (a) the top of the fence at any point; and
- (b) the natural ground level or, where the ground levels on each side of the fence are not the same, the higher natural ground level, immediately below that part of the fence;

industrial lot means a lot where an industrial use—

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

local government means the City of Kwinana;

local government property means anything except a thoroughfare—

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an “otherwise unvested facility” under section 3.53 of the *Local Government Act 1995*;

lot has the meaning given to it in and for the purposes of the *Planning and Development Act 2005*;

natural ground level means-

- (a) where there is no difference to the original ground level, the level of that ground; and
- (b) if the site is retained on the boundary with a retaining wall, the natural ground level is deemed to be the top of the retaining wall; or
- (c) the higher of the two levels if no retaining wall is in-situ.

notice of breach means a notice referred to in clause 6.1(1);

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

open construction means a visually permeable fence comprising of-

- (a) continuous gaps at least 50mm wide which in aggregate occupy at least one third of the length of the fence; or
- (b) continuous gaps less than 50mm wide which in aggregate occupy at least half of the length of the fence; provided that the gaps are evenly distributed along the length of the fence.

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

prescribed has the meaning given to it in the *Interpretation Act 1984*;

pedestrian access way means a portion of public land used as a means of pedestrian access between thoroughfares or other public places and for providing a corridor for public utility services.

razor wire means a coiled strong wire with pieces of sharp cutting edges set across it at close intervals;

repair means to make the necessary repairs to a fence to ensure it complies with the requirements of a sufficient fence as prescribed by this local law;

residential lot means a lot where a residential use-

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

retaining wall means any structure which prevents the movement of soil in order to allow ground levels of different elevations to exist adjacent to one another;

rural lot means a lot where a rural use-

- (a) is or may be permitted under the town planning scheme; and

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

Schedule means a Schedule to this local law;

setback area has the meaning given to it for the purposes of the town planning scheme;

special residential lot means a lot where a special residential use—

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

special rural lot means a lot where a special rural use—

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

Standards Australia means Standards Australia Limited ACN 087 326 690;

Structural Engineer means a qualified engineer trained to understand and calculate the stability, strength and rigidity of built structures for buildings and non-building structures.

sufficient fence means a fence described in clause 2.1;

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

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

unsightly means having an appearance that, because of the way in which the land is used, does not conform with the general appearance of other land in the locality.

1.6 Relationship with other laws

- (1) Anything allowed under any Act, Regulation or town planning scheme, is not affected by any prohibition, requirement or restriction under this local law.
- (2) In the event of any inconsistency with any Act, Regulation or town planning scheme, the provisions of those Acts, Regulations or town planning scheme are to prevail.

1.7 Approval fees and charges

All approval fees and charges applicable under this local law shall be as determined by the local government from time to time in accordance with section 6.16 of the *Local Government Act 1995*.

Part 2 - Fences

2.1 Sufficient fences

- (1) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless otherwise granted approval by the local government under clause 2.10.

- (2) Subject to sub-clauses (3) and (4), and any provision contained in a town planning scheme, a sufficient fence-
- (a) on a residential lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the Schedule 2;
 - (b) on a commercial lot or an industrial lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the Schedule 3; and
 - (c) on a rural lot, a special rural lot or a special residential lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the Schedule 4.
- (3) Where a fence is erected on or near the boundary between-
- (a) a residential lot and an industrial lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the Schedule 2;
 - (b) a residential lot and a commercial lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the Schedule 2;
 - (c) a residential lot and a rural lot or a special rural lot or a special residential lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the Schedule 4;
 - (d) a rural lot and an industrial lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the Schedule 3;
 - (e) a rural lot and a special rural lot or a special residential lot, is a sufficient fence constructed and maintained in accordance with the specifications and requirements of the Schedule 4; and
 - (f) a special rural lot and a special residential lot, is a sufficient fence constructed and maintained in accordance with the specifications and requirements of the Schedule 4.
- (4) An application must be made to the local government for grant of consent to any variation to the specifications in Schedules 2, 3 and 4.
- (5) Unless the local government specifies otherwise, a sufficient fence on a boundary between lots other than those specified in subclause (3) is a dividing fence constructed in accordance with the specifications and requirements of the Schedule 2.
- (6) Notwithstanding any other provisions in this local law, a fence constructed of stone, masonry or concrete shall be a sufficient fence only if it is designed by a structural engineer and constructed in accordance with that design, where-
- (a) it is greater than 1200mm in height; or
 - (b) the local government requires an approval.
- (7) Notwithstanding any other provision in this local law, a dividing fence or boundary fence shall not exceed 1800 millimetres in height unless the approval of the local government has been obtained for such a fence.

2.2 Fences within front setback areas

- (1) A person shall not, without the written approval of the local government, erect a fence greater than 1200 millimetres in height, within the front setback area of a residential lot within the district.
- (2) The local government may approve the erection of a fence of a height greater than 1200 millimetres in the front setback area of a residential lot only if the fence on each side of the driveway into the lot across the front boundary is to be angled into the lot for a distance of not less than 1500 millimetres along the front boundary to a distance of not less than 1500 millimetres from the front boundary in order to provide appropriate splayed lines of vision for a motorist using the driveway for access to a thoroughfare.
- (3) The provision of subclause (2) shall not apply to a fence-
 - (a) of open construction that does not obscure the lines of vision of a motorist using the driveway for access to a thoroughfare; or
 - (b) that does not adjoin a thoroughfare or footpath.

2.3 Gates in fences

- (1) A person shall not erect a gate in a fence which does not-
 - (a) open into the lot, if the gate is providing access to a thoroughfare; or
 - (b) open by sliding parallel and on the inside of the fence, which it forms part of; when closed.

2.4 Depositing fencing material on public place

A person shall not deposit or permit the deposit of any materials whatsoever used in the construction or maintenance of any fence, on any thoroughfare, public place or local government property without the approval of the local government.

2.5 Fences on a rural lot or special rural lot

A person shall not without the written consent of the local government, erect a fence on a rural lot or a special rural lot, within 7.5 metres of a thoroughfare of a height exceeding 1500 mm.

2.6 Fences on a residential lot

A person shall not without the written consent of the local government, erect a fence on a residential lot of a height exceeding 1800 mm. For the erection of a fence in the front setback area, see clause 2.2.

2.7 Fences within the district

All fences within the district must comply with the provisions of the town planning scheme and its policies.

2.8 Maintenance of fences

- (1) An owner and occupier of a lot on which a fence is erected shall maintain the fence in good condition and so as to prevent it from becoming dangerous, dilapidated, or unsightly.
- (2) A person shall not fill or excavate behind a fence so as to undermine the structural integrity of the fence.

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

A person must not, without the approval of the local government, erect or maintain a fence or obstruction of a temporary or permanent nature across any right-of-way, public access way or thoroughfare so as to impede or prevent use of those facilities in the manner for which they are intended and constructed.

2.10 General discretion of the local government

- (1) Notwithstanding clause 2.1, the local government may approve the erection or repair of a fence which is not a sufficient fence where all of the owners of the lots to be separated by the dividing fence make an application for that purpose.
- (2) In determining whether to grant its consent to the erection or repair of any fence, the local government may consider, in addition to any other matter that it is authorised to consider, whether the erection or retention of the fence would have an adverse effect on-
 - (a) the safe, secure or convenient use of any land;
 - (b) the safety, security or convenience of any person; or
 - (c) the amenity of the locality.

Part 3 - Fencing materials

3.1 General fencing materials

- (1) A person shall only construct a fence on a residential lot from brick, stone, concrete, wrought iron, tubular steel framed, timber, corrugated fibre reinforced cement sheeting, pre-painted steel sheeting, or a material approved by the local government and only of new materials unless in accordance with subclause (3).
- (2) A person shall only construct a fence on a commercial lot or an industrial lot from brick, stone, concrete, wrought iron, tubular steel framed, timber, plastic coated or galvanised link mesh, corrugated fibre reinforced cement sheeting, pre-painted steel sheeting or a material approved by the local government and only of new materials unless in accordance with subclause (3).
- (3) Where the local government approves the use of pre-used materials in the construction of a fence under subclause (1) or (2), that approval shall be conditional on the pre-used materials being in keeping with the general amenity of the area and if required by the local government, the applicant painting or treating the pre-used material as directed by the local government.

3.2 Barbed wire and spiked or jagged materials

- (1) This clause does not apply to a fence constructed wholly or partly of razor wire.
- (2) An owner or occupier of a residential lot or a commercial lot shall not erect or affix to any fence on such a lot any barbed wire or other material with spiked or jagged projections, unless the prior written approval of the local government has been obtained.

- (3) An owner or occupier of an industrial lot shall not erect or affix on any fence bounding that lot any barbed wire or other materials with spiked or jagged projections unless the bottom row of wire or other materials is not nearer than 2000mm from the ground level.
- (4) If the posts which carry the barbed wire or other materials referred to in subclause (3) are angled towards the outside of the lot bounded by the fence the face of the fence must be set back from the lot boundary a sufficient distance to ensure that the angled posts, barbed wire or other materials do not encroach on adjoining land.
- (5) An owner or occupier of a lot shall not affix or allow to remain as part of any fence or wall, whether internal or external, on that lot any broken glass.
- (6) An owner or occupier of a rural lot, a special rural lot or a special residential lot, shall not place or affix barbed wire upon a fence on that lot where the fence is adjacent to a thoroughfare or other public place unless the barbed wire is fixed to the side of the fence posts furthest from the thoroughfare or other public place.

3.3 Electrified and razor wire fences

- (1) An owner or occupier of a lot shall not-
 - (a) construct or use an electrified fence on that lot without obtaining the approval of the local government; or
 - (b) construct a fence wholly or partly of razor wire on that lot without obtaining the approval of the local government.
- (2) On a rural lot or industrial lot, an electrified fence shall—
 - (a) comply with AS/NZS 3016 - Electrical Installations - Electric Security Fences (as amended from time to time);
 - (b) comply with any requirements of Western Power;
 - (c) be inoperable during hours of business; and
 - (d) be designed to integrate with the colours, materials and specification of a sufficient fence.
- (3) The local government shall not approve an application for the purpose of subclause (1)(b)-
 - (a) if the fence is within 3000 millimetres of the boundary of the lot; or
 - (b) where any razor wire used in the construction of the fence is less than 2000 millimetres or more than 2400 millimetres above the ground level.
- (4) An application for approval for the purpose of subclauses (1)(a) or (1)(b) shall be made by the owner of the lot on which the fence is or is to be erected, or by the occupier of the lot with the written consent of the owner.

3.4 Prohibited fencing materials

- (1) A person shall not-
 - (a) use broken glass in the construction of any fence; or
 - (b) make repairs to a fence using, or reusing, any materials that contain asbestos whether from the existing fence or sourced from another location, unless in accordance with the *Health (Asbestos) Regulations 1992*.

- (2) Failure to comply with sub-clause (1)(b) may constitute a breach of the *Health (Asbestos) Regulations 1992*.

3.5 Disposal of asbestos materials

- (1) The disposal of asbestos fencing materials is to comply with the requirements of the *Health (Asbestos) Regulations 1992* and *Environmental Protection (Controlled Waste) Regulations 2004*.
- (2) Failure to comply with sub-clause (1) may constitute a breach of the *Health (Asbestos) Regulations 1992* and the *Environmental Protection (Controlled Waste) Regulations 2004*, or both.

Part 4 - Approvals

4.1 Application for approval

- (1) Where a person is required to obtain the approval of the local government under this local law, that person shall apply for approval in accordance with subclause (2).
- (2) An application for approval under this local law shall—
 - (a) be in the form determined by the local government;
 - (b) be signed by the applicant and the owner of the lot;
 - (c) provide the information required by the form; and
 - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with section 6.19 of the *Local Government Act 1995*.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for approval.
- (4) The local government may refuse to consider an application for approval which is not in accordance with subclauses (2) and (3).

4.2 Decision on application for approval

- (1) The local government may—
 - (a) approve an application for approval unconditionally or subject to any conditions;
or
 - (b) refuse to approve an application for approval.
- (2) If the local government approves an application for approval, it is to issue to the applicant an approval in the form determined by the local government.
- (3) If the local government refuses to approve an application for approval, it is to give written notice of that refusal to the applicant.
- (4) Where a clause of this local law refers to conditions which may be imposed on an approval or which are to be taken to be imposed on an approval, the clause does

not limit the power of the local government to impose other conditions on the approval under subclause (1)(a).

4.3 Compliance with approval

Where an application for approval has been approved, the applicant and the owner or occupier of the lot to which the approval relates, shall comply with the terms and any conditions of that approval.

4.4 Duration of approval

Unless otherwise stated in the form of approval, an approval granted under this local law—

- (a) runs with the lot to which it relates;
- (b) may be relied upon by any subsequent occupier or owner of the lot; and
- (c) may be enforced by the local government against a subsequent occupier or owner of the lot.

4.5 Cancellation of an approval

Subject to Division 1 Part 9 of the *Local Government Act 1995*, the local government may cancel an approval issued under this Part if-

- (a) the fence no longer satisfies the required specifications; or
- (b) the owner or occupier breaches any condition upon which the approval has been issued.

Part 5 - Miscellaneous

5.1 False or misleading statement

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

Part 6 - Notices of breach

6.1 Notices of Breach

- (1) Where a breach of any provision of this local law has occurred in relation to a fence on a lot, the local government may give a notice in writing to the owner or occupier of that lot ('notice of breach').
- (2) A notice of breach 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 owner or occupier of the lot is required to remedy the breach within the time specified in the notice.
- (3) Should an owner fail to comply with a notice of breach, the local government may, by its employees, agents or contractors enter upon the lot to which the notice relates and remedy the breach, and may recover the expenses of so doing from the owner of the lot in a court of competent jurisdiction.

- (4) The provisions of this clause are subject to section 3.25 and item 12 of Division 1 of Schedule 3.1 of the *Local Government Act 1995* and any entry on to land will be in accordance with Part 3, Division 3 of that Act.

Part 7 - Offences

7.1 Offences and penalties

- (1) An owner or occupier who fails to comply with a notice of breach commits an offence and is liable upon conviction to a maximum penalty of not less than \$250 and not exceeding \$5000 and, if the offence is a continuing offence, a maximum daily penalty of \$500.
- (2) A person who fails to comply with or who contravenes any provision of this local law commits an offence and is liable to a maximum penalty of not less than \$100 and not exceeding \$5000 and, if the offence is a continuing offence, a maximum daily penalty of \$500.

7.2 Modified penalties

- (1) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the *Local Government Act 1995*.
- (2) The amount appearing in the final column of Schedule 1, directly opposite a prescribed offence in that Schedule, is the modified penalty for that prescribed offence.

7.3 Form of notices

For the purposes of this local law-

- (a) an infringement notice issued under this local law referred to in section 9.17 of the *Local Government Act 1995* is to be in a form prescribed by the local government, as amended from time to time;
- (b) a notice referred to in section 9.20 of the *Local Government Act 1995* is to be in a form prescribed by the local government, as amended from time to time.

Part 8 - Objections and review

8.1 Objections and review

When the local government makes a decision as to whether it will grant a person an approval or renew, vary or cancel an approval under this local law, the provisions of Division 1 of Part 9 of the *Local Government Act 1995* and regulation 33 of the *Local Government (Functions and General) Regulations 1996* shall apply to that decision.

Schedule 1
Offences and modified penalties
[clause 7 2(2)]

| Item | Clause No. | Nature of offence | Modified penalties \$ |
|-------------|-------------------|--|------------------------------|
| 1 | 2.1(1) | Erect a fence which is not a sufficient fence without approval of the local government | 200 |
| 2 | 2.2(1) | Erect a fence greater than 1200mm in height within a front setback area of a residential lot without approval of the local government | 200 |
| 3 | 2.3(1)(a) | Erect a gate in a fence not opening into the lot, if the gate is providing access to a thoroughfare | 100 |
| 4 | 2.3(1)(b) | Erect a gate in a fence not sliding parallel and inside a fence | 100 |
| 5 | 2.5 | Erect a fence on a rural or special rural lot, within 7.5 metres of a thoroughfare of a height exceeding 1500mm without approval of the local government | 100 |
| 6 | 2.6 | Erect a fence on a residential lot or special residential lot of a height exceeding 1800mm without approval of the local government | 100 |
| 7 | 2.8(1) | Failure to maintain a fence in good condition to prevent the fence becoming dangerous, dilapidated or unsightly | 100 |
| 8 | 2.8(2) | Filling or excavating behind a fence so as to undermine the structural integrity of the fence | 100 |
| 9 | 2.9 | Erect or maintain a fence or obstruction of temporary or permanent nature across a right-of way, public access way or thoroughfare without approval of the local government | 200 |
| 10 | 3.1(2) | Construct a dividing fence on a residential lot from pre-used materials without approval of the local government | 150 |
| 11 | 3.1(3) | Construct a dividing fence on a commercial or an industrial lot from pre-used materials without approval of the local government | 150 |
| 12 | 3.2(2) | Erect or affix to a fence using barbed wire or material with spiked or jagged projections in the fence construction without approval of the local government | 200 |
| 13 | 3.2(3) | On an industrial lot, erect or affix on any fence bounding that lot any barbed wire or other materials with spiked or jagged projections, in which the bottom row of wire or other materials is nearer than 2000mm from the ground level | 200 |

| | | | |
|----|-----------|---|------------|
| 14 | 3.2(5) | Affix or allow to remain as part of any fence or wall, whether internal or external, on that lot any broken glass | 200 |
| 15 | 3.3(1)(a) | Electrify a fence without approval of the local government | 200 |
| 16 | 3.3(1)(b) | Construct, erect or use razor wire in a fence without approval of the local government | 200 |
| 17 | 4.3 | Failure to comply with terms or conditions of approval | 200 |
| 18 | 7.1(1) | Failure to comply with notice of breach | 250 |

Schedule 2
Specifications for a sufficient boundary fence on a residential lot
[clause 2.1(2)(a)]

Each of the identified categories in this Schedule is a sufficient fence on a residential lot –

1. Timber fence

- (a) corner posts to be 125mm x 125mm x 2400mm and intermediate posts to be 125mm x 75mm x 2400mm spaced at 2400mm centres;
- (b) corner posts to be strutted two ways with 100mm x 50mm x 450mm sole plates and 75mm x 50mm struts;
- (c) all posts to have tops with a 60mm weather cut and to be sunk at least 600mm into the ground;
- (d) rails to be 75mm x 50mm with each rail spanning 2 bays of fencing double railed or bolted to each post with joints staggered;
- (e) the fence to be covered with 75mm x 20mm sawn pickets, 1800mm in height placed 75mm apart and affixed securely to each rail; and
- (f) the height of the fence to be 1800mm except with respect to the front setback area for which there is no minimum height but which is subject to clause 2.2.

2. Corrugated fence

A fence constructed of corrugated fibre reinforced pressed cement or steel sheeting constructed to manufacturer's specifications or which satisfies the following specifications—

- (a) a minimum in-ground length of 25 per cent of the total length of the sheet, but in any case shall have a minimum in-ground depth of 600mm;
- (b) the total height and depth of the fence to consist of a single continuous fibre reinforced cement or steel sheet;
- (c) the sheets to be lapped and capped with extruded "snap-fit" type capping in accordance with the manufacturers written instructions; and
- (d) the height of the fence to be 1800mm except with respect to the front setback area for which there is no minimum height but which is subject to clause 2.2.

3. Brick, stone or concrete fence

A fence constructed of brick, stone or concrete, which satisfies the following requirements and specifications—

- (a) a site classification is to be provided by a professional engineer in accordance with AS 2870, as amended from time to time;
- (b) the footing is to be designed in accordance with AS 2870, as amended from time to time;
- (c) expansion joints in accordance with the manufacturer's written instructions; and
- (d) the height of the fence to be 1800mm except with respect to the front setback area for which there is no minimum height but which is subject to clause 2.2.

4. Composite fence

A composite fence which satisfies the following specifications for the brick construction—

- (a) brick piers of minimum 345mm x 345mm at either 1800mm or 2700mm centres, bonded to a minimum height base wall of 540mm;

- (b) each pier shall be reinforced with R10 galvanised starting rod (one rod for 1800mm centred brick piers, two for 2700mm brick piers), 1500mm high with a 250mm horizontal leg bedded into a 500mm x 500mm x 200mm concrete footing and set 65mm above the base of the footing. The top of the footing shall be 1 course (85mm) below ground level;
- (c) the minimum ultimate strength of brickwork shall be 20MPa. Mortar shall be a mix of 1 part cement, 1 part lime and 6 parts sand;
- (d) the ground under the footings is to be compacted to 6 blows per 300mm and checked with a standard falling weight penetrometer;
- (e) control joints in brickwork shall be provided with double piers at a maximum of 6 metre centres; and
- (f) the height of the fence to be 1800mm except with respect to the front setback area for which there is no minimum height but which is subject to clause 2.2.

Schedule 3
Specifications for a sufficient boundary fence on a commercial lot on an industrial lot
[Clause 2.1(2)(b)]

Each of the following is a sufficient fence on a commercial lot and an industrial lot -

1. Galvanised or PVC fence and gate

A fence constructed of galvanised or PVC coated non-rail link mesh, chain mesh or steel mesh which satisfies the following specifications—

- (a) corner posts to be minimum 50mm nominal bore x 3.5mm and with footings of a 225mm diameter x 900mm;
- (b) intermediate posts to be minimum 37mm nominal bore x 3.15mm at maximum 3500mm centres and with footings of a 225mm diameter x 600mm;
- (c) struts to be minimum 30mm nominal bore x 3.15mm fitted at each gate and 2 at each corner post and with footings 225mm x 600mm;
- (d) cables to be affixed to the top, centre and bottom of all posts and to consist of 2 or more 3.15mm wires twisted together or single 4mm wire;
- (e) non-rail link, chain or steel mesh is to be to a height of 2000mm on top of which are to be 3 strands of barbed wire carrying the fence to a height of 2400mm in accordance with the requirements and standards of the town planning scheme; and
- (f) galvanised link mesh wire to be 2000mm in height and constructed of 50mm mesh 2.5mm galvanised iron wire and to be strained, neatly secured and laced to the posts and affixed to cables. Vehicle entry gates shall provide an opening of not less than 3.6m and shall be constructed of 25mm tubular framework with 1 horizontal and 1 vertical stay constructed of 20mm piping and shall be covered with 50mm x 2.5mm galvanised link mesh strained to framework. Gates shall be fixed with a drop bolt and locking attachment.

2. Other fences

- (a) a fence of cement sheet or steel sheeting constructed to the minimum specifications referred to in Schedule 2 (2) Corrugated fence;
- (b) a fence constructed of aluminium sheeting when supported on posts and rails provided that it is used behind a building line and is of a minimum height of 1800mm but no greater than 2400mm; or
- (c) a fence of timber, brick, stone or concrete constructed to the minimum specifications referred to in Schedule 2 (3) Brick, stone or concrete fence.

Schedule 4
Specifications for a sufficient boundary fence on a rural lot, special rural lot and a special residential lot
[Clause 2.1(2)(c)]

Each of the identified categories in this Schedule, with minimum and maximum specifications where stated is a sufficient fence on a rural lot, a special rural lot and a special residential lot -

1. Non-electrified fence

- (a) wire shall be high tensile wire and not less than 2.5mm. A minimum of 5 wires shall be used, generally with the lower wires spaced closer together than the higher wires so as to prevent smaller stock passing through, and connected to posts in all cases.
- (b) posts shall be of indigenous timber or other suitable material including—
 - (i) timber impregnated with a termite and fungicidal preservative;
 - (ii) standard iron star pickets; or
 - (iii) concrete;
- (c) cut not less than 1800mm long x 50mm diameter at small end if round or 125mm x 60mm if split or sawn timber;
- (d) posts to be set minimum 600mm in the ground and 1200mm above the ground; and
- (e) strainer posts shall be not less than 2250mm long and 150mm diameter at the small end (tubular steel to be 50mm in diameter) and shall be cut from indigenous timber or other suitable material. These shall be placed a minimum of 1000mm in the ground.

2. Electrified fence

An electrified fence having 4 wires is a sufficient fence if constructed generally in accordance with a non-electrified fence and the requirements of clause 3.3.

Dated this

day of

20

The Common Seal of the)

City of Kwinana was hereunto)

affixed in the presence of :)

Carol Adams

Mayor

Joanne Abbiss

Chief Executive Officer

ATTACHMENT B

Comments received from Department of Local Government and Communities
17 March 2016:

This email is in response to your letter dated 28 January 2016 addressed to the Minister for Local Government, concerning the City's proposed *Fencing Local Law 2016*. The Department's comments are noted below. Please contact me if you have any queries regarding the comments.

City of Kwinana Fencing Local Law 2016

1. Clause 1.3 - Purpose and effect clause

Clause 1.3 sets out the purpose and effect of the local law. This clause has no legislative effect and can be removed if the City wishes. While the *Local Government Act 1995* requires the purpose and effect to be included in the public notices relating to the proposed local law, there is no requirement to include the purpose and effect in the local law itself.

2. Australian Standards

This local law contains multiple references to Australian Standards. The City will need to keep the following general issues in mind and make amendments accordingly:

- Accuracy

The City should ensure that the definitions for the Australian Standards are accurate and clauses refer to the Standard correctly. If the Joint Standing Committee on Delegated Legislation discovers any error in a citation or cross reference, they will request an amendment.

- Currency

The City should ensure that the definitions of Australian Standards specify which version of the document is being referenced.

If the City wishes to use the Standard as of a certain date, this date should be specified. If the City wishes to use the most current version at all times, the definition should also include the words "as amended from time to time".

- Public access

The Delegated Legislation Committee has expressed concerns with the use of Australian Standards in local laws, as the Standards are protected by copyright and are not public documents.

The Committee has taken the view that when Standards are used in a local law, the local government should advise the district that the Standards can be freely accessed at the State Library. As an example, the City may choose to include this advice on their public website.

When the local law is gazetted and provided to the Committee, it is suggested that the City should provide evidence of how it has notified the public where the Standards can be accessed.

If the Committee believes that insufficient steps have been taken to advise the public, the Committee may require the City to take additional steps to convey this information.

3. Clause 1.6 – Definitions

- a) Where an Australian Standard is referred to more than once throughout the local law, it is suggested that a defined term and definition for that Australian Standard is included in clause 1.6 of the local law.
- b) It is suggested that a definition is inserted for the following terms used throughout the local law:
 - “structural engineer” and “practicing structural engineer” – both of these terms are currently used. For consistency, it is suggested that the City use only one of these terms;
 - “professional engineer”;
 - “thoroughfare”;
 - “open construction”;
 - “gate”;
 - “policies”;
 - “right-of-way”;
 - “public access way”;
 - “public place”;
 - “hours of business operations”;
 - “asbestos”.
- c) It is suggested that the defined term “razor wire fence” should be replaced with “razor wire”. Although the term “razor wire fence” is used in the title of clause 3.3, it is not necessary to define this term as a clause title is not interpreted to be an operative part of the local law itself. The term “razor wire” is used in the body of the clauses and should be defined.
- d) Any defined terms not used in the local law should be deleted (e.g. “Act” and “front fence”).

4. Clause 2.3 – Gates in fences

Paragraph (a) currently provides that a gate in a fence which does not open into the “lot” should not be erected. It is unclear which “lot” is being referred to in situations where a fence is built between

two lots. It is suggested that the Shire redraft this clause to provide clarification on what should occur in this situation.

5. Clause 3.1 – General fencing materials

The first subclause of this clause provides that “where required by the local government” fencing designs are to be certified by a practicing structural engineer as being suitable for wind loadings in accordance with a certain Australian Standard.

It is suggested that the City clarifies when the local government can make this request or how the keeper would be aware of when the requirement applies. It is suggested that these matters are addressed in the local law. Alternatively, if appropriate, the City could make this requirement mandatory.

6. Clause 3.3 – Electrified and razor wire fences

Under subclause 1(a), a person shall not construct or use an electrified fence without obtaining approval.

Under subclause 2(b), approval cannot be granted unless the fence complies with the relevant standard. An electrified fence would need to exist in order to comply with the standard, so the only way to obtain a permit for an electric fence is to erect it without a permit in breach of subclause (1)(a).

It is suggested that paragraph (b) is removed from subclause (2) and that the clause is redrafted to ensure that compliance with the standard is a requirement for having the fence, not getting a permit for the fence.

7. Clause 7.2 – Modified Penalties

It appears that the purpose of clause 7.2(3) is to provide guidance to an authorised person when he or she issues an infringement notice for an offence under the local law.

As this clause is not placing any obligation on an authorised person, it has no legislative effect. It is suggested that clause 7.2(3) is not included in the local law but rather in a separate guidance or practice manual that officers can refer to when administering and enforcing the local law.

8. Schedules

- a) It is suggested that Schedule titles of “First Schedule”, “Second Schedule”, “Third Schedule” and “Fourth Schedule” be amended to “Schedule 1”, “Schedule 2”, “Schedule 3” and “Schedule 4” respectively, in line with best drafting practices. This change should also be reflected in the contents page and throughout the local law, for example when referenced in clause 2.1(2).

Schedule titles should not be in block print. For example:

Schedule 1 – Offences and modified penalties

[Clause 7.2(2)]

- b) It is suggested that the City includes an additional column which assigns each modified penalty an item number. This will make the Schedule easier to amend in the future. For example:

| Item | Clause | Nature of offence | Modified penalty |
|------|--------|-------------------|------------------|
| 1. | XX | XX | XX |
| 2. | XX | XX | XX |
| 3. | XX | XX | XX |

- c) It is suggested that the headings included in the body of the Schedules are numbered. This will make it easier to reference specific parts of Schedules.

9. Minor edits

The following minor edits are suggested:

- a) The City should check all cross-references to ensure they are accurate (e.g. the cross reference to “Part 6” in the definition of “dangerous” in clause 1.6 should be amended to part 4).
- b) For consistency and ease of understanding, it is suggested that the City replaces each occurrence of “licence” with “approval” as the local law refers to a person seeking an approval, rather than a licence (e.g. clauses 1.6, 1.8 and 8.1).
- c) Enactment clause – Replace “by all other powers” with “under all other powers enabling it”.
- d) The City should ensure that citation titles of legislation are in italics. For example the reference to “Local Government Act 1995” in the enactment clause and the reference to the “City of Kwinana Fencing Local Law 2016” in clause 1.1 should be in italics.
- e) Clause 1.4 – in the clause title, replace “laws” with “law”.
- f) Clause 1.5:
- Change “City of Kwinana Fencing Local Law” to italics.
 - Replace “of 10 January” with “on 10 January”.
- g) Clause 1.6:
- After “otherwise”, delete the “:” and replace with “–”. This is best practice formatting for local laws when splitting tabulations which list conditions or continue the sentence in multiple parts. It is suggested that this is also replicated throughout the local law (e.g. clauses 2.1(2), 2.2(3), 2.1(6), 2.10(2), 6.1(2), etc.). In clauses 2.2(3), 2.3(1), 3.3(1), 3.3(2), 3.3(3), 3.4(1) and 7.3, the semicolon should be replaced with a “–”.
 - State Law Publisher’s current formatting for defined terms are that they should be **bolded** and *italicised* with no quotation marks. It is suggested that clause 1.6 is amended by italicising the defined terms.
 - Delete the additional semicolon at the end of the “boundary fence” definition.
 - In paragraph (b) of the definition of “front boundary” replace “that” with “than”.
 - Replace the defined term “schedule” with “Schedule”.
 - In the definition of “Standards Australia” replace “*Standards Australia International Limited (ACN 087 326 690)*” with “Standards Australia Limited ACN 087 326 690”. This is the current name of the corporation and no italics or brackets are necessary.
- h) Clause 1.7 – In subclauses (1) and (2) replace “Local Planning Scheme” with “town planning scheme” (this term is already defined under clause 1.6).
- i) Clause 2.1:
- In subclause (2)(b) – replace “and on” with “or”.
 - In subclause (2)(c) – replace “and on a special rural lot and on” with “, a special rural lot or”.
 - In clause 2.1(2)(c) delete “;” and replace with a full stop.
 - In clause 2.1(6) delete “these”.
 - In clause 2.1(6)(b) – delete “if” and “so”.
- j) Clause 2.2(2) replace “lot-only” with “lot only”.
- k) Clause 2.3(1)(b) – move the last line of the paragraph right so that it aligns with the rest of the paragraph.
- l) Clause 2.5:

- In the clause title, delete the capital from “Lot”.
 - Replace “7.5 m” with “7.5 metres”.
- m) Clause 2.6 – After “than” insert “within”, and replace “front setback” (each occurrence) with “front setback area”.
- n) Ensure the entire document is in the same font and text size, specifically clause 2.8.
- o) Clause 2.10:
- In subclause (2)(a) delete “or” at the end of the paragraph.
 - In subclause (2)(b) delete the full stop and replace with “; or”.
- p) Clause 3.1:
- The first paragraph should be numbered as “(1)” and the remaining subclauses should then be renumbered. Any cross-references in the clause should be amended.
 - The reference to this clause in Schedule 1 should be amended accordingly.
- q) Clause 7.1(2) – remove the extra space between “daily” and “penalty”.
- r) Clause 7.2 - remove the space between "9.16" and "(1)".
- s) Clause 7.3:
- In the clause title, remove the capital from “Notice”.
 - In paragraphs (a) and (b) replace “local government and as may be amended from time to time” (each occurrence) with “local government, as amended from time to time”.
- t) Schedule 1:
- In the “nature of offence” column for clause 2.2(1) after “setback area” insert “of a residential lot”.
 - In the “nature of offence” column for clause 2.5 replace “exceeding 1500mm” with “of a height exceeding 1500 mm”.
 - In the “nature of offence” column for clause 2.6 replace “exceeding 1800mm” with “of a height exceeding 1800 mm”.
 - In the “nature of offence” column for clause 2.8(2), before “as” insert “so”.
 - The modified penalties for clause 3.1(1) and 3.1(2) should be separate items as these are two separate offences.
 - In the “nature of offence” column for clause 3.2(2) replace “erect” with “erect or affix to”.
 - Separate items should be included for 3.3(1)(a) and (b) as these are two separate offences.
 - Amend the reference to clause 3.5(a) to the correct clause and ensure that the nature of offence description is accurate.
 - Replace 7.1 with 7.1(1).
 - The City should ensure that all clause references and “nature of offence” descriptions in Schedule 1 are accurate.
- u) Schedule 2:
- In the “Composite fence” section delete “(1)”.
 - In the “Composite fence” section at the end of paragraph (d), delete “and”.
 - In “Composite fence” section at the end of paragraph (e) replace the full stop with “; and”.
- v) In Schedule 3:

- In paragraph (e) under “Galvanised or PVC fence and gate” replace “local planning schemes” with “town planning scheme”.
 - In paragraph (a) under “Other fences” specify the relevant part of Schedule 2 so that it is clear which minimum specifications are being referred to. The City should check all cross-references to clauses or other schedules to ensure these are accurate.
- w) Schedule 4 – replace the full stop at the end of paragraph (c) with a semicolon.
- x) In the local law “setback”, “set-back” and “set back” are used interchangeably. For consistency, the City should use one of these terms throughout the local law.
- y) The contents page should be checked to ensure it is accurate and reflects any changes made as a result of these comments.

The City should ensure that all references and cross references in the local law are accurate, particularly if any changes are made as a result of these comments.

My comments:

- have been provided to assist you with drafting matters;
- do not constitute legal advice;
- have been provided in good faith for your consideration; and
- should not be taken as an approval of content.

Local Government Act 1995

City of Kwinana

FENCING LOCAL LAW 2016

Contents

Part 1 – Preliminary

- 1.1 Citation
- 1.2 Commencement
- 1.3 Purpose and effect
- 1.4 Application
- 1.5 Repeal
- 1.6 Definitions
- 1.7 Relationship to other laws
- 1.8. Licence fees & charges

Part 2 – Fences

- 2.1 Sufficient fences
- 2.2 Fences within front setback areas
- 2.3 Gates in fences
- 2.4 Depositing fencing material on public places
- 2.5 Fences on a rural lot or special rural lot
- 2.6 Fences on a residential lot
- 2.7 Fences within the district
- 2.8 Maintenance of fences
- 2.9 Fences across rights-of-way, public access ways or thoroughfares
- 2.10 General discretion of the local government

Part 3 – Fencing materials

- 3.1 General fencing materials
- 3.2 Barbed wire and spiked or jagged materials

3.3 Electrified and razor wire fences

3.4 Prohibited fencing materials

3.5 Disposal of asbestos materials

Part 4 – Approvals

4.1 Application for approval

4.2 Decision on application for approval

4.3 Compliance with approval

4.4 Duration of approval

4.5 Cancellation of a licence

Part 5 – Miscellaneous

5.1 False or misleading statement

Part 6 – Notices of breach

6.1 Notices of breach

Part 7 – Offences

7.1 Offences and penalties

7.2 Modified penalties

7.3 Form of notices

Part 8 – Objections and review

8.1 Objections and review

First Schedule Offences and modified penalties.

Second Schedule Specifications for a sufficient boundary fence on a residential lot.

Third Schedule Specifications for a sufficient boundary fence on a commercial lot and an industrial lot.

Fourth Schedule Specifications for a sufficient boundary fence on a rural lot, a special rural lot and a special residential lot.

Local Government Act 1995
City of Kwinana

FENCING LOCAL LAW 2016

Under the powers conferred by the Local Government Act 1995 and by all other powers the Council of the City of Kwinana resolved to make the following local law on (date TBA).

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the City of Kwinana Fencing Local Law 2016.

1.2 Commencement

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

1.3 Purpose and effect

- (1) The purpose of this local law is to prescribe a sufficient fence and standard for the construction of fences throughout the district.
- (2) The effect of this local law is to establish the minimum requirements for safe, secure fencing that provides for good amenity within the district.

1.4 Application of local laws

This local law applies throughout the district.

1.5 Repeal

The City of Kwinana Fencing Local Law, published in the *Government Gazette* of 10 January 2003, is repealed.

1.6 Definitions

In this local law, unless the context requires otherwise:

Act means the *Dividing Fences Act 1961*;

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

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

boundary fence means a fence that separates the lands of different owners whether the fence is on the common boundary of adjoining lands or on a line other than the common boundary;;

CEO means the Chief Executive Officer of the local government;

commercial lot means a lot where a commercial use –

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

dangerous in relation to any fence means:

- (a) an electrified fence other than a fence in respect of which a licence under Part 6 of this local law has been issued and is current;
- (b) a fence containing barbed wire other than a fence erected and maintained in accordance with this local law;
- (c) a fence containing exposed broken glass, asbestos fibre, razor wire or any other potentially harmful projection or material; or
- (d) a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, from any cause;

district means the district of the local government;

dividing fence has the same meaning as a boundary fence;

electrified fence means a fence carrying or designed to carry an electric charge;

fence means any structure, including a retaining wall, used or functioning as a barrier, irrespective of where it is located and includes any gate;

footpath has the meaning of an area that is open to the public that is designated for, or has as one of its main uses, use by pedestrians, as given to it by the *Road Traffic Code 2000*;

front boundary means;

- (a) the boundary line between a lot and the thoroughfare upon which that lot abuts; or
- (b) in the case of a lot abutting on more than one thoroughfare, the boundary line between the lot and the primary thoroughfare, as determined by the property owner and approved by the City;

front fence means a fence erected on the front boundary of a lot or on a line adjacent to the front boundary;

front setback area means the area between the building line of a lot and the front boundary of that lot;

height in relation to a fence means the vertical distance between:

- (a) the top of the fence at any point; and
- (b) the natural ground level or, where the ground levels on each side of the fence are not the same, the higher natural ground level, immediately below that part of the fence;

industrial lot means a lot where an industrial use –

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

local government means the City of Kwinana;

local government property means anything except a thoroughfare—

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an “otherwise unvested facility” under section 3.53 of the *Local Government Act 1995*;

lot has the meaning given to it in and for the purposes of the *Planning and Development Act 2005*;

natural ground level means;

- (a) where there is no difference to the original ground level, the level of that ground; and
- (b) if the site is retained on the boundary with a retaining wall, the natural ground level is deemed to be the top of the retaining wall; or
- (c) the higher of the two levels if no retaining wall is in-situ.

notice of breach means a notice referred to in clause 6(1);

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

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

prescribed has the meaning given to it in the *Interpretation Act 1984*;

razor wire fence means a coiled strong wire with pieces of sharp cutting edges set across it at close intervals;

repair means to make the necessary repairs to a fence to ensure it complies with the requirements of a sufficient fence as prescribed by this local law;

residential lot means a lot where a residential use –

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

retaining wall means any structure which prevents the movement of soil in order to allow ground levels of different elevations to exist adjacent to one another;

rural lot means a lot where a rural use –

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

schedule means a schedule to this local law;

setback area has the meaning given to it for the purposes of the town planning scheme;

special residential lot means a lot where a special residential use –

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

special rural lot means a lot where a special rural use –

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

Standards Australia means *Standards Australia International Limited (ACN 087 326 690)*;

sufficient fence means a fence described in clause 2.1; and

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

unsightly means having an appearance that, because of the way in which the land is used, does not conform with the general appearance of other land in the locality;

1.7 Relationship with other laws

- (1) Anything allowed under any Act, Regulation or Local Planning Scheme, is not affected by any prohibition, requirement or restriction under this local law.
- (2) In the event of any inconsistency with any Act, Regulation or Local Planning Scheme, the provisions of those Acts, Regulations or Local Planning Schemes are to prevail.

1.8 Licence fees and charges

All licence fees and charges applicable under this local law shall be as determined by the local government from time to time in accordance with section 6.16 of the *Local Government Act 1995*.

PART 2 - FENCES

2.1 Sufficient fences

- (1) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless otherwise granted approval by the local government under clause 2.10.
- (2) Subject to sub-clauses (3) and (4), and any provision contained in a town planning scheme, a sufficient fence:
 - (a) on a residential lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the Second Schedule.
 - (b) on a commercial lot and on an industrial lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the Third Schedule;

- (c) on a rural lot and on a special rural lot and on a special residential lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the Fourth Schedule;
- (3) Where a fence is erected on or near the boundary between:
- (a) a residential lot and an industrial lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the Second Schedule;
 - (b) a residential lot and a commercial lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the Second Schedule;
 - (c) a residential lot and a rural lot or a special rural lot or a special residential lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the Fourth Schedule;
 - (d) a rural lot and an industrial lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of the Third Schedule;
 - (e) a rural lot and a special rural lot or a special residential lot, is a sufficient fence constructed and maintained in accordance with the specifications and requirements of the Fourth Schedule; and
 - (f) a special rural lot and a special residential lot, is a sufficient fence constructed and maintained in accordance with the specifications and requirements of the Fourth Schedule.
- (4) An application must be made to the local government for grant of consent to any variation to the specifications in Schedules 2, 3 and 4.
- (5) Unless the local government specifies otherwise, a sufficient fence on a boundary between lots other than those specified in subclause (3) is a dividing fence constructed in accordance with the specifications and requirements of the Second Schedule.
- (6) Notwithstanding any other provisions in these this local law, a fence constructed of stone, masonry or concrete shall be a sufficient fence only if it is designed by a structural engineer and constructed in accordance with that design, where:
- (a) it is greater than 1200mm in height; or
 - (b) if the local government so requires an approval.
- (7) Notwithstanding any other provision in this local law, a dividing fence or boundary fence shall not exceed 1800 millimetres in height unless the approval of the local government has been obtained for such a fence.

2.2 Fences within front setback areas

- (1) A person shall not, without the written approval of the local government, erect a free-standing fence greater than 1200 millimetres in height, within the front set-back area of a residential lot within the district.

- (2) The local government may approve the erection of a fence of a height greater than 1200 millimetres in the front setback area of a residential lot-only if the fence on each side of the driveway into the lot across the front boundary is to be angled into the lot for a distance of not less than 1500 millimetres along the front boundary to a distance of not less than 1500 millimetres from the front boundary in order to provide appropriate splayed lines of vision for a motorist using the driveway for access to a thoroughfare.
- (3) The provision of subclause (2) shall not apply to a fence;
- (a) of open construction that does not obscure the lines of vision of a motorist using the driveway for access to a thoroughfare; or
 - (b) that does not adjoin a thoroughfare or footpath.

2.3 Gates in fences

- (1) A person shall not erect a gate in a fence which does not;
- (a) open into the lot; or
 - (b) open by sliding parallel and on the inside of the fence, which it forms part of, when closed.

2.4 Depositing fencing material on public place

A person shall not deposit or permit the deposit of any materials whatsoever used in the construction or maintenance of any fence, on any thoroughfare, public place or local government property without the approval of the local government.

2.5 Fences on a rural lot or special rural Lot

A person shall not without the written consent of the local government, erect a fence on a rural lot or a special rural lot, within 7.5 m of a thoroughfare of a height exceeding 1500 mm.

2.6 Fences on a residential lot

A person shall not without the written consent of the local government, erect a fence other than the front setback, on a residential lot of a height exceeding 1800 mm. For the erection of a fence in the front setback see clause 2.2.

2.7 Fences within the district

All fences within the district must comply with the provisions of the town planning scheme and its policies.

2.8 Maintenance of fences

- (1) An owner and occupier of a lot on which a fence is erected shall maintain the fence in good condition and so as to prevent it from becoming dangerous, dilapidated, or unsightly.
- (2) A person shall not fill or excavate behind a fence so as to undermine the structural integrity of the fence.

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

A person must not, without the approval of the local government, erect or maintain a fence or obstruction of a temporary or permanent nature across any right-of-way, public access way or thoroughfare so as to impede or prevent use of those facilities in the manner for which they are intended and constructed.

2.10 General discretion of the local government

- (1) Notwithstanding clause 2.1, the local government may approve the erection or repair of a fence which is not a sufficient fence where all of the owners of the lots to be separated by the dividing fence make an application for that purpose.
- (2) In determining whether to grant its consent to the erection or repair of any fence, the local government may consider, in addition to any other matter that it is authorised to consider, whether the erection or retention of the fence would have an adverse effect on:
 - (a) the safe, secure or convenient use of any land; or
 - (b) the safety, security or convenience of any person.
 - (c) the amenity of the locality.

PART 3 - FENCING MATERIALS

3.1 General fencing materials

Where required by the local government, fencing designs are to be certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with the current edition of AS/NZS 1170 - Structural Design Actions - General Principles, as specified by the local government.

- (1) A person shall only construct a fence on a residential lot from brick, stone, concrete, wrought iron, tubular steel framed, timber, corrugated fibre reinforced cement sheeting, prepainted steel sheeting, or a material approved by the local government and only of new materials unless in accordance with subclause (3).
- (2) A person shall only construct a fence on a commercial lot or an industrial lot from brick, stone, concrete, wrought iron, tubular steel framed, timber, plastic coated or galvanised link mesh, corrugated fibre reinforced cement sheeting, prepainted steel sheeting or a material approved by the local government and only of new materials unless in accordance with subclause (3).
- (3) Where the local government approves the use of pre-used materials in the construction of a fence under subclause (1) or (2), that approval shall be conditional on the pre-used materials being in keeping with the general amenity of the area and if required by the local government, the applicant painting or treating the pre-used material as directed by the local government.

3.2 Barbed wire and spiked or jagged materials

- (1) This clause does not apply to a fence constructed wholly or partly of razor wire.
- (2) An owner or occupier of a residential lot or a commercial lot shall not erect or affix to any fence on such a lot any barbed wire or other material with spiked or jagged projections, unless the prior written approval of the local government has been obtained.

- (3) An owner or occupier of an industrial lot shall not erect or affix on any fence bounding that lot any barbed wire or other materials with spiked or jagged projections unless the bottom row of wire or other materials is not nearer than 2000mm from the ground level.
- (4) If the posts which carry the barbed wire or other materials referred to in subclause (3) are angled towards the outside of the lot bounded by the fence the face of the fence must be set back from the lot boundary a sufficient distance to ensure that the angled posts, barbed wire or other materials do not encroach on adjoining land.
- (5) An owner or occupier of a lot shall not affix or allow to remain as part of any fence or wall, whether internal or external, on that lot any broken glass.
- (6) An owner or occupier of a rural lot, a special rural lot or a special residential lot, shall not place or affix barbed wire upon a fence on that lot where the fence is adjacent to a thoroughfare or other public place unless the barbed wire is fixed to the side of the fence posts furthest from the thoroughfare or other public place.

3.3 Electrified and razor wire fences

- (1) An owner or occupier of a lot shall not;
 - (a) construct or use an electrified fence on that lot without obtaining the approval of the local government; or
 - (b) construct a fence wholly or partly of razor wire on that lot without obtaining the approval of the local government.
- (2) The local government shall not approve an application for the purpose of subclause (1)(a);
 - (a) in respect of a lot which is or which abuts a residential lot;
 - (b) unless the prohibited fence complies with AS/NZS 3016 - Electrical Installations - Electricity Security Fences, as amended; and
 - (c) unless provision is made so as to enable the fence to be rendered inoperable during the hours of business operations, if any, on the lot where it is erected.
- (3) The local government shall not approve an application for the purpose of subclause (1)(b);
 - (a) if the fence is within 3000 millimetres of the boundary of the lot; or
 - (b) where any razor wire used in the construction of the fence is less than 2000 millimetres or more than 2400 millimetres above the ground level.
- (4) An application for approval for the purpose of subclauses (1)(a) or (1)(b) shall be made by the owner of the lot on which the fence is or is to be erected, or by the occupier of the lot with the written consent of the owner.

3.4 Prohibited fencing materials

- (1) A person shall not;
 - (a) use broken glass in the construction of any fence; or

- (b) make repairs to a fence using, or reusing, any materials that contain asbestos whether from the existing fence or sourced from another location, unless in accordance with the *Health (Asbestos) Regulations 1992*.
- (2) Failure to comply with sub-clause (1)(b) may constitute a breach of the *Health (Asbestos) Regulations 1992*.

3.5 Disposal of asbestos materials

- (1) The disposal of asbestos fencing materials is to comply with the requirements of the *Health (Asbestos) Regulations 1992* and *Environmental Protection (Controlled Waste) Regulations 2004*.
- (2) Failure to comply with sub-clause (1) may constitute a breach of the *Health (Asbestos) Regulations 1992* and the *Environmental Protection (Controlled Waste) Regulations 2004*, or both.

PART 4 - APPROVALS

4.1 Application for approval

- (1) Where a person is required to obtain the approval of the local government under this local law, that person shall apply for approval in accordance with subclause (2).
- (2) An application for approval under this local law shall—
 - (a) be in the form determined by the local government;
 - (b) be signed by the applicant and the owner of the lot;
 - (c) provide the information required by the form; and
 - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with section 6.19 of the *Local Government Act 1995*.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for approval.
- (4) The local government may refuse to consider an application for approval which is not in accordance with subclauses (2) and (3).

4.2 Decision on application for approval

- (1) The local government may —
 - (a) approve an application for approval unconditionally or subject to any conditions;
or
 - (b) refuse to approve an application for approval.
- (2) If the local government approves an application for approval, it is to issue to the applicant an approval in the form determined by the local government.
- (3) If the local government refuses to approve an application for approval, it is to give written notice of that refusal to the applicant.

- (4) Where a clause of this local law refers to conditions which may be imposed on an approval or which are to be taken to be imposed on an approval, the clause does not limit the power of the local government to impose other conditions on the approval under subclause (1)(a).

4.3 Compliance with approval

Where an application for approval has been approved, the applicant and the owner or occupier of the lot to which the approval relates, shall comply with the terms and any conditions of that approval.

4.4 Duration of approval

Unless otherwise stated in the form of approval, an approval granted under this local law —

- (a) runs with the lot to which it relates;
- (b) may be relied upon by any subsequent occupier or owner of the lot; and
- (c) may be enforced by the local government against a subsequent occupier or owner of the lot.

4.5 Cancellation of an approval

Subject to Division 1 Part 9 of the *Local Government Act 1995*, the local government may cancel an approval issued under this Part if -

- (a) the fence no longer satisfies the required specifications; or
- (b) the owner or occupier breaches any condition upon which the approval has been issued.

PART 5—MISCELLANEOUS

5.1 False or misleading statement

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

PART 6 - NOTICES OF BREACH

6.1 Notices of Breach

- (1) Where a breach of any provision of this local law has occurred in relation to a fence on a lot, the local government may give a notice in writing to the owner or occupier of that lot ('notice of breach').
- (2) A notice of breach 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 owner or occupier of the lot is required to remedy the breach within the time specified in the notice.
- (3) Should an owner fail to comply with a notice of breach, the local government may, by its employees, agents or contractors enter upon the lot to which the notice relates and remedy the breach, and may recover the expenses of so doing from the owner of the lot in a court of competent jurisdiction.

- (4) The provisions of this clause are subject to section 3.25 and item 12 of Division 1 of Schedule 3.1 of the *Local Government Act 1995* and any entry on to land will be in accordance with Part 3, Division 3 of that Act.

PART 7 - OFFENCES

7.1 Offences and penalties

- (1) An owner or occupier who fails to comply with a notice of breach commits an offence and is liable upon conviction to a maximum penalty of not less than \$250 and not exceeding \$5000 and, if the offence is a continuing offence, a maximum daily penalty of \$500.
- (2) A person who fails to comply with or who contravenes any provision of this local law commits an offence and is liable to a maximum penalty of not less than \$100 and not exceeding \$5000 and, if the offence is a continuing offence, a maximum daily penalty of \$500.

7.2 Modified penalties

- (1) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16 (1) of the *Local Government Act 1995*.
- (2) The amount appearing in the final column of Schedule 1, directly opposite a prescribed offence in that Schedule, is the modified penalty for that prescribed offence.
- (3) For the purpose of guidance only, before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that;
- (a) commission of the prescribed offence is a relatively minor matter; and
 - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

7.3 Form of Notices

For the purposes of this local law;

- (a) an infringement notice issued under this local law referred to in section 9.17 of the *Local Government Act 1995* is to be in a form prescribed by the local government and as may be amended from time to time;
- (b) a notice referred to in section 9.20 of the *Local Government Act 1995* is to be in a form prescribed by the local government and as may be amended from time to time.

PART 8— OBJECTIONS AND REVIEW

8.1 Objections and review

When the local government makes a decision as to whether it will grant a person a licence or renew, vary or cancel a licence under this local law, the provisions of Division 1 of Part

9 of the *Local Government Act 1995* and regulation 33 of the *Local Government (Functions and General) Regulations 1996* shall apply to that decision.

**FIRST SCHEDULE
OFFENCES AND MODIFIED PENALTIES
[clause 7 2(2)]**

| Clause No. | Nature of offence | Modified penalties \$ |
|-------------------|---|----------------------------------|
| 2.1(1) | Erect a fence which is not a sufficient fence without approval of the local government | 200 |
| 2.2(1) | Erect a fence greater than 1200mm in height within a front setback area without approval of the local government | 200 |
| 2.3(1)(a) | Erect a gate in a fence not opening into the lot | 100 |
| 2.3(1)(b) | Erect a gate in a fence not sliding parallel and inside a fence | 100 |
| 2.5 | Erect a fence on a rural or special rural lot exceeding 1500mm without approval of the local government | 100 |
| 2.6 | Erect a fence on a residential lot or special residential lot exceeding 1800mm without approval of the local government | 100 |
| 2.8(1) | Failure to maintain a fence in good condition to prevent the fence becoming dangerous, dilapidated or unsightly | 100 |
| 2.8(2) | Filling or excavating behind a fence as to undermine the structural integrity of the fence | 100 |
| 2.9 | Erect or maintain a fence or obstruction of temporary or permanent nature across a right-of way, public access way or thoroughfare without approval of the local government | 200 |
| 3.1(1) & (2) | Construct a dividing fence on a residential, commercial or an industrial lot from pre-used materials without approval of the local government | 150 |
| 3.2(2) | Erect a fence using barbed wire or material with spiked or jagged projections in the fence construction without approval of the local government | 200 |
| 3.3(1) | Construct, erect or use razor wire in a fence or electrify a fence without approval of the local government | 200 |
| 3.5(a) | Affix, or use, any broken glass in a fence | 200 |
| 4.3 | Failure to comply with terms or conditions of approval | 200 |
| 7.1 | Failure to comply with notice of breach | 250 |

SECOND SCHEDULE
SPECIFICATIONS FOR A SUFFICIENT BOUNDARY FENCE
ON A RESIDENTIAL LOT
[clause 2.1(2)(a)]

Each of the identified categories in this Schedule is a sufficient fence on a residential lot providing the fence design being certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with AS/NZS 1170 - Structural Design Actions - General Principles, as amended.

Timber fence

- (a) corner posts to be 125mm x 125mm x 2400mm and intermediate posts to be 125mm x 75mm x 2400mm spaced at 2400mm centres;
- (b) corner posts to be strutted two ways with 100mm x 50mm x 450mm sole plates and 75mm x 50mm struts;
- (c) all posts to have tops with a 60mm weather cut and to be sunk at least 600mm into the ground;
- (d) rails to be 75mm x 50mm with each rail spanning 2 bays of fencing double railed or bolted to each post with joints staggered;
- (e) the fence to be covered with 75mm x 20mm sawn pickets, 1800mm in height placed 75mm apart and affixed securely to each rail; and
- (f) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 2.2.

Corrugated fence

A fence constructed of corrugated fibre reinforced pressed cement or steel sheeting constructed to manufacturer's specifications or which satisfies the following specifications—

- (a) a minimum in-ground length of 25 per cent of the total length of the sheet, but in any case shall have a minimum in-ground depth of 600mm;
- (b) the total height and depth of the fence to consist of a single continuous fibre reinforced cement or steel sheet;
- (c) the sheets to be lapped and capped with extruded "snap-fit" type capping in accordance with the manufacturers written instructions; and
- (d) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 2.2.

Brick, stone or concrete fence

A fence constructed of brick, stone or concrete, which satisfies the following requirements and specifications—

- (a) a site classification is to be provided by a professional engineer in accordance with AS 2870 - Residential Slabs and Footings, as amended;
- (b) the footing is to be designed in accordance with AS 2870 - Residential slabs and footings, and as amended;
- (c) expansion joints in accordance with the manufacturer's written instructions; and
- (d) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 2.2.

Composite fence

A composite fence which satisfies the following specifications for the brick construction—

- (1) (a) brick piers of minimum 345mm x 345mm at either 1800mm or 2700mm centres, bonded to a minimum height base wall of 540mm;
- (b) each pier shall be reinforced with R10 galvanised starting rod (one rod for 1800mm centred brick piers, two for 2700mm brick piers), 1500mm high with a 250mm horizontal leg bedded into a 500mm x 500mm x 200mm concrete footing and set 65mm above the base of the footing. The top of the footing shall be 1 course (85mm) below ground level;
- (c) the minimum ultimate strength of brickwork shall be 20MPa. Mortar shall be a mix of 1 part cement, 1 part lime and 6 parts sand;
- (d) the ground under the footings is to be compacted to 6 blows per 300mm and checked with a standard falling weight penetrometer; and
- (e) control joints in brickwork shall be provided with double piers at a maximum of 6-metre centres.
- (f) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 2.2.

THIRD SCHEDULE

SPECIFICATIONS FOR A SUFFICIENT BOUNDARY FENCE ON A COMMERCIAL LOT AND AN INDUSTRIAL LOT

[Clause 2.1(2)(b)]

Each of the identified categories in this Schedule, with minimum and maximum specifications where stated, is a sufficient fence on a commercial lot or an industrial lot providing the fence design being certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with the current edition of AS/NZS 1170 - Structural Design Actions - General Principles, as amended.

Galvanised or PVC fence and gate

A fence constructed of galvanised or PVC coated non-rail link mesh, chain mesh or steel mesh which satisfies the following specifications—

- (a) corner posts to be minimum 50mm nominal bore x 3.5mm and with footings of a 225mm diameter x 900mm;
- (b) intermediate posts to be minimum 37mm nominal bore x 3.15mm at maximum 3500mm centres and with footings of a 225mm diameter x 600mm;
- (c) struts to be minimum 30mm nominal bore x 3.15mm fitted at each gate and 2 at each corner post and with footings 225mm x 600mm;
- (d) cables to be affixed to the top, centre and bottom of all posts and to consist of 2 or more 3.15mm wires twisted together or single 4mm wire;
- (e) non-rail link, chain or steel mesh is to be to a height of 2000mm on top of which are to be 3 strands of barbed wire carrying the fence to a height of 2400mm in accordance with the requirements and standards of the local planning schemes; and
- (f) galvanised link mesh wire to be 2000mm in height and constructed of 50mm mesh 2.5mm galvanised iron wire and to be strained, neatly secured and laced to the posts and affixed to cables. Vehicle entry gates shall provide an opening of not less than 3.6m and shall be constructed of 25mm tubular framework with 1 horizontal and 1 vertical stay constructed of 20mm piping and shall be covered with 50mm x 2.5mm galvanised link mesh strained to framework. Gates shall be fixed with a drop bolt and locking attachment.

Other fences

- (a) a fence of cement sheet or steel sheeting constructed to the minimum specifications referred to in Schedule 2;
- (b) a fence constructed of aluminium sheeting when supported on posts and rails provided that it is used behind a building line and is of a minimum height of 1800mm but no greater than 2400mm; or
- (c) a fence of timber, brick, stone or concrete constructed to the minimum specifications referred to in Schedule 2.

FOURTH SCHEDULE

SPECIFICATIONS FOR A SUFFICIENT BOUNDARY FENCE ON A RURAL LOT, A SPECIAL RURAL LOT AND A SPECIAL RESIDENTIAL LOT

[Clause 2.1(2)(c)]

Each of the identified categories in this Schedule, with minimum and maximum specifications where stated is a sufficient fence on a rural lot, a special rural lot and a special residential lot providing the fence design being certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with the current edition of AS/NZS 1170 - Structural Design Actions - General Principles, as amended.

Non-electrified fence

- (a) wire shall be high tensile wire and not less than 2.5mm. A minimum of 5 wires shall be used, generally with the lower wires spaced closer together than the higher wires so as to prevent smaller stock passing through, and connected to posts in all cases.
- (b) posts shall be of indigenous timber or other suitable material including—
 - (i) timber impregnated with a termite and fungicidal preservative;
 - (ii) standard iron star pickets; or
 - (iii) concrete;
- (c) cut not less than 1800mm long x 50mm diameter at small end if round or 125mm x 60mm if split or sawn timber.
- (d) posts to be set minimum 600mm in the ground and 1200mm above the ground; and
- (e) strainer posts shall be not less than 2250mm long and 150mm diameter at the small end (tubular steel to be 50mm in diameter) and shall be cut from indigenous timber or other suitable material. These shall be placed a minimum of 1000mm in the ground.

Electrified fence

An electrified fence having 4 wires is a sufficient fence if constructed generally in accordance with a non-electrified fence and the requirements of clause 3.3.

Dated this _____ day of _____ 20

The Common Seal of the)
City of Kwinana was hereunto)
affixed in the presence of :)

Carol Adams
Mayor

Joanne Abbiss
Chief Executive Officer

ATTACHMENT C

EXPLANATORY MEMORANDUM

1. **ADMINISTERING AUTHORITY**

City of Kwinana

2. **PUBLICATION OF LOCAL LAW**

WA Government Gazette dated [insert date] No. [insert number]

3. **TITLE OF LOCAL LAW**

Fencing Local Law 2016

4. **SECTION(S) OF ENABLING ACT(S)**

This local law was made under –

Subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995*.

5. **PURPOSE, EFFECT AND JUSTIFICATION**

Purpose of the local law:

To prescribe a sufficient fence and the standard for the construction of fences throughout the district.

Effect of the local law:

To establish the minimum requirements for safe, secure fencing that provides for good amenity within the district.

Justification for the local law:

To make changes in formatting and grammar to the previous local law, to include additional definitions, to make changes to references to legislation and standards, to reflect current legislation and standards, and to include a schedule of offences and modified penalties as there were none in the previous local law.

6. **ADDITIONAL INFORMATION**

There is no additional information.

7. **UNUSUAL OR CONTROVERSIAL PROVISIONS**

There are no unusual or controversial provisions to this local law.

8. **CONSULTATIONS, SUBMISSIONS AND RESPONSES**

No responses were received during the consultation period.

9. **FEES AND CHARGES, PENALTIES AND MODIFIED PENALTIES**

Fees and charges:

Nil

Reason for new fees and charges or any increase in fees and charges:

N/A

Penalties and modified penalties:

| Item | Clause No. | Nature of offence | Modified penalties \$ |
|-------------|-------------------|---|------------------------------|
| 1 | 2.1(1) | Erect a fence which is not a sufficient fence without approval of the local government | 200 |
| 2 | 2.2(1) | Erect a fence greater than 1200mm in height within a front setback area of a residential lot without approval of the local government | 200 |
| 3 | 2.3(1)(a) | Erect a gate in a fence not opening into the lot, if the gates is providing access to a thoroughfare | 100 |
| 4 | 2.3(1)(b) | Erect a gate in a fence not sliding parallel and inside a fence | 100 |
| 5 | 2.5 | Erect a fence on a rural or special rural lot, within 7.5 metres of a thoroughfare of a height exceeding 1500mm without approval of the local government | 100 |
| 6 | 2.6 | Erect a fence on a residential lot or special residential lot of a height exceeding 1800mm without approval of the local government | 100 |
| 7 | 2.8(1) | Failure to maintain a fence in good condition to prevent the fence becoming dangerous, dilapidated or unsightly | 100 |
| 8 | 2.8(2) | Filling or excavating behind a fence so as to undermine the structural integrity of the fence | 100 |
| 9 | 2.9 | Erect or maintain a fence or obstruction of temporary or permanent nature across a right-of way, public access way or thoroughfare without approval of the local government | 200 |
| 10 | 3.1(2) | Construct a dividing fence on a residential lot from pre-used materials without approval of the local government | 150 |
| 11 | 3.1(3) | Construct a dividing fence on a commercial or an industrial lot from pre-used materials without approval of the local government | 150 |
| 12 | 3.2(2) | Erect or affix to a fence using barbed wire or material with spiked or jagged projections in the fence construction without approval of the local government | 200 |
| 13 | 3.2(3) | On an industrial lot, erect or affix on any fence bounding that | 200 |

| | | | |
|----|-----------|--|------------|
| | | lot any barbed wire or other materials with spiked or jagged projections, in which the bottom row of wire or other materials is nearer than 2000mm from the ground level | |
| 14 | 3.2(5) | Affix or allow to remain as part of any fence or wall, whether internal or external, on that lot any broken glass | 200 |
| 15 | 3.3(1)(a) | Electrify a fence without approval of the local government | 200 |
| 16 | 3.3(1)(b) | Construct, erect or use razor wire in a fence without approval of the local government | 200 |
| 17 | 4.3 | Failure to comply with terms or conditions of approval | 200 |
| 18 | 7.1(1) | Failure to comply with notice of breach | 250 |

Reason for new penalties or any increase in penalties or modified penalties:

A schedule of offences and modified penalties has been included in this local law to assist in dealing with minor offenders of this local law, where previously it was only possible to seek penalties through the *Local Government Act* 1995 and the courts system.

10. STATUTORY PROCEDURES CHECKLIST

The completed and signed Statutory Procedures Checklist is attached.

11. DISCLAIMER

The Explanatory Memorandum is produced only as an aid to understanding the abovementioned local law and must not be substituted for the local law or gazetted or made available to the public in any manner or circumstance.

12. CONTACT PERSON

The local government's authorised officer for any enquiries about the local law is –

Full Name: Adam Vaughan-Williams
Position Title: Governance Officer
E-mail address: adam.vaughan-williams@kwinana.wa.gov.au
Telephone No.: (08) 9439 0412
Facsimile No.: (08) 439 0222
Mobile No. (if applicable): Nil

13.

Signature:

PRINTED NAME:

Public Office:

Administering Authority:

CAROL ADAMS

Mayor

City of Kwinana

JOANNE ABBISS

Chief Executive Officer

City of Kwinana

200

STATUTORY PROCEDURES CHECKLIST

Procedures for making a valid Local Law: In accordance with *Local Government Act 1995* and *Ministerial Directions*

Please tick ✓ the 2nd column, where applicable, to indicate the procedural steps completed. Insert 'N/A' if the step is not applicable.

Only Box A is to be checked, not Box C, when the CEO of DEC has directed a local government.

A. Waste Avoidance and Resource Recovery Act 2007 and Local Government Act 1995

| | | |
|----------|--|--|
| 61(1)(b) | | Under s. 61(1)(b) of the WARR Act the CEO of DEC <u>directed</u> a local government to adopt or amend or repeal a waste-related local law– CEO of DEC’s letter of direction: N/A |
| 3.12(2) | | Presiding person gave notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner: (a) in the agenda of that meeting; and (b) in the minutes of that meeting. Date of Council meeting: N/A |
| 3.12(5) | | Published the adopted local law in the <i>Government Gazette</i> . Date of Gazette: N/A No. N/A and Sent copy of adopted/gazetted local law to the Ministers: Sent to Minister for Local Government: N/A Sent to Minister for Environment: N/A |
| 3.12(6) | | Local public notice: (<i>refer s.1.7 under the LG Act</i>) Published in newspaper circulating generally throughout the State. Name of newspaper: N/A Date of publication: N/A Page No.: N/A <i>(copy of newspaper notice attached)</i> Appeared on Notice Boards (local government offices and every library): From: N/A To: N/A |
| 3.12(7) | | Sent EM material to the Joint Standing Committee on Delegated Legislation. Hard copies sent to JSCDL: N/A And either: • Electronic copies sent by e-mail to JSCDL: N/A <u>or</u> • Copies on CD included with hard copies to JSCDL: NO |
| 3.12(8) | | If applicable: This local law is an amendment local law which amends the text of the principal local law. <u>or</u> This local law is a repeal local law . |

Procedure in Box B must be completed before the commencement of 3.12 procedures of the LG Act.

B. Local Government Act 1995 Section 3.6 Places outside the district (eg: shoreline on public beach)

| | | |
|--------|--|---|
| 3.6(1) | | Governor’s approval was first obtained for a local government to make a local law that applies outside its district. Local government’s request for approval: N/A Notice in <i>Government Gazette</i> of Governor’s approval: Date of Gazette: N/A No. N/A Page No.: N/A |
|--------|--|---|

C. 200 Local Government Act 1995*Section 3.12 Procedure for making local laws*

| | |
|------------|--|
| 3.12(2) | <p>Presiding person gave notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner¹:</p> <p>(a) in the agenda of that meeting; and</p> <p>(b) in the minutes of that meeting.</p> <p>Date of Council meeting: 20 January 2016 Item No 16.3 <i>(copy of Council minutes attached)</i></p> |
| 3.12(3)(a) | <p>State-wide public notice: (refer s.1.8 under this Act) Published in newspaper circulating generally throughout the State.</p> <p>Name of newspaper: West Australian Date of publication: 27 January 2016 Page No.: 89 <i>(copy of actual newspaper notice attached)</i></p> |
| 3.12(3a) | <p>Local public notice: (refer s.1.7 under this Act) Published in a newspaper circulating generally throughout the State, and exhibited on a notice board of the local government's offices and every library in the district.</p> <p>Name of newspaper: Sound Telegraph Date of publication: 27 January 2016 Page No.: 37 <i>(If a different newspaper, copy of actual newspaper notice attached)</i></p> <p>Appeared on Notice Boards (local government offices and every library): From: 27 January 2016 To: 18 March 2016</p> |
| 3.12(3)(b) | <p><u>Immediately after State-wide local public notice is published:</u> Sent copy of</p> <ul style="list-style-type: none"> • the proposed local law (in gazette-ready format) and • a copy of the State-wide public notice, <p>to the Minister for Local Government².</p> <p>Sent to Minister for Local Government: 28 January 2016</p> <p>and, where applicable, same copies sent to another Minister:</p> <ul style="list-style-type: none"> • Minister for Commerce³, administering the <i>Dividing Fences Act 1961</i> (for fencing local law) <p>or</p> <ul style="list-style-type: none"> • Minister for Emergency Services, administering the <i>Bush Fires Act 1954</i> (for bush fire brigade or fire-break local law) <p>or</p> <ul style="list-style-type: none"> • Minister for Environment, administering the <i>Waste Avoidance and Resource Recovery Act 2007</i> (for waste local law) <p>or</p> <ul style="list-style-type: none"> • Minister for Health, administering the <i>Health Act 1911</i> (for health local law and cremation-related cemetery local law) <p>or</p> <ul style="list-style-type: none"> • Minister for Agriculture and Food, administering the <i>Agriculture and Related Resources Protection Act 1976</i> (for pest plant local law) <p>or</p> <ul style="list-style-type: none"> • Minister for N/A, administering the N/A, (for N/A local law) <p>Sent to other Minister for N/A: N/A</p> |

¹ Refer to regulation 3 in the *Local Government (Functions and General) Regulations 1996*.

² The Minister for Local Government administers the *Cemeteries Act 1986* (for cemetery local laws), the *Dog Act 1976* (for dog local laws) and the *Local Government Act 1995* (for standing orders, local government property, public places, public parking, activities on thoroughfares local laws, etc).

³ The Minister for Commerce also administers the *Local Government (Miscellaneous Provisions) Act 1960* (Parts VIII, IX & XV only) but no local laws are required these Parts.

C. Local Government Act 1995

Section 3.12 Procedure for making local laws (continued)

| | | |
|---------|--|--|
| 3.12(4) | | <p>Relevant to: WARR Act and Health Act - procedures prior to adoption: After last day for submissions, <u>consideration</u> at Council meeting of –</p> <ul style="list-style-type: none">• submissions received <p>and</p> <ul style="list-style-type: none">• whether to make the local law as proposed (by absolute majority) <p>or</p> <ul style="list-style-type: none">• whether to make a local law that was not significantly different from what was proposed (by absolute majority). <p>Council meeting date: N/A <i>(copy of Council minutes attached)</i></p> <p>and</p> <ul style="list-style-type: none">• gave copy of <u>final</u> version of proposed local law for consent under – <p>WARR Act: Consent of CEO of DEC: N/A Health Act: Consent of Exec. Director of Public Health: N/A <i>(Consent is required prior to local government's actual adoption.)</i></p> |
| 3.12(4) | | <p>LG Act - final procedure for actual adoption: After close of public consultation period of minimum⁴ 6 weeks, considered any submissions made about the proposed local law –</p> <p>and adopted the local law as proposed (by absolute majority)</p> <p>or adopted a local law that was considered not significantly different from what was proposed (by absolute majority).</p> <p>Council meeting date: [Insert meeting date & item number] <i>(copy of Council minutes attached)</i></p> |
| 3.12(5) | | <p>Published the adopted local law in the <i>Government Gazette</i>. Date of Gazette: [Insert date] No. [Insert number]</p> <p><u>After</u> the adopted local law was published in the <i>Government Gazette</i>, sent a signed and sealed copy of the adopted local law to the Minister for Local Government.</p> <p>Sent to Minister for Local Government: [Insert date of letter]</p> <p>and where local law was made under legislation other than the <i>Local Government Act 1995</i>, sent to the relevant Minister:</p> <ul style="list-style-type: none">• Minister for Commerce, administering the <i>Dividing Fences Act 1961</i> (for fencing local law) <p>or</p> <ul style="list-style-type: none">• Minister for Emergency Services, administering the <i>Bush Fires Act 1954</i> (for bush fire brigade and fire-break local law) <p>or</p> <ul style="list-style-type: none">• Minister for Environment, administering the <i>Waste Avoidance and Resource Recovery Act 2007</i> (for waste local law) <p>or</p> <ul style="list-style-type: none">• Minister for Health, administering the <i>Health Act 1911</i> (for health local law and cremation-related cemetery local law) <p>or</p> <ul style="list-style-type: none">• Minister for Agriculture and Food, administering the <i>Agriculture and Related Resources Protection Act 1976</i> (for pest plant local law) <p>or</p> <ul style="list-style-type: none">• Minister for [Insert text], administering the [Insert Act], (for [Insert text] local law) <p>Sent to other Minister for [Insert text]: [Insert date of letter]</p> |

Cont/...

⁴ The local government cannot adopt the local law before the public consultation period (minimum 6 weeks) has closed. Section 61(f) of the *Interpretation Act 1984* determines the method for calculating the consultation period. Guidance is provided in the *Local Government Operational Guidelines No. 16 on Local Laws*, downloadable from the Department of Local Government's website: www.dlg.wa.gov.au.

C. Local Government Act 1995

Section 3.12 Procedure for making local laws (continued)

| | | |
|---------|--|---|
| 3.12(6) | | <p><u>After</u> the local law was published in the Gazette and <u>after</u> a signed and sealed copy of the local law was given to the Minister(s): gave local public notice of gazettal (refer s.1.7 of this Act)</p> <p>Published in a newspaper circulating generally throughout the District, and exhibited on a notice board of the local government's offices and every library in the district.</p> <p>Name of newspaper: [Insert text] Date of publication: [Insert date] Page No.: [Insert number] <i>(copy of Newspaper notice attached)</i></p> <p>Appeared on Notice Boards (local government offices and every library): From: [Insert date] To: [Insert date]</p> |
| 3.12(7) | | <p><u>Within 10 working days of the Gazettal date:</u> supplied copies of the local law, Explanatory Memorandum, Statutory Procedures Checklist and other supporting material in accordance with Ministerial Directions, to the WA Parliament's Joint Standing Committee on Delegated Legislation (JSCDL):</p> <p>Hard copies sent to JSCDL: [Insert date of letter] And either:</p> <ul style="list-style-type: none">• Electronic copies sent by e-mail to JSCDL: [Insert date of e-mail] <p><u>or</u></p> <ul style="list-style-type: none">• Copies on CD included with hard copies to JSCDL: [YES / NO] |
| 3.12(8) | | <p>This local law is This local law is a repeal local law.</p> |

Signature:

PRINTED NAME:

Public Office:

Administering Authority:

CAROL ADAMS

Mayor

City of Kwinana

JOANNE ABBISS

Chief Executive Officer

City of Kwinana

16.8 Budget Variations

SUMMARY:

To amend the 2015/2016 budget to reflect various adjustments to the General Ledger with nil effect to the overall budget as detailed below. Due to the nature of these variations, they fall outside the annual budget review.

OFFICER RECOMMENDATION:

That the required budget variations to the Adopted Budget for 2015/2016 as outlined in the report be approved and additions to the Proposed Budget for 2016/2017 as outlined in the report be approved.

NOTE: AN ABSOLUTE MAJORITY OF COUNCIL IS REQUIRED

DISCUSSION:

The following budget items from 2015/2016 are requested to restrict funds and be rebudgeted in 2016/2017:

Works not completed in 2015/16:

1. Executive Management Consultancy – Estimated total budget 2016/2017 of \$40,000 council contribution from rates. \$70,000 budgeted in 2015/2016 for jetty consultant. \$30,000 will be spent this financial year on a study that includes the condition of current infrastructure which includes the boat ramp, new jetty and adjacent seawall as well as whether infrastructure should be built in that location. Remaining \$40,000 is for community needs assessment for maritime infrastructure and review of Wells Park Master plan in 2016/2017.
2. City Signage/Community Public Relations – key action from Corporate Business Plan – Originally Estimated total budget of 2016/2017 of \$50,000 council contribution from rates. Revised Estimated total budget amount of \$41,000 council contribution from rates after quotes received. Timeframe for signage revised due to unforeseen complications with proposed structures and locations.
3. Governance Transformation Expenses – Estimated total budget 2016/2017 of \$25,000 council contribution from rates. The transformation program includes projects that will commence in the 2016/2017 financial year. The \$25,000 will be allocated to projects that will transform the organisation and fund the new way of delivering services.

16.8 BUDGET VARIATIONS

| ITEM # | LEDGER ACCOUNT | DESCRIPTION | OPERATING BUDGET | INCREASE/ DECREASE | REVISED BUDGET |
|--------|----------------|---|------------------|--------------------|----------------|
| 1 | 800046.1813 | Transfer to Reserve | Nil | (40,000) | (40,000) |
| | 400002.1125 | Operating Expense | (142,500) | 40,000 | (102,500) |
| | Reason: | <i>Executive Management - transfer of funds to the Restricted Grants and Contributions Reserve for community needs assessment for maritime infrastructure and review of Wells Park Master plan in 2016/2017.</i> | | | |
| 2 | 600002.1001 | Capital Expense | (169,212) | (9,814) | (179,026) |
| | 400467.1126 | Operating Expense | Nil | (1,391) | (1,391) |
| | 300146.1001 | Capital Revenue | Nil | 9,814 | 9,814 |
| | 300121.1314 | Operating Revenue | Nil | 1,391 | 1,391 |
| | Reason: | <i>Computing Infrastructure - revenue in excess of adopted budget. WA Police funding for Graffiti Strategy equipment.</i> | | | |
| 3 | 800008.1813 | Transfer from Reserve | (50,000) | 9,000 | (41,000) |
| | 400013.1123 | Operating Expense | (350,188) | (9,000) | (359,188) |
| | Reason: | <i>Marketing and Communications – being amendment to transfer of funds to the Restricted Grants and Contributions Reserve for the upgrade of signage from “Town” to “City” in 2016/2017. The original transfer was \$50,000 however the final quote has been received and only \$41,000 needs to be carried forward.</i> | | | |
| 4 | 600006.1566 | Capital Expense | (20,000) | (4,824) | (24,824) |
| | 300154.1003 | Capital Revenue | Nil | 4,824 | 4,824 |
| | Reason: | <i>Community Amenities Development - revenue in excess of adopted budget. Public Transport Authority funding for footpath connecting proposed bus shelter and existing footpath.</i> | | | |
| 5 | 800002.1813 | Transfer to Reserve | Nil | (25,000) | (25,000) |
| | 400053.1950 | Operating Expense | (90,000) | 25,000 | (65,000) |
| | Reason: | <i>Governance - transfer of remaining funds to the Restricted Grants and Contributions Reserve for transformation projects that will commence in 2016/2017.</i> | | | |

LEGAL/POLICY IMPLICATIONS:

The Local Government Act 1995 Part 6 Division 4 s 6.8 (1) requires the local government not to incur expenditure from its municipal fund for an additional purpose except where the expenditure-

(b) is authorised in advance by resolution*

“additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

*requires an absolute majority of Council.

FINANCIAL/BUDGET IMPLICATIONS:

| | |
|----------------------|--------------------------------|
| Budget Item Name: | Various items as listed above. |
| Budgeted Amount: | |
| Expenditure to Date: | |
| Proposed Cost: | Nil effect. |
| Balance: | |

*NOTE: All figures are exclusive of GST

16.8 BUDGET VARIATIONS

ASSET MANAGEMENT IMPLICATIONS:

The allocation of funds towards the upgrading and renewal of existing City assets in the capital expenditure items is in line with the Asset Management Strategy and will reduce the current asset management gap.

ENVIRONMENTAL IMPLICATIONS:

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

STRATEGIC/SOCIAL IMPLICATIONS:

Council's Strategic Community Plan for the period 2015 to 2025 provides that Council will ensure the future sustainability of the City of Kwinana through the implementation of sound revenue and expenditure policies, and seeking additional revenue sources.

RISK IMPLICATIONS:

Refer to Legal/Policy comments for risk implications.

COUNCIL DECISION

212

MOVED CR P FEASEY

SECONDED CR S LEE

That the required budget variations to the Adopted Budget for 2015/2016 as outlined in the report be approved and additions to the Proposed Budget for 2016/2017 as outlined in the report be approved.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

6/0

17 Urgent Business

COUNCIL DECISION

213

MOVED CR P FEASEY

SECONDED CR D WOOD

That Council deal with the item of urgent business as presented in the Addendum to the Agenda, due to its confidential nature it will be presented Behind Closed Doors.

CARRIED
6/0

- 17.1 [Further Legal Instructions and Council update on case number 08-13555\(SCC\)](#)

18 Councillor Reports

18.1 Councillor Sandra Lee

Councillor Sandra Lee reported that she had attended the City of Kwinana Heritage Day Event at Sloan's Reserve and that many people of the community had been in attendance and that it had been very enjoyable.

18.2 Councillor Bob Thompson

Councillor Bob Thompson reported that he had attended the Citizens Advice Bureau Meeting and advised that the centre is now up and running.

19 Response to Previous Questions

Nil

20 Mayoral Announcements (without discussion)

Mayor Carol Adams announced that the Citizens Advice Bureau now has a committee and she welcomed Councillor Bob Thompson as the Secretary.

The Mayor reported that she had attended the Thank a Volunteer Function and that it had been a really lovely evening.

The Mayor mentioned that she had attended the Kwinana Hornets Swimming Club Awards and that during the refurbishment of the Kwinana Recquatic the club's numbers had reduced, and was happy to announce that they now have skyrocketed following the completion of the refurbishment.

The Mayor advised that she had attended the Western Australian Local Government Association (WALGA) Members of Parliament Breakfast and that they were asked as Members of State Council to talk to those members of Parliament at the table about the importance of not capping rates and the importance of the partnership agreement between WALGA and the State Government.

The Mayor reported that she had attended a joint function co-hosted by the City of Kwinana and the City of Rockingham regarding the Rockingham Kwinana Family Domestic Violence Action Group which brought together a lot of service providers in the area.

The Mayor mentioned that she had attended a briefing with Upper House Member, Robin Chappel regarding the Indian Ocean Gateway proposal.

The Mayor advised that she had attended a briefing with Brand candidate Madeline King regarding the Indian Ocean Gateway proposal.

The Mayor stated that it was great the Australian Labor Party has made a pre election commitment to fund \$2 million to take all the existing planning work on the Outer Harbour through to a submission for Infrastructure Australia.

21 Matters Behind Closed Doors

COUNCIL DECISION

214

MOVED CR P FEASEY

SECONDED CR R ALEXANDER

That in accordance with Sections 5.23(2)(b) and 5.23(2)(d) of the Local Government Act 1995, Council move behind closed doors to allow discussion of the Matters Behind Closed Doors items.

CARRIED
6/0

The press exited the Council Chambers at 7:36pm

21.1 **Legal Agreement between the City of Kwinana and Land Owners of Authority Parcel Numbers 9405, 9509 and 9615**

COUNCIL DECISION

215

MOVED CR P FEASEY

SECONDED CR D WOOD

That Council supports Option B as detailed in this Council Report.

CARRIED
6/0

21.2 Write-off of legal charges and interest – rates assessment 9313

COUNCIL DECISION

216

MOVED CR P FEASEY

SECONDED CR R ALEXANDER

That pursuant to *Section 6.47 of the Local Government Act 1995*, Council resolves to:

- 1) Write-off \$22,110.30 of legal charges and \$901.80 of interest plus any interest accrued on those arrears since 30 September 2015 for rates assessment number 9313.
- 2) That the required budget variations to the 2015/2016 Budget as detailed in the Financial/Budget Implications section of this report be approved.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL
6/0

21.3 Chief Executive Officer Performance Review 2015/16 – Formal review of existing Key Performance Indicators

COUNCIL DECISION

217

MOVED CR P FEASEY

SECONDED CR R ALEXANDER

That Council:

- 1. Receive and discuss feedback from the Appraisal Agent on the review of existing Key Performance Indicators.**
- 2. Approve the formal feedback to be provided to the Chief Executive Officer as provided by the Appraisal Agent.**

**CARRIED
6/0**

21.4 Further Legal Instructions and Council update on case number 08-13555(SCC)

COUNCIL DECISION

218

MOVED CR P FEASEY

SECONDED CR R ALEXANDER

That Council, after considering the options available, adopt Option A within this report.

**CARRIED
6/0**

COUNCIL DECISION

219

MOVED CR P FEASEY

SECONDED CR R ALEXANDER

That Council return from Behind Closed Doors.

**CARRIED
6/0**

The Council Chambers reopened at 7:52pm

22 Meeting Closure

The Mayor declared the Meeting closed 7:53pm.

Chairperson: _____

8 June 2016