

Ordinary Council Meeting

27 September 2017

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.

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Present:

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

MS J ABBISS	-	Chief Executive Officer
MS C MIHOVILOVICH	-	Director City Strategy
MS M BELL	-	Acting Director City Regulation
MRS B POWELL	-	Director City Engagement
MR R NAJAFZADEH	-	Acting Director City Infrastructure
MR W CARTER	-	Coordinator Strategic Planning
MS A MCKENZIE	-	Council Administration Officer

Members of the Press	0
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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 Dennis Wood 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):

Nil

4 Public Question Time:

Nil

5 Applications for Leave of Absence:

Nil

6 Declarations of Interest by Members and City Officers:

Deputy Mayor Peter Feasey declared an impartiality interest in item 16.2, Council Policy Review – City Ovals and Reserves Seasonal Hire due to being a holder of a seasonal tenancy by way of his relationship with a local association.

7 Community Submissions:

Nil

8 Minutes to be Confirmed:

8.1 Ordinary Meeting of Council held on 13 September 2017:

COUNCIL DECISION

591

MOVED CR B THOMPSON

SECONDED CR S MILLS

That the Minutes of the Ordinary Meeting of Council held on 13 September 2017 be confirmed as a true and correct record of the meeting.

**CARRIED
8/0**

9 Referred Standing / Occasional / Management /Committee Meeting:

9.1 Audit Committee Meeting held on 18 September 2017:

COUNCIL DECISION

592

MOVED CR S MILLS

SECONDED CR S LEE

That the Minutes of the Audit Committee Meeting held on 18 September 2017 be confirmed as a true and correct record of the meeting.

**CARRIED
8/0**

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 Adoption for Advertising of Local Planning Policy: Casuarina Urban Development Zone Structure Planning

SUMMARY:

This report presents a draft Local Planning Policy (LPP) under Town Planning Scheme No 2 (TPS2) that will provide greater clarity and guidance to landowners, developers and City of Kwinana (City) officers on the assessment of structure plans and subsequent future development within the Casuarina Urban Development Zone.

The preparation of the policy is considered necessary to guide development to ensure the best planning outcomes for this large urban cell.

Given the numerous matters for consideration within the Cell – delivery of District and local Public Open Space, physical constraints, environmental features and land use potential - the draft Planning Policy would play a key role in delivering the strategic development aspirations of the City in the context of Casuarina. The need for a local planning policy has been the subject of briefings at Elected Member Forums where the planning for this urban cell has been discussed.

It is recommended that Council adopt the draft LPP for the purpose of public advertising and landowner engagement and that City Officers then bring the draft policy back to Council for further consideration with a full assessment of submissions made.

OFFICER RECOMMENDATION:

That Council:

1. Adopt Local Planning Policy: Casuarina Urban Development Zone Structure Planning, as detailed in Attachment A, for the purpose of public advertising.
2. Publically advertise Local Planning Policy: Casuarina Urban Development Zone Structure Planning for a period of 21 days.
3. Instruct City Officer's to prepare a report back to Council that details the submissions received during the advertising period and make a recommendation that Local Planning Policy: Casuarina Urban Development Zone Structure Planning be either adopted with or without modification, or not to proceed.

DISCUSSION:

The Casuarina Cell was one of five cells identified under the Jandakot Structure Plan (JSP) for future urban development and was subsequently rezoned from Rural to Urban Deferred in November 2007. The draft Eastern Residential Intensification Concept (ERIC) plan presented a more refined version of the JSP and provided the City with a district structure planning tool, however has always remained a draft, now partly outdated, document.

15.1 ADOPTION FOR ADVERTISING OF LOCAL PLANNING POLICY: CASUARINA URBAN DEVELOPMENT ZONE STRUCTURE PLANNING

On 24 September 2013, the Western Australian Planning Commission (WAPC) resolved to transfer land within the Casuarina Cell from the Urban Deferred Zone to the Urban Zone in the Metropolitan Region Scheme (MRS).

Since that time, the City has been approached by a number of landowners and developers seeking further guidance on planning within the Cell. In this regard, and due to the current lack of a City-driven strategic planning instrument beyond the broad and partially superseded land use pattern identified in the ERIC plan, the draft LPP presents an important basis from which future planning can occur.

Draft Local Planning Policy

The key objective of the draft LPP is to provide guidance to landowners, developers and Council to ensure that structure planning within the Casuarina Cell occurs in a manner consistent with the orderly and proper planning of the locality.

The draft LPP contains guidelines for the three identified precincts within the Cell – Northern Precinct, Central Precinct and Southern Precinct. The guidelines for each precinct relate to, but are not limited to:

- Land uses;
- District and local Public Open Space;
- Residential densities;
- Access arrangements;
- Drainage;
- School sites;
- Community facilities;
- Environmental considerations.

A copy of the draft LPP is contained within Attachment A.

LEGAL/POLICY IMPLICATIONS:

City of Kwinana Town Planning Scheme No. 2

Deemed Provision Clause 3 allows Council to *'prepare a Planning Policy in respect of any matter related to the planning and development of the Scheme Area ...'*

A Planning Policy is required to be advertised for public comment for no less than 21 days prior to the final adoption by Council, as per clause 4.1 of the deemed provisions.

FINANCIAL/BUDGET IMPLICATIONS:

The preparation and advertising of the draft LPP will be undertaken within the City's existing budget. There are no other direct financial implications associated with the draft LPP.

ENVIRONMENTAL IMPLICATIONS:

No direct environmental implications are associated with the draft LPP.

15.1 ADOPTION FOR ADVERTISING OF LOCAL PLANNING POLICY: CASUARINA URBAN DEVELOPMENT ZONE STRUCTURE PLANNING

STRATEGIC/SOCIAL IMPLICATIONS:

STRATEGIC COMMUNITY PLAN 2017-2027		CORPORATE BUSINESS PLAN 2016 – 2021
OBJECTIVE	STRATEGY	ACTION
3.2 Achieve high levels of environmental protection in new developments.	3.2.3 Ensure, where practicable, retention of remnant vegetation and natural systems within new residential subdivisions.	3.2.3.1 Ensure retention, where practicable, of remnant vegetation and encourage the retention of trees and other flora within new residential subdivisions above the 10% minimum required.
3.5 Encourage and exercise best practice water management.	3.5.1 Implement the City of Kwinana Water Conservation Plan, the Peel and Cockburn Catchment Regional Water Program and adopt Water Sensitive Urban Design Technical Guidelines in order to maximise water quality, recovery and reuse.	3.5.1.6 Implement the Water Conservation Plan
4.1 Residents are provided with a range of multifunctional community places and accessible recreation facilities.	4.1.1 Implement the City of Kwinana's Community Infrastructure Plan that identifies the location, nature and anticipated construction date of new community and recreation facilities.	4.1.1.2 Ensure Developer Contribution Schemes are aligned with the Community Infrastructure Plan.
		4.1.1.5 Reach a formal agreement with public and private education providers for shared use of facilities in accordance with the Community Infrastructure Plan.
4.2 The community has easy access to well equipped, quality parks and public open spaces.	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.	4.2.1.1 Implement the City's public open space development standards to ensure best practice standards are implemented and ongoing maintenance costs are minimised.
4.4 Create diverse places and spaces where people can enjoy a variety of lifestyles with high levels of amenity.	4.4.6 Ensure that an appropriate density of development is achieved that accommodates projected population growth and is balanced against community expectations.	4.4.2 Encourage and promote the design of places of activity and enjoyment
		4.4.6 Ensure that an appropriate density of development is achieved that accommodates projected population growth and is balanced against community expectations
		4.4.9 Engage with developers on infrastructure and sustainability issues.

RISK IMPLICATIONS:

RISK ANALYSIS	DESCRIPTION
Risk Event	Lack of clarity for effective and efficient land use decision making for Council and advice for the development industry
Risk Theme	Ineffective management of facilities
Risk Effect/Impact	Property
Risk Assessment Context	Operational

15.1 ADOPTION FOR ADVERTISING OF LOCAL PLANNING POLICY: CASUARINA URBAN DEVELOPMENT ZONE STRUCTURE PLANNING

Consequence	Moderate
Likelihood	Possible
Rating (before treatment)	Moderate
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Adoption of the draft Policy provides greater clarity and guidance to developers and the City on the strategic land use planning framework for the Casuarina Urban Cell, thereby mitigating the risk.
Rating (after treatment)	Low

COUNCIL DECISION

593

MOVED CR B THOMPSON

SECONDED CR S LEE

That Council:

- 1. Adopt Local Planning Policy: Casuarina Urban Development Zone Structure Planning, as detailed in Attachment A, for the purpose of public advertising.**
- 2. Publically advertise Local Planning Policy: Casuarina Urban Development Zone Structure Planning for a period of 21 days.**
- 3. Instruct City Officer's to prepare a report back to Council that details the submissions received during the advertising period and make a recommendation that Local Planning Policy: Casuarina Urban Development Zone Structure Planning be either adopted with or without modification, or not to proceed.**

**CARRIED
8/0**

Local Planning Policy

Casuarina Urban Development Zone Structure Planning

1. POLICY OBJECTIVES

To provide guidance to landowners, developers and Council to ensure that Structure Planning within the Casuarina Urban Development Zone occurs in a manner consistent with the orderly and proper planning of the locality.

2. POLICY APPLICATION

This policy should be read in conjunction with relevant State and City of Kwinana (City) legislation and policies, including but not limited to:

- Local Commercial and Activity Centres Strategy 2013
- City of Kwinana Town Planning Scheme No 2
- Strategic Community Plan
- City of Kwinana Community Infrastructure Plan
- Liveable Neighbourhoods State Planning Policy
- Environmental Protection and Biodiversity Conservation Act
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7) (WAPC 2015)
- Guidelines for Planning in Bushfire Prone Areas
- State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning.

3. DEFINITIONS

The terms used in this policy are defined as per the definitions found in the Town Planning Scheme No.2 and the City of Kwinana Community Infrastructure Plan.

4. GUIDELINES

In order to provide a coordinated and planned approach to Casuarina, local structure planning and/or subdivision proposals will only be supported by the City as competent applications where they are prepared for one, or more, of the precincts of the Casuarina cell, as depicted on Figure 1.

The City considers that, in addition to the standard local structure planning requirements detailed in Western Australian Planning Commission (WAPC) and City policies, there are a number of fundamental matters that must be addressed as part of structure planning for the Casuarina cell. These are described below:

a) NORTHERN PRECINCT

- i. *Bulky Goods* and *Showroom* uses will be located adjacent to Thomas Road to make best use of the access and exposure provided by these roads. Supermarkets and small format shops are not permitted in this area. The balance of the area shall be used for Residential purposes.
- ii. Commercial uses and floor areas will be consistent with the City's *Local Commercial and Activity Centres Strategy 2013*.
- iii. Primary access from Thomas Road will be located to allow a four way intersection with the approved Anketell South local structure plan. This access shall become the primary north – south route through the broader Casuarina cell and will link to existing Landgren Road in the adjacent Central Precinct.
- iv. Development of a District Sporting Ground located on 3.0 ha of land to be acquired by the Development Contribution Plan. The Sporting Ground is to be located adjacent to Bulky Goods/Showroom area with reciprocal parking arrangements.
- v. The City will support the use of the land within the power line easements for parking associated with the commercial and recreation uses.
- vi. Drainage will be contained within the Northern Precinct, unless supported by a *Local Water Management Strategy* and implementation process that enables drainage to be managed elsewhere.
- vii. Peel Sub-drains will be upgraded to an appropriate urban standard with Living Stream treatment in accordance with the Development Contribution Plan.
- viii. Residential densities will accord to *Liveable Neighbourhood* principles with higher densities located near activity centre or areas of higher amenity, such as public open space.
- ix. Public open space (POS) is to be consolidated within the broader Casuarina cell. In the Northern Precinct, a maximum of 80% of the total required POS will be credited by the City, with the shortfall balance required to be provided as cash in lieu. The cash in lieu will be used to fund the acquisition of land for public open space in the southern precinct.
- x. Development will need to respond to the ongoing operations of the mushroom farm.

b) CENTRAL PRECINCT

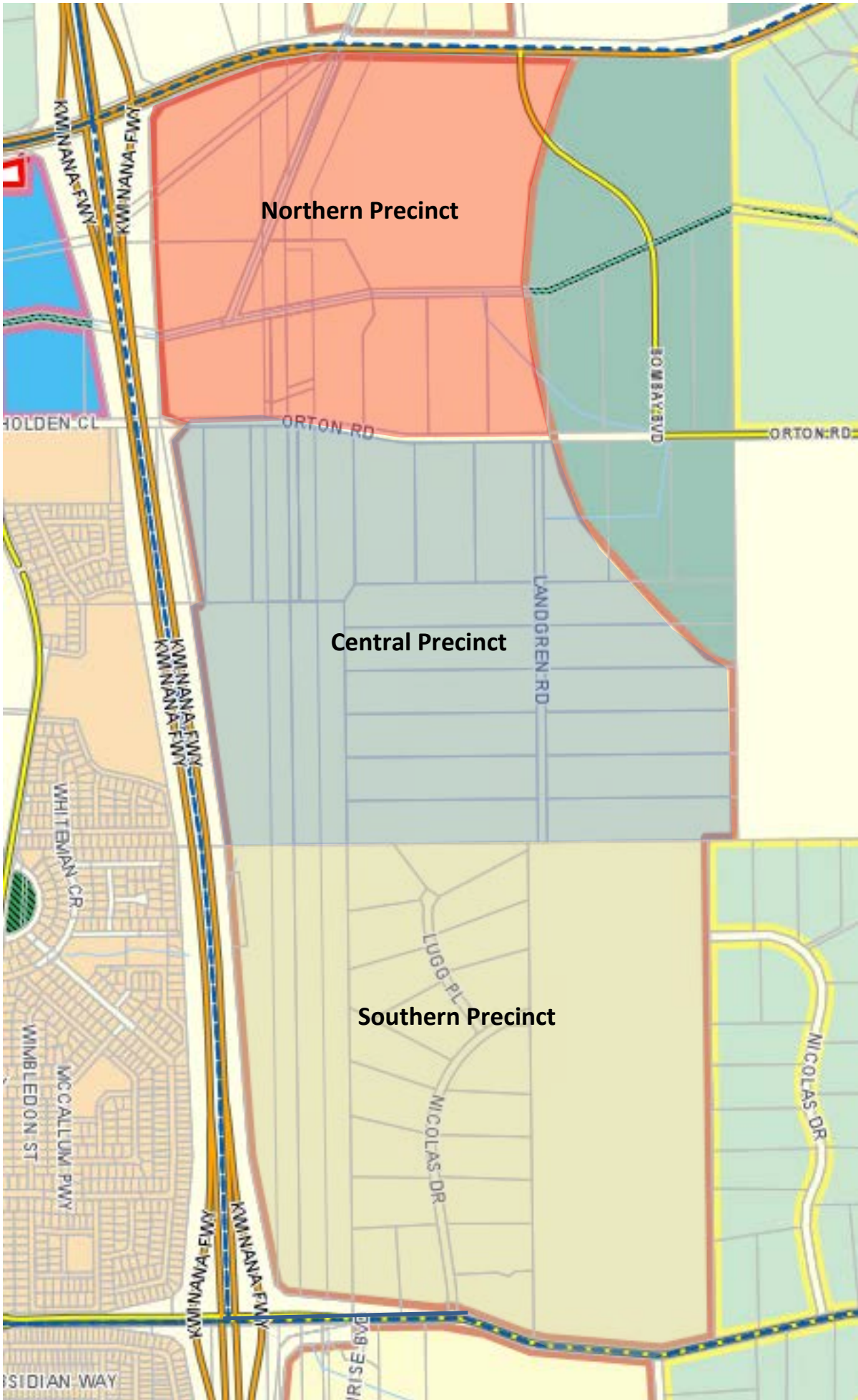
- i. The area will be developed for predominantly residential uses.
- ii. A primary school in accordance with *Liveable Neighbourhoods* shall be provided for and located adjacent to an area of 7.2ha of Public Open Space. The primary school should be located near the intersection of Landgren Road and Orton Road.
- iii. Residential properties adjoining the school site shall have secondary access by way of laneway or secondary street frontage and shall have no crossover to the road fronting the primary school.

- iv. Landgren Road will provide the main north-south linkage throughout the cell.
- v. A Local Centre will be provided at the intersection of Landgren Road and Orton Road, either in this central precinct or the northern precinct.
- vi. Public open space is to be consolidated within the broader Casuarina cell. In the Central Precinct, a maximum of 80% of the total required POS will be credited by the City, with the balance required to be provided as cash in lieu. The cash in lieu will be used to fund the acquisition of land for public open space in the southern precinct.
- vii. Drainage will be contained within the Central Precinct, unless supported by a Local Water Management Strategy and implementation process that enables drainage to be managed elsewhere.
- viii. Residential densities will accord to Liveable Neighbourhood principles with higher densities located near activity centre or areas of higher amenity, such as public open space.

c) SOUTHERN PRECINCT

- i. The area will be developed for predominantly residential purposes.
- ii. A high school site will be provided in accordance with *Liveable Neighbourhoods*.
- iii. Land for a district community centre (0.7ha) will be provided and will form part of the POS for the cell.
- iv. Land for a District Youth Centre 0.7 ha will be provided and will be located adjacent to the district community centre within POS.
- v. Landgren Road will be extended to connect to and generally align with Nicholas Drive to provide the main north-south linkage. The current intersection of Nicholas Drive and Mortimer Road will be used to align with local structure planning for the Wellard East cell to the south.
- vi. Structure planning for the Southern Precinct will need to address the environmental quality of the existing bushland within the cell and make recommendations for the preservation of areas of environmental value in liaison with the Western Australian Environmental Protection Authority and Federal Department of Environment as required.
- vii. A Local Centre will be provided near the intersection of the north-south linkage and Mortimer Road.
- viii. The cash in lieu from the shortfall of POS in the Northern and Central Precincts will be used to purchase additional Restricted POS in the Southern Precinct for the purpose of maximising the preservation of environmentally significant native bushland.

Figure 1



15.2 Submission on Draft Lifting of Urban Deferment Guidelines

SUMMARY:

The Western Australian Planning Commission (WAPC) has advertised draft Guidelines for the Lifting of Urban Deferment (the Guidelines) (Attachment 1).

Under current practice, the WAPC will often rezone land to “Urban Deferred” zoning, in circumstances where not all of the criteria for Urban Development have been met. The proponent can later make an application, demonstrating that they have met all the relevant criteria as set out in the guideline, and the WAPC, pursuant to Clause 27 of the Metropolitan Region Scheme (MRS) will effectively rezone the land to the Urban zone, bypassing the amendment process.

City Officers are concerned that the process used is unlawful, as the process for Amending a Region Scheme (such as the MRS) is clearly articulated in the *Planning and Development Act*. There is no reference to the WAPC being able to simply amend the scheme by resolution.

This report recommends that the CEO be authorised to make a submission on the proposed Guidelines, as outlined in Attachment 2, noting the City’s concerns.

OFFICER RECOMMENDATION:

That Council endorse the submission (Attachment 2) to the WAPC and authorise the CEO to make the submission and advocate the City’s position with relevant stakeholders.

DISCUSSION:

The lifting of Urban Deferment is a common occurrence in the City and other local authorities on the periphery of the Metropolitan area where the landscape is frequently changing. Therefore it is imperative that the process occurs in a logical and transparent way. The WAPC have relied on the use of Clause 27 of MRS text, which gives the WAPC the ability to rezone land, without advertising or following the prescribed process, that is set out in Part 4 of the Planning and Development Act (the Act).

Whilst comment is sought on the Guidelines, the concern of City Officers is the operation of Clause 27 in itself. The Clause appears to bypass the rezoning provisions of the Planning and Development Act, which should prevail over the MRS text.

The lifting process, as set out in the Guidelines, does not require public notification or the opportunity for further scrutiny by relevant stakeholders. The secretive nature of the process appears incongruous with contemporary planning practice which encourages openness and engagement as part of good and proper planning decision making.

The effect of Clause 27 no doubt expedites the planning process for dealing with amendments on the periphery of the urban fringe in circumstances where the delays may impact on housing availability due to the inability of developers to accurately forecast demand, however the process appears to be, on the face of the matter, illegitimate.

15.2 SUBMISSION ON DRAFT LIFTING OF URBAN DEFERMENT GUIDELINES**LEGAL/POLICY IMPLICATIONS:**

Planning and Development Act 2005
Metropolitan Region Town Planning Scheme

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications as a result of this report.

ASSET MANAGEMENT IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

The process currently adopted by the WAPC does not account for thorough environmental review of amendments to the MRS.

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following objectives and strategies detailed in the Corporate Business Plan (D16/3339).

Plan	Objective	Strategy
Corporate Business Plan	4.4 Create diverse places and spaces where people can enjoy a variety of lifestyles with high levels of amenity	4.4.8 Ensure that the City has significant input on planning and strategic growth decisions at the Regional and State level.

COMMUNITY ENGAGEMENT:

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

RISK IMPLICATIONS:

The risk implications in relation to this proposal are as follows:

Risk Event	Decisions made by WAPC may be beyond it's authorisations
Risk Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Effect/Impact	Compliance

15.2 SUBMISSION ON DRAFT LIFTING OF URBAN DEFERMENT GUIDELINES

Risk Assessment Context	Strategic
Consequence	Major
Likelihood	Possible
Rating (before treatment)	Extreme
Risk Treatment in place	Transfer - move impact of the risk to a third party
Response to risk treatment required/in place	Ensure that the WAPC is aware of the City's concerns regarding the legality of its ability to exercise Clause 27.
Rating (after treatment)	Moderate

COUNCIL DECISION**594****MOVED CR D WOOD****SECONDED CR B THOMPSON**

That Council endorse the submission (Attachment 2) to the WAPC and authorise the CEO to make the submission and advocate the City's position with relevant stakeholders.

**CARRIED
8/0**



Department of **Planning,**
Lands and Heritage



Draft

Lifting of Urban deferment Guidelines

August 2017

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click to follow

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Disclaimer

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This document is available in alternative formats
on application to Communication Services.



1 INTRODUCTION

Land may be included in the urban deferred zone under a region planning scheme. This zone provides a strong indication that the land is physically and locationally suitable for urban purposes, and that this use is consistent with planning intentions, although certain requirements have to be met before the Western Australian Planning Commission (WAPC) will agree to the land being transferred to the urban zone.

Where information is available to satisfy the WAPC that land is suitable for urban development and all servicing and other relevant considerations have been adequately addressed, land may be included within the urban zone under a region scheme without proceeding through the intervening stage of urban deferment.

Under clause 27 of the *Metropolitan Region Scheme* and clause 13 of the *Peel Region Scheme* and *Greater Bunbury Region Scheme*, land included within the urban deferred zone may be transferred to the urban zone by resolution of the WAPC, notified in the Government Gazette. These guidelines describe the basis for lifting of urban deferment and apply to land subject to region schemes and zoned urban deferred under such schemes.

These guidelines supersede the *WAPC Guidelines for the Lifting of Urban Deferment* (November 2007).

2 CRITERIA FOR LIFTING URBAN DEFERMENT

The transfer of land from the urban deferred zone to the urban zone may be initiated by the landowner, the local government or any public authority.

Before agreeing to the transfer of land from the urban deferred zone to the urban zone, the WAPC will require evidence that:

- the land is capable of being provided with essential services and agreement has been reached between the developers and service providers with regard to the staging and financing of services;
- planning is sufficiently advanced to depict an acceptable overall design to guide future development;
- the proposed urban development represents a logical progression of development;
- regional requirements (such as regional roads, open space and public purposes) have been satisfied or provision made for them; and
- any constraints to urban development, including in relation to environmental, hazard and risk issues, can be satisfactorily addressed.

Proposals to lift urban deferment will be referred to the local government and relevant State government agencies for comment. The proposal, together with supporting information and justification in accordance with section 6 of these guidelines, will generally be considered and determined by the WAPC.

Where appropriate, if there are issues related to a proposal to lift urban deferment which should be resolved prior to consideration by the WAPC, the landowner/s will be advised of the unresolved issues and how these may be resolved.

If the landowner requests that a decision be made, the matter will be placed before the WAPC for determination.

3 CONCURRENT LOCAL PLANNING SCHEME AMENDMENT

Where the WAPC amends a region scheme to include land in an urban zone the WAPC may concurrently amend the local government scheme to a development zone (or equivalent), as provided for by s 126 (3) of the *Planning and Development Act 2005*, requiring a local structure plan to be approved prior to subdivision approval.



4 SUBDIVISION AND DEVELOPMENT OF URBAN DEFERRED LAND

There is a presumption against any subdivision or development which will make the assembly of land and the efficient provision of services and facilities for urban development more costly and difficult.

Local planning schemes are required to be consistent with the region planning scheme. Provisions within a local planning scheme for land zoned urban deferred under a region planning scheme should reflect the limitations of the urban deferred zone.

Land zoned urban deferred under a region planning scheme should generally be zoned rural or, where appropriate provisions restrict development until urban deferment is lifted under the region planning scheme, urban development in the local planning scheme.

5 ENVIRONMENTAL REQUIREMENT

Region scheme amendments are required to be referred to the Environmental Protection Authority (EPA) under the *Planning and Development Act 2005*. The EPA must make a decision on whether or not to assess the amendment pursuant to s 48A of the *Environmental Protection Act 1986*. Where the EPA decides to assess an amendment it will be subject to an environmental review. Any land zoned urban deferred since August 1996 will have been subject to environmental review, should such review have been considered necessary by the EPA. Any land proposed to be zoned urban deferred by amendment to a region planning scheme in the future will also be considered for environmental assessment.

Transferring land from the urban deferred zone to the urban zone does not constitute an amendment to a region planning scheme. Therefore environmental assessment of amendments pursuant to s 48A of the *Environmental Protection Act 1986*, does not apply to such transfers. Where land was included in the urban deferred zone prior to August 1996, when legislative provisions providing for environmental assessment of planning schemes, and amendments to planning schemes, were enacted, the WAPC will seek advice from the EPA prior to considering the lifting of urban deferment, to ensure that environmental issues have been identified.

Where land has not been assessed under the region planning scheme, yet significant environmental issues have been identified, consideration of whether an environmental review is necessary will occur when the proposed amendment of the local planning scheme is referred to the EPA.

6 INFORMATION REQUIREMENTS

Proponents should submit information demonstrating that lifting of urban deferred zoning will be consistent with orderly and proper planning for the subject land and locality. This may include a draft structure plan indicating the future development and servicing of the land. The content of the draft structure plan should take account of matters identified in the WAPC's Structure Plan Framework (August 2015) and relevant content of the *Planning and Development (Local Planning Schemes) Regulations 2015*. In any event, proponents should address the issues listed below.

6.1 JUSTIFICATION

- a clear description, explanation and justification for the proposed change with reference to applicable planning strategies, policies, frameworks and structure plans;
- proposed arrangements with respect to developer contributions and details of any agreements supporting the proposed arrangements;
- evidence, in terms of the subdivision and development of nearby property and the provision of existing infrastructure services, that the proposed change represents a logical extension of urban development; and
- details relating to the specific characteristics of the land and pertaining to its proposed use.



6.2 LAND AND OWNERSHIP

- the land to which the proposed lifting of urban deferment applies;
- ownership details;
- clearly annotated plan/s depicting the land involved and other features as appropriate; and
- the extent of agreement of landowners to the lifting of urban deferment.

6.3 NATURAL ENVIRONMENT

- an accurate description of the land including the natural environment;
- description of the physical conditions of the land;
- identification of the means by which natural features (such as foreshores, wetlands, remnant vegetation) will be protected;
- details of any existing environmental approvals (State and Commonwealth) relating to the site and compliance with these approvals; and
- identification of any environmental issues which may impact on future development (such as water catchment and groundwater protection areas).

6.4 HAZARD AND RISK

- details of any identified hazard issues in relation to the subject land and locality, including odour, air pollution, noise and contaminated land, and the proposed methods of addressing such hazards where applicable, including through buffer areas or other appropriate mechanisms; and
- details of any identified risk issues in relation to the subject land and locality, including through the operation of other land uses or infrastructure, bush fire, coastal processes, wetland and water course erosion and inundation, and the proposed methods of addressing such risks where applicable, including through ceding of land, setback areas or other appropriate mechanisms.

6.5 SERVICES AND FILL

- information regarding the way in which the land will be serviced by water, drainage, sewer, power and other optional services;
- information regarding the servicing of the area by road including information regarding how the development will be accommodated within the regional road system; and
- information regarding the planned availability of public transport; and
- fill requirements, including potential sources and transport implications.

6.6 EMPLOYMENT

- where the land is remote from a developed urban front an employment strategy should be provided to indicate where the resulting community's employment will be located and the degree of employment self-sufficiency that could be achieved.

6.7 PUBLIC USES

- details regarding the areas required for school sites (primary and secondary), public utilities and community facilities.

6.8 CONSULTATION

- details regarding any consultations undertaken with relevant service providers, agencies and regulators, including the Economic Regulation Authority, and agreements reached.



7 RIGHT OF REVIEW

Clause 35 of the *Metropolitan Region Scheme*, clause 42 (b) of the *Peel Region Scheme* and clause 48 (b) of the *Greater Bunbury Region Scheme* provide for an application for review to the State Administrative Tribunal within 28 days of the WAPC's refusal to lift urban deferment, pursuant to Part 14 of the *Planning and Development Act 2005* and the legislation establishing and governing the operation of the Tribunal.

8. PUBLIC INFORMATION

It is not a legislative requirement to advertise the WAPC's intent to lift urban deferment or to seek public comment. Planning issues associated with the rezoning of land for urban development are considered at the time of rezoning to urban deferred through Part 4 of the *Planning and Development Act 2005* scheme amendment process and public consultation will also occur during the process of amending the local planning scheme (if applicable) and during the preparation of any structure plan/s for an area.

A notice will be placed in the Government Gazette advising of the WAPC's resolution to lift urban deferment.

Following the lifting of urban deferment the WAPC will take all reasonable steps to notify landowners in writing.

Submission on Draft Guidelines for the Lifting of Urban Deferment

The City of Kwinana offers the following comments to the Western Australian Planning Commission (WAPC)'s proposed Guidelines for the Lifting of Urban Deferment:

The Metropolitan Region Scheme Text (the Text) sets out the zones that can be applied to land within the Metropolitan Region. It sets out, among others, the Urban and the Urban Deferred zone.

Clause 27 of the text reads:

"By resolution of the Commission notified in the Government Gazette land may be transferred from the Urban Deferred Zone to the Urban Zone."

Part 4 of the *Planning and Development Act 2005* (the Act) allows for the preparation of a Region Scheme in accordance with S.34 of the Act.

A Planning Scheme is defined in the Act as follows:

planning scheme means a local planning scheme, region planning scheme or improvement scheme that has effect under this Act and includes —

- (a) the provisions of the scheme being —
 - (i) the provisions set out in the scheme; and
 - (ii) any State planning policy that, with any modifications set out in the scheme, has effect under section 77(2)(b) as part of the scheme; and
 - (iii) any provisions that have effect under section 257B(2) as part of the scheme;
- and
- (b) all maps, plans, specifications and other particulars contained in the scheme and colourings, markings or legends on the scheme;

Given that the maps of a region scheme are included in a planning scheme, it would appear that a changing of a zone from one type to another would constitute an amendment and this is the case in practice of all zoning changes, with the exception of Urban Deferred to Urban, which is rezoned via Clause 27 of the text.

The Act gives specific powers under S.35 to the Commission to resolve to prepare or amend a Region Scheme.

Further, S.37 notes that the Region Scheme may be amended by the process set out in the Act.

Part 4 Division 3 of the Act then sets the process for amending a Regional Planning Scheme and Division 4 sets out the process for Minor Amendments to the Act. Both amendments require advertising (though to different degrees) and whilst, amongst other differences, the Minister has the ability to determine a minor amendment with finality, the process set out for a regular amendment allows for the Parliament to disallow an amendment.

The determination of whether an amendment is regular or minor is determined under S.57(1) of the Act which reads:

57. Minor amendment, procedure for approval of etc.

(1) If a proposed amendment does not, in the opinion of the Commission, constitute a substantial alteration to a region planning scheme, that amendment —

- (a) is not required to be submitted and approved in accordance with the procedure prescribed in Division 3;*
- and*

(b) instead, may be submitted and approved in accordance with the procedure prescribed in this Division.

(2) Despite subsection (1), an amendment cannot be made to the Metropolitan Region Scheme under this Division to change the zoning of any land in the Swan Valley.

This gives a second path to approval of an amendment to a region scheme.

The Act does not however appear to anticipate a rezoning from one zone to another, by any other method, such as the one prescribed in Clause 27 of the Text. Whilst the text gives reference to a process of “lifting” Urban Deferment, the process changes the colourings of the Planning Scheme, as defined in the Act and is therefore an amendment to the Scheme.

The bypassing of the legislated process is the primary concern of the City. Essentially Clause 27 of the text gives rise to a situation where the text overrides the provisions of the Planning and Development Act.

Whilst the City accepts that it may be desirable to have an expedient process to amend the Region Scheme, the process established for this is the Minor Amendment process set out in Division 4.

It is noted that S.265 of the Act does allow the Minister to Delegate Functions “to a person or body any function of the Minister under this Act...”. This would allow the Minister to delegate functions associated with the approval of an amendment to the Commission, however this would be by instrument of delegation and not by the Metropolitan Region Scheme Text. Further an amendment to the Scheme could only occur by the process set out in the Act, including the necessary advertising. This scenario would also assume that the amendment was Minor in nature, whereas in a situation where it could be demonstrated that the changing of the zone from Urban Deferred to Urban was not minor, the delegation would not negate the need for the amendment to be laid before each House of Parliament.

To this end, the process set out in the guideline is largely irrelevant, as there appears no capacity for Clause 27 to override the process for Amendments set out under the Act.

The City would therefore suggest that the WAPC immediately halt any further considerations of the lifting/rezoning of Urban Deferral via Clause 27 of the MRS and either seek to amend the Planning and Development Act or delete Clause 27 of the Metropolitan Region Scheme Text.

16 Reports – Civic Leadership

16.1 Accounts for Payment up to 31 August 2017

SUMMARY:

This is the List of Accounts paid by the City of Kwinana for the period ended 31 August 2017.

OFFICER RECOMMENDATION:

That the List of Accounts paid for the period ended 31 August 2017 be noted.

DISCUSSION:

The following list of accounts summarises all cheques and electronic funds transfer (EFT) drawn for the period 31 August 2017. It is in agreement with the attached List of Accounts.

PAYMENT DETAILS	AMOUNT
<i>Automatic Payment Deductions</i>	\$ 29,551.39
<i>Cheque Payments</i> Cheque# 200749 to 200778	\$ 143,684.39
<i>EFT Payments</i> EFT# 3536 to 3551	\$3,381,751.22
<i>Payroll Payments</i> 02/08/2017, 16/08/2017, 30/08/2017	\$1,812,941.06
TOTAL PAID	\$5,367,928.06

LEGAL/POLICY IMPLICATIONS:

In accordance with Local Government (Financial Management) Regulations 1996, Regulation 13 where the power has been delegated to the Chief Executive Officer (CEO), a list of accounts paid by the CEO is to be prepared and presented to Council each month. The list is to show each payment, payee's name, payment amount and date of payment and sufficient information to identify the transaction.

FINANCIAL/BUDGET IMPLICATIONS:

Various, but understood to be consistent with budget/budget review position and allowable variations therein.

ASSET MANAGEMENT IMPLICATIONS:

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

16.1 ACCOUNTS FOR PAYMENT UP TO 31 AUGUST 2017**ENVIRONMENTAL IMPLICATIONS:**

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

STRATEGIC/SOCIAL IMPLICATIONS:

Plan	Objective	Strategy
Corporate Business Plan	6.1 Ensure the financial sustainability of the City of Kwinana into the future.	6.1.2 Implement sound revenue and expenditure policies, seek additional revenue sources and optimise financial management systems.

COMMUNITY ENGAGEMENT:

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

RISK IMPLICATIONS:

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

COUNCIL DECISION**595****MOVED CR P FEASEY****SECONDED CR S LEE**

That the List of Accounts paid for the period ended 31 August 2017 be noted.

**CARRIED
8/0**



Cheque Listing

Payments made between
01/08/2017 to 31/08/2017

<u>Chq/Ref</u>	<u>Pmt Date</u>	<u>Payee</u>	<u>Amount</u>	<u>Tran</u>	<u>Date</u>	<u>Invoice</u>	<u>Description</u>	<u>Amount</u>
Automatic Deductions								
22847	3/08/2017	Go Go On-Hold Pty Ltd	264.00	INV	3/08/2017	00022847	On-hold Message Service - August 2017	264.00
30817	4/08/2017	Commonwealth Bank	107.82	INV	4/08/2017	050717-030817 D	Credit Card Purchases F Hodgson 5/7-3/8/17	107.82
30817	4/08/2017	Commonwealth Bank	221.20	INV	4/08/2017	050717-030817	Credit Card Purchases J Abbiss 5/7-3/8/17	221.20
30817	4/08/2017	Commonwealth Bank	85.51	INV	4/08/2017	050717-030817 B	Credit Card Purchases L Barker 5/7-3/8/17	85.51
30817	4/08/2017	Commonwealth Bank	587.99	INV	4/08/2017	050717-030817 C	Credit Card Purchases A Dymond 5/7-3/8/17	587.99
30817	4/08/2017	Commonwealth Bank	1,726.89	INV	4/08/2017	050717-030817 E	Credit Card Purchases C Mihovilovich 5/7-3/8/17	1,726.89
30817	4/08/2017	Commonwealth Bank	2,384.49	INV	4/08/2017	050717-030817 F	Corporate Credit Card S Wiltshire 5/7-3/8/17	2,384.49
30817	4/08/2017	Commonwealth Bank	1,793.58	INV	4/08/2017	050717-030817 G	Corporate Credit Card B Powell 5/7-3/8/17	1,793.58
70817	8/08/2017	Public Transport Authority of Weste	100.00	INV	8/08/2017	022801761 040817	Smarterider recharge to 07/08/17	100.00
1641711	23/08/2017	Esanda	1,294.70	INV	23/08/2017	LATO01641711A	Monthly Lease fees KWN700 2/8-1/9/17	1,294.70
21	21/08/2017	Wright Express Australia Pty Ltd	3,714.28	INV	21/08/2017	21	Fleet Fuel 1/7/17-28/7/17	3,714.28
508230	1/08/2017	Toyota Financial Services	1,194.07	INV	1/08/2017	508230	Lease fees June 2017	1,194.07
515322	29/08/2017	Toyota Financial Services	1,194.07	INV	29/08/2017	515322	Mthly Lease Fees 1EYT548 & 1EWZ823	1,194.07
55503405	1/08/2017	TPG Internet Pty Ltd	49.99	INV	1/08/2017	I155503405	Mandogalup Internet to 5/9/17	49.99
55654989	3/08/2017	TPG Internet Pty Ltd	49.99	INV	3/08/2017	I155654989	Kwinana South Internet 8/8/17-7/9/17	49.99
57760053	30/08/2017	TPG Internet Pty Ltd	49.99	INV	30/08/2017	I157760053	Monthly Internet Mandogalup Station 6/9-5/10/17	49.99
91288895	15/08/2017	Ii Net Technologies Pty Ltd	39.95	INV	15/08/2017	91288895	Monthly Internet Senior Citizens 14/8-14/9/17	39.95
91376805	3/08/2017	Ii Net Technologies Pty Ltd	59.95	INV	3/08/2017	91376805	Mthly Internet Bertram Community Centre 1/8-1/9/17	59.95
91684101	15/08/2017	Ii Net Technologies Pty Ltd	59.95	INV	15/08/2017	91684101	Monthly Internet Darius Training 12/8-12/9/17	59.95
91684117	15/08/2017	Ii Net Technologies Pty Ltd	59.95	INV	15/08/2017	91684117	Monthly Internet Zone Training 12/8-12/9/17	59.95
91928365	22/08/2017	Ii Net Technologies Pty Ltd	39.95	INV	22/08/2017	91928365	Monthly Internet Kwinana Village 20/8-20/9/17	39.95
92103367	25/08/2017	Ii Net Technologies Pty Ltd	59.95	INV	25/08/2017	92103367	Mthly Internet Wellard Community Center 25/8-25/9	59.95
9829321	21/08/2017	BP Australia Pty Ltd	14,413.12	INV	21/08/2017	9829321	Fleet Fuel 1/7/17-31/7/17	14,413.12
Total Automatic Deductions			29,551.39					

Cheques



Cheque Listing

Payments made between
01/08/2017 to 31/08/2017

<u>Chq/Ref</u>	<u>Pmt Date</u>	<u>Payee</u>	<u>Amount</u>	<u>Tran</u>	<u>Date</u>	<u>Invoice</u>	<u>Description</u>	<u>Amount</u>
200749	2/08/2017	City Of Kwinana - Pay Cash	350.05	INV	2/08/2017	02/08/2017-Recq	Petty cash recoup to 02/08/2017	41.95
				INV	2/08/2017	02/08/2007-DWLib	Petty cash recoup to 24/08/2017-D/W Library	97.80
				INV	2/08/2017	02/08/2017-Admin	Petty cash recoup to 2/08/2017 - Admin	210.30
200750	2/08/2017	Asosa Fataki Mahotella	540.00	INV	2/08/2017	A/N21465	C/over subsidy rebate-L809 Windell St, PARMELIA	540.00
200751	2/08/2017	Gavin Oliver Mallon	360.00	INV	2/08/2017	A/N21590	C/over subsidy rebate-L2227 Cassowary Chase,WANDI	360.00
200752	2/08/2017	Water Corporation of Western Austra	1,484.17	INV	28/07/2017	9000340559Jul17	Account No 9000340559	118.10
				INV	28/07/2017	9017376507Jul17	Usaget to 170717 54KL 50% Tennis Club 50% Toilets	
				INV	28/07/2017	9017376507Jul17	Usage 010717-300618 Fiona Harris Pavilion	331.92
				INV	28/07/2017	9000313235Jul17	Account No 9017376507	
				INV	28/07/2017	9000313235Jul17	Account No 9000313235	13.12
				INV	28/07/2017	9000319469Jul17	Usage to 190717 6KL Peach Park	
				INV	28/07/2017	9000319469Jul17	9000319469	94.04
				INV	1/08/2017	9000323724Jul17	Usage to 190717 43KL Chisham Oval Toilets	
				INV	1/08/2017	9000323724Jul17	Charges to 20/7/17 52KL - Frank Konecny Ctre	371.08
				INV	1/08/2017	9014051352Jul17	Charges to 24/7/17 19KL - Bertram Community Ctre	555.91
200753	2/08/2017	Lesley Clark	150.00	INV	31/07/2017	28thJuly2017	Refund of dog registration - sterilisation (Kevin)	150.00
200754	2/08/2017	Ronald Dibbens	10.00	INV	1/08/2017	28thJuly2017	Refund of program due to cancellation	10.00
200755	2/08/2017	Mr Brian Sargent	100.00	INV	1/08/2017	20170102	2017 Senior Susidy Scheme	100.00
200756	2/08/2017	Murdoch University	2,475.00	INV	2/08/2017	19808103		2,475.00



Cheque Listing

Payments made between
01/08/2017 to 31/08/2017

Chq/Ref	Pmt Date	Payee	Amount	Tran	Date	Invoice	Description	Amount
				INV	2/08/2017	19808103	Study fee-Student ID:19808103 Mrs S J McCabe Murdoch University MURDOCH WA 6150 The Student Centre South Street	2,475.00
200757	9/08/2017	City Of Kwinana - Pay Cash	176.95	INV	9/08/2017	8/08/2017-Lib	Petty cash recoup to 7/8/2017 - Library	176.95
200758	9/08/2017	Glenda Hubert	100.00	RFD	8/08/2017	1140732	Refund bond-Patio hire 24/07/2017 Receipt # 1140727	100.00
200759	9/08/2017	Blair William Patton	1,200.00	INV	9/08/2017	A/N5536	C/Over subsidy rebate - L 313 Lydon Road, WELLARD	1,200.00
200760	9/08/2017	Justin Bradley Paul	30.00	INV	8/08/2017	2ndAugust17	Refund portion of dog sterilisation - "Shaq"	30.00
200761	9/08/2017	Water Corporation of Western Austra	603.90	INV	7/08/2017	9000321550Jul17	Charges to 17/7/2017 61KI - Depot	133.41
				INV	8/08/2017	9014096921Aug17	Charges to 31/07/2017 19KL - Wellard Pavilion	470.49
200762	16/08/2017	Elizabeth Sarah Breznansky	100.00	INV	15/08/2017	20170105	2017/18 Senior security subsidy scheme	100.00
200763	16/08/2017	City of Kwinana	300.00	INV	15/08/2017	14thAug2017	Trust funds to be applied to Debtor 3612.04 Outstanding invoices as per City Strategy Director	300.00
200764	16/08/2017	City Of Kwinana - Pay Cash	236.10	INV	15/08/2017	11/08/2017-FDC	Petty cash recoup to 01/08/2017 - FDC	151.55
				INV	15/08/2017	11/08/17-Village	Petty cash recoup to 7/8/17 - Village	84.55
200765	16/08/2017	Teow Ming Kong	100.00	INV	15/08/2017	20170103	2017/18 Senior security subsidy scheme	100.00
200766	16/08/2017	Gerald Summer	100.00	INV	15/08/2017	20170104	2017/18 Senior security subsidy sheme	100.00
200767	16/08/2017	Water Corporation of Western Austra	2,909.10	INV	14/08/2017	9022284850Jun17	Meter Repair cost - 11 Goldney Court, LEDA	678.89
				INV	14/08/2017	9011593586Aug17	Trade Waste Permit Recquatic 2017 Acc No 9011593586	433.23
				INV	14/08/2017	9018600726Aug17	Acc No 9018600726 Usage to 310717 16KL - Joint Ventures	1,455.69
				INV	15/08/2017	9018587808Aug17	Trade waste charges-annual fee & fixtures/fittings	341.29
200768	16/08/2017	Jeanette Marie Watts	100.00	INV	15/08/2017	20170106	2017/18 Senior security subsidy scheme	100.00
200769	23/08/2017	AMP Bank	30.00	INV	22/08/2017	21stAug2017	Audit Certificate - Ref #1032720666	30.00
200770	23/08/2017	City Of Kwinana - Pay Cash	171.25	INV	23/08/2017	23/08/2017-Admin	Petty cash recoup to 23/8/17 - Admin	171.25
200771	23/08/2017	Lynette May Doyle	413.44	INV	17/08/2017	1.6	Rates Refund	413.44



Cheque Listing

Payments made between
01/08/2017 to 31/08/2017

Chq/Ref	Pmt Date	Payee	Amount	Tran	Date	Invoice	Description	Amount
200772	23/08/2017	Kathleen May Murphy	200.00	INV	17/08/2017	1.9	Rates Refund	200.00
200773	23/08/2017	Water Corporation of Western Austra	384.59	INV	21/08/2017	9019159709Aug17	Trade waste charges - Thomas Kelly Sports Pavilion	362.72
				INV	22/08/2017	9018260119Aug17	Acc No 9018260119 Usage to 110817 10U Drinking Tap Bruny Meander	21.87
200774	30/08/2017	City of Kwinana	129,951.07	INV	30/08/2017	29thAugust17	City of Kwinana Waste Expenses 2017/2018	54,852.00
				INV	30/08/2017	29thAugust2017	Rates for Banksia Park Retirement Estate(A5153)	75,099.07
200775	30/08/2017	Midway Drycleaners	117.00	INV	28/08/2017	60165	Darius Wells drycleaning table cloths	117.00
200776	30/08/2017	Water Corporation of Western Austra	263.42	INV	29/08/2017	9000356366Aug17	Charges to 22/8/2017 42KL - FDC	263.42
200777	30/08/2017	City of Kwinana	308.35	INV	29/08/2017	23rdAugust2017	Planning Approval fees-Transportable Office Lot 115 Beacham Crescent, MEDINA	149.00
				INV	30/08/2017	29thAugust2017	Certified building permit fees Transportable office to Depot	159.35
200778	30/08/2017	City of Kwinana	420.00	INV	30/08/2017	24thAugust2017	50% donation of 8 recycle bin fees A 2617 - Orelia Primary	420.00

Total Cheques

143,684.39

EFT

3536	2/08/2017	EFT TRANSFER: - 03/08/2017	159,629.50					
3536.565-0'		Bright Futures Family Day Care - Pa	113,660.78	INV	3/08/2017	170717-300717	FDC Payroll 17/7/17-30/7/17	113,660.78
3536.568-0'		Bright Futures In Home Care - Payro	45,968.72	INV	3/08/2017	170717-300717	IHC Payroll to 30/07/17	45,968.72
3537	3/08/2017	EFT TRANSFER: - 03/08/2017	19,187.31					
3537.151-0'		Australian Services Union	295.64	INV	2/08/2017	PY01-03-Aust Ser	Payroll Deduction	48.50
				INV	2/08/2017	PY01-03-Aust Ser	Payroll Deduction	247.14
3537.2853-0'		Maxxia Pty Ltd	4,276.07	INV	2/08/2017	PY01-03-Maxxia P	Payroll Deduction	1,974.00
				INV	2/08/2017	PY01-03-Maxxia P	Payroll Deduction	2,302.07
3537.3376-0'		Health Insurance Fund of WA (HIF)	1,259.65	INV	2/08/2017	PY01-03-Health I	Payroll Deduction	1,259.65
3537.3719-0'		City of Kwinana - Xmas fund	7,770.00	INV	2/08/2017	PY01-03-TOK Chri	Payroll Deduction	7,770.00
3537.487-0'		Child Support Agency	1,243.75	INV	2/08/2017	PY01-03-Child Su	Payroll Deduction	1,243.75
3537.892-0'		LGRCEU	348.50	INV	2/08/2017	PY01-03-LGREC U	Payroll Deduction	348.50



Cheque Listing

Payments made between
01/08/2017 to 31/08/2017

<u>Chq/Ref</u>	<u>Pmt Date</u>	<u>Payee</u>	<u>Amount</u>	<u>Tran</u>	<u>Date</u>	<u>Invoice</u>	<u>Description</u>	<u>Amount</u>
3538	2/08/2017	EFT TRANSFER: - 03/08/2017	704,751.21					
3538.1186-(		Red Dot	90.00	INV	2/08/2017	31551152	Craft items for Pin it term 3	90.00
3538.1276-(		Satellite Security Services	240.00	INV	1/08/2017	01800370	Fiona Harris Pavilion - Downloaded footage	240.00
3538.1277-(		Savage Garden Services	5,196.00	INV	1/08/2017	87-31/7/2017	General litter and rubbish collection-July 17	4,620.00
				INV	1/08/2017	88-31/7/17	General maint- streetscape gardens at Lat 32	576.00
3538.1284-(		Secureplus Electronic Security	257.40	INV	1/08/2017	11125768	Monitoring of alarm system at FDC April 2017	85.80
				INV	1/08/2017	11125868	Monitoring of alarm system at FDC March 2017	85.80
				INV	1/08/2017	11125942	Monitoring of alarm system at FDC June 2017	85.80
3538.1370-(		State Library of Western Australia	4,180.00	INV	1/08/2017	RI017001	Better Beginnings packs for 2017/18 financial year	4,180.00
3538.1726-(		Kyocera Document Solutions Australi	1,084.53	INV	1/08/2017	2831867998	Taskalfa 4551CI to 31/5/17 - Zone area	60.05
				INV	1/08/2017	2852258701	Taskalfa 4550ci - FDC area	597.81
				INV	1/08/2017	2852259220	Taskalfa 4550ci - Incubator	426.67
3538.1849-(		Environmental Health Association	1,560.00	INV	1/08/2017	2558	Corporate Members: L2 (WA Corporate 6 Member)	1,560.00
3538.2048-(		Palm Lakes Gardens & Landscape Serv	2,850.00	INV	1/08/2017	29	APU 3 - dig up lantana, ivy and old concrete	2,850.00
3538.21-01		Accidental First Aid Supplies	333.00	INV	2/08/2017	SR606515	First Aid Supplies for The Zone	333.00
3538.2224-(		Prestige Catering & Event Hire	373.50	INV	1/08/2017	00020944	Catering - 31/7/17	373.50
3538.2410-(		ABCO Products	2,580.18	INV	2/08/2017	299100	Cleaning items for various locations	2,580.18
3538.248-0'		Bunnings Building Supplies	710.13	INV	2/08/2017	2163/01525633	Oil applicator, turpentine mineral, oil linseed	304.26
				INV	2/08/2017	2163/01525677	Dustpan/brush,jerry can,rags	112.35
				INV	2/08/2017	2163/99720555	Hardare items	45.60
				INV	1/08/2017	2163/01655341	Adventure Playground - painting/floring items	247.92
3538.335-0'		City of Rockingham	157,013.36	INV	2/08/2017	92921	Tip fees to 30/06/2017	90,213.62
				INV	2/08/2017	92163	Tip fees to 19/07/2017	66,799.74
3538.339-0'		Civica Pty Ltd	11,467.50	INV	1/08/2017	C/LG009429	TRIM Integration Training - Date TBA	6,880.50
				INV	1/08/2017	C/LG009428	Development of BIS reports for Budget process	4,587.00
3538.4003-(Infiniti Group	80.85	INV	1/08/2017	408064	Bin liner 45ltr white roll - Recquatic	80.85



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3538.407-0'		Staples Australia	631.45	INV	1/08/2017	9021724344	Stationery - FDC	269.63
					2/08/2017	8021782158	Bic lead & ers pens	10.74
					2/08/2017	9021819832	Stationery	52.14
					2/08/2017	9021768751	Stationery - Pine O Cleen spray	17.45
					2/08/2017	9021799257	Stationery items - for library	281.49
3538.4245-(		ED Property Services	242.00	INV	1/08/2017	00000974	BP - villa 53, repair to bi-fold door	242.00
3538.4256-(		Rockingham Skylights	250.00	INV	1/08/2017	11610	APU - unit 15, repair to cracked skylight ducting	250.00
3538.4279-(		Data #3 Limited	5,908.22	INV	1/08/2017	01640325	1x Dell Networking N3024P, L3, POE+, 24x 1GbE, etc	5,908.22
3538.4664-(		AMPAC Debt Recovery (WA) Pty Ltd	539.80	INV	2/08/2017	40453	Legal Costs for July 17 - Rates	539.80
3538.483-0'		Landgate	480.15	INV	1/08/2017	61730133	Smartplan customised products	480.15
3538.5520-(		Master Lock Service	375.00	INV	1/08/2017	00004528	Keys to display cabinets - Fiona Harris	155.00
				INV	1/08/2017	0004538	APU - repair perimeter gate lock near APU 49	220.00
3538.5750-(		Kev's Wheelie Kleen	423.50	INV	1/08/2017	4352	D/W-Rubbish and recycle bin clean - 26/7/17	225.50
				INV	1/08/2017	4351	Admin - Rubbish & recycle bin clean 26/7/17	198.00
3538.6018-(		ALSCO Pty Ltd	89.00	INV	1/08/2017	CPER1736078	Linen supply for catering	36.09
				INV	1/08/2017	CPER1736268	Linen supply for catering	52.91
3538.6267-(		Woolworths Limited	283.36	INV	2/08/2017	2830339	Cafe items - Recquatic	39.85
				INV	2/08/2017	2830357	Caf�� supplies - Recquatic	84.39
				INV	2/08/2017	2830348	Supplies for FDC	125.85
				INV	2/08/2017	2830352	Cafe supplies - Recquatic	33.27
3538.6370-(		Elexacom	3,329.82	INV	1/08/2017	20808	BP - villa 6, check RCD box after roof leak	978.24
				INV	1/08/2017	20862	Additional lighting at Depot storeroom	285.42
				INV	1/08/2017	20807	APU - remove damaged light pole from the side	226.05
				INV	1/08/2017	20864	Raplaced light globes at Fiona Harris Pavilion	580.47
				INV	1/08/2017	20804	Depot - relocate light switch due to water leak	384.64
				INV	1/08/2017	20860	Repair showers at Thoms Oval Pavilion	77.00



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				INV	1/08/2017	20856	William Bertram Comm Centre-Equipment test & tag	517.00
				INV	1/08/2017	20855	Leda Hall - Investigate light and exhaust fan	281.00
3538.6460-(		Artistralia	132.00	INV	1/08/2017	00009350	Copyright payment-movie Mrs Caldicott's Cabbage	132.00
3538.6656-(		David Murray Walter	1,224.35	INV	1/08/2017	1.3	Rates Refund	1,224.35
3538.69-01		Alinta Gas	1,113.45	INV	1/08/2017	474997486Jul17	Usage to 20/7/17 D/W Lib & Res Ctre	1,030.15
				INV	1/08/2017	134999798Jul17	Usage to 20/7/17 1068U - Thomas Oval Pavilion	70.45
				INV	1/08/2017	792001491Jul17	Usage to 20/7/17 21U - Orelia Sports Pavilion	7.05
				INV	1/08/2017	717000585Jul17	Usage to 20/7/17 0U - Feilman Civic Ctre	5.80
3538.7059-(		Convic Pty Ltd	318,625.53	INV	2/08/2017	INV-0356	Open Youth Skate Park - Claim 6	318,625.53
3538.7384-(		S J Rural Supplies	820.60	INV	2/08/2017	33643	4 x 5l Pulse (\$178.75ea.)	715.00
				INV	2/08/2017	34446	2 x 5L boomkleen @ \$52.80	105.60
3538.7605-(		Flying Canape	1,400.50	INV	1/08/2017	11417	Catering - 1/08/2017	922.00
				INV	1/08/2017	11418	Catering - 02/08/2017	478.50
3538.8091-(		Kookaburra Man	200.00	INV	2/08/2017	26thJune2017	Naidoc 2017: Didgeridoo playing for opening event	200.00
3538.81-01		Fesa Direct Brigade Alarm	10,764.84	INV	3/08/2017	39622	Annual monitoring 2017/2018 - D/W Lib & Res ctre	1,794.14
				INV	3/08/2017	39624	Annual monitoring 2017/2018 - Wellard Comn Ctre	1,794.14
				INV	3/08/2017	39623	Annual monitoring 2017/2018 -The Zone	1,794.14
				INV	3/08/2017	39642	Annual monitoring 2017/2018 - Recquatic	1,794.14
				INV	3/08/2017	39625	Annual monitoring 2017/2018 - Admin	1,794.14
				INV	3/08/2017	39621	Annual monitoring 2017/2018 - Orelia Sports Pav	1,794.14
3538.8624-(		Aquatic Services WA Pty Ltd	176.00	INV	1/08/2017	AS#20170092	Swap sensor from 25m to the leisure pool	176.00
3538.8896-(		Bigali Hanlon	150.00	INV	2/08/2017	004	Naidoc 2017: Story holders fees for documentary	150.00
3538.8900-(Josephine Boyle	150.00	INV	2/08/2017	3rdJuly2017	Naidoc 2017: Story holders Fee for Documentary	150.00



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3538.8964-(Emily Moylan	100.00	RFD	2/08/2017	1140630	Refund bond-Patio hire 12/06/2017	100.00
3538.8965-(		Emily Manuel	100.00	RFD	2/08/2017	1140978	Refund bond-Patio hire 23/06/2017	100.00
3538.8966-(		Renee Garrity	100.00	RFD	2/08/2017	1140976	Refund bond-Patio hire 30/7/2017	100.00
3538.8968-(		Liam Perkins	540.00	INV	2/08/2017	A/N22985	C/over subsidy rebate-L532 Capertree Vista,WELLARD	540.00
3538.8969-(		Shadrack Kipkemboi	360.00	INV	2/08/2017	A/N22781	C/.over subsidy rebate-L140 Dolomite Ave, WELLARD	360.00
3538.8970-(		Rachel Zodwa Magagula	540.00	INV	2/08/2017	A/N22410	C/ovber subsidy rebate-L634 Citrine Chase,WELLARD	540.00
3538.8971-(		Megan Lee Bauer	660.00	INV	2/08/2017	A/N22085	C/over subsidy rebate-L821 Tuart Ridge, PARMELIA	660.00
3538.8972-(		Leanne Christine Stark	540.00	INV	2/08/2017	A/N21608	C/over subsidy rebate-L2249 Coomallo Blvd, WANDI	540.00
3538.903-0'		Lo-Go Appointments	1,568.56	INV	1/08/2017	00416206	Temp staff w/e 22/7/17 - Shelley Fedigan	1,568.56
3538.905-0'		Local Government Professionals	521.00	INV	2/08/2017	5855	2017/18 Membership Subscriptions - CEO J Abbiss	521.00
3538.907-0'		Local Health Authority Analytical	9,534.78	INV	1/08/2017	2017/2018	Analytical Services 2017/2018	9,534.78
3539	4/08/2017	EFT TRANSFER: - 07/08/2017	288.64					
3539.565-0'		Bright Futures Family Day Care - Pa	238.64	INV	7/08/2017	170717-300717-2	FDC payroll 17/7/17-30/7/17 - File2	238.64
3539.568-0'		Bright Futures In Home Care - Payro	50.00	INV	7/08/2017	170717-300717-2	IHC payroll 17/7/17-30/7/17 - File2	50.00
3540	7/08/2017	EFT TRANSFER: - 09/08/2017	186,445.17					
3540.153-0'		Australian Taxation Office	186,218.00	INV	2/08/2017	PY01-03-Australi	Payroll Deduction	186,218.00
3540.565-0'		Bright Futures Family Day Care - Pa	227.17	INV	9/08/2017	170717-300717-3	FDC payroll 17/7/17-30/7/17 - File 3	227.17
3541	9/08/2017	EFT TRANSFER: - 10/08/2017	609,201.27					
3541.1072-(		Paint Industries	243.76	INV	9/08/2017	57799	2 x 4L Vineyard Green, 2 x 4L Gordoren Tint, etc	243.76
3541.1079-(		Parmelia Delivery Round	13.60	INV	9/08/2017	050817	The West Australian newspaper - to 05/08/17	13.60
3541.1144-(		Pritchard Bookbinders	933.90	INV	8/08/2017	INV-10382	Official Minute Book Binding May 2016	933.90
3541.1157-(Quality Traffic Management Pty Ltd	1,754.50	INV	7/08/2017	22793	Cockburn Rd/Hogg Rd Street Lights - Traffic Manag	1,754.50



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3541.1223-(Rockingham Betta Electrical & Gas	1,928.00	INV	8/08/2017	1000372608	BP - villa 9, supply a new left side oven combo	1,928.00
3541.1227-(		Rockingham Holden	424.89	INV	9/08/2017	32779	Tonneau Cover	424.89
3541.1276-(		Satellite Security Services	1,332.11	INV	8/08/2017	01800045	Recquatic - check and repair the outside emergenc	273.20
				INV	8/08/2017	01800237	Administration - external card reader	120.00
				INV	8/08/2017	01800044	Business Incubator - Replaced zone 45 reed due to	147.50
				INV	8/08/2017	01800026	John Wellard - Permconn Serup Ann N	348.90
				INV	7/08/2017	01800392	Replaced emergency breakglass cover - Darius Wells	442.51
3541.1317-(		Bullivants Pty Ltd	621.50	INV	7/08/2017	400712722	Annual lifting gear inspection	621.50
3541.1343-(		Southern Metropolitan Regional Coun	4,949.34	INV	8/08/2017	12552	Over compaction charges for July 2017	734.58
				INV	8/08/2017	12541	Gate fees for July 2017	4,214.76
3541.1370-(		State Library of Western Australia	5,060.00	INV	9/08/2017	RI017117	Annual Fee Lost and Damaged items 17-18	5,060.00
3541.1393-(		Sunny Sign Company Pty Ltd	93.50	INV	7/08/2017	365045	600 x 600 Caution bandicoot crossing signs	93.50
3541.1423-(		Telstra	152.83	INV	7/08/2017	3764775000Jul17	Usage to 26/7/17 - Depot Burglar Alarm	152.83
3541.1558-(		Volunteering Western Australia	495.00	INV	9/08/2017	00003176	WA State Volunteer Conference - Tanya Sander	495.00
3541.1572-(		Western Australian Local Government	1,012.00	INV	7/08/2017	I3066239	Effective Supervision Course T Wood	1,012.00
3541.1609-(		West Australian Newspapers Limited	1,624.00	INV	4/08/2017	1002334820170630	2 x Kwinana Recquatic Adverts in Sound Telegraph	1,624.00
3541.1669-(		Zipform Pty Ltd	16,591.21	INV	7/08/2017	175566	Rate Notice Production 2017/18	16,591.21
3541.1689-(		Sandra Elizabeth Lee	489.63	INV	8/08/2017	June2017	Reimb of travel and other expenses	489.63
3541.1767-(		Construction Training Fund	21,208.21	INV	7/08/2017	July2017	CTF levy for July 2017	21,208.21
3541.2097-(		Beaver Tree Services Aust Pty Ltd	37,567.00	INV	7/08/2017	63676	Job no: 45324 - Thomas Road heading east exit lan	3,591.50
				INV	7/08/2017	63680	601KWN16 - As per quote 94645 - Median Isle Gilmo	2,145.95
				INV	7/08/2017	63677	601KWN16 - As per quote 94649 - Footpath Wellard	3,111.11
				INV	7/08/2017	63679	601KWN16 - As per quote 94648 - 28 Tintagel Loop	2,352.22



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				INV	7/08/2017	63681	Anketell Rd The Spectacles - 13 Removals and 11 U	26,366.22
3541.2125-(		Synergy	142,482.15	INV	9/08/2017	792417950Aug17	Usage to 240717 Street Lighting	105,739.85
				INV	8/08/2017	198694990Jul17	Usage to 06/07/2017 65914.12U-Admin,Arts Ctre,Parm	15,953.85
				INV	9/08/2017	2052346442Aug17	Usage to 030817 6402U Inubator	1,801.95
				INV	9/08/2017	179469390Aug17	Usage to 010817 4593U Bertram Comm Centre	1,338.60
				INV	8/08/2017	693987550Jul17	Usage to 27/7/2017 450U - Challenger Beach	170.95
				INV	9/08/2017	198694990Aug17	Usage to 030817 54180.46U Admin/Arts/Parmelia	13,290.90
				INV	9/08/2017	107029100Aug17	Usage to 010817 5175U Wellard Comm Centre	1,451.45
				INV	9/08/2017	856518550Aug17	Usage to 270717 Decorative Lighting	2,457.50
				INV	7/08/2017	191359550Jul17	Usage to 17/7/17 502U Ridley Park	277.10
3541.2339-(		ZircoData Pty Ltd	508.56	INV	8/08/2017	78679	Offsite Storage and Retrieval Costs - July 2017	508.56
3541.235-0'		Bristol Cleaning Services	160.00	INV	8/08/2017	0717	APU - unit 59, clean windows - July 17	40.00
				INV	8/08/2017	0717C	BP - Clubhouse, window cleaning - July 2017	120.00
3541.248-0'		Bunnings Building Supplies	24.89	INV	7/08/2017	2163/01276054	Spear & Jackson 500mm Predator Hand Saw	24.89
3541.2587-(		Westrac Equipment Pty Ltd	269.54	INV	9/08/2017	PI1572890	Parts	269.54
3541.2646-(		Neverfail Springwater	55.25	INV	7/08/2017	497381	Spring water for Zone Staff	55.25
3541.2652-(		Modern Teaching Aids Pty Ltd	567.96	INV	8/08/2017	43078558	Arts & crafts items	271.12
				INV	7/08/2017	43068436	Ergerite square table x 1 Kidney shaped paint po	296.84
3541.2698-(		Wilson Security Pty Ltd	1,245.90	INV	7/08/2017	W00203957	Mobile Security Patrols July 17 - BP	456.15
				INV	7/08/2017	W00204010	Mobile Security Patrols July - APU	789.75
3541.2852-(		Downer EDI Works Pty Ltd	391.90	INV	7/08/2017	6002140	1.02 tonne asphalt	186.80
				INV	7/08/2017	6002176	.56 tonne asphalt	102.55
				INV	7/08/2017	6002177	.56 tonne asphalt	102.55
3541.3028-(Wren Oil	1,956.90	INV	7/08/2017	38959	Removal of waste oil approx. 7000 litres	1,956.90



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3541.3031-(Specialised Security Shredding	20.24	INV	8/08/2017	00215474	GC Bin Exchange	20.24
3541.3105-(		Poly Pipe Traders	1,387.50	INV	8/08/2017	00085591	Assorted reticulation items	1,387.50
3541.3155-(		PFD Food Services Pty Ltd	574.80	INV	9/08/2017	KG670786	CafÃ© Supplies	338.15
				INV	7/08/2017	KG615208	CafÃ© Supplies	236.65
3541.3212-(		Marketforce Pty Ltd	1,476.43	INV	8/08/2017	73654	Seek advert - 28 July 2017	171.94
				INV	8/08/2017	73614	Seek advert - 28 July 2017	108.81
				INV	9/08/2017	15456	Kwinana Recquatic 20 x 4 full colour Newspaper Ad	1,023.74
				INV	9/08/2017	73866	Seek advert - 4/08/2017	171.94
3541.347-0'		Cleanaway Pty Ltd	118,926.71	INV	8/08/2017	9757578	Waste collection service - July 2017	118,926.71
3541.358-0'		Coastline Mower World	400.50	INV	7/08/2017	14730#5	2.27kg Brushcutter cord 2.7mm, 5 x tubes of g, etc	400.50
3541.3686-(		KAJ Installations & Services	332.00	INV	8/08/2017	00004029	APU - garage block 29-32, Fit a strip to floor be	332.00
3541.407-0'		Staples Australia	121.62	INV	7/08/2017	9021823629	First Aid Kits (x 2), stickers for first aid boxe	121.62
3541.4112-(		Cleverpatch Pty Ltd	69.26	INV	7/08/2017	261839	Clever Craft - Term 3 2017 Supplies Wooden Tree	69.26
3541.4125-(		LD Total	65,538.04	INV	7/08/2017	85359	Irrigation Maint Works - July 17 Wellard Village	5,768.65
				INV	7/08/2017	85332	Irrigation Maint Works - July 17 Emerald Park	1,125.81
				INV	7/08/2017	85328	Landscape Maint Service - July 17 Belgravia	4,978.34
				INV	7/08/2017	85134	Wellard Lake Pc July 2017	179.96
				INV	7/08/2017	85360	Landscape Maint Works - July 17 Wellard Village	25,162.96
				INV	7/08/2017	85327	Irrigation Maint works - July 17 Belgravia	1,108.79
				INV	7/08/2017	85339	Irrigation Maint Works - July 17 Honeywood	4,163.24
				INV	7/08/2017	85702	Prep and lay 570m2 Kikuyu turf at Calista Oval	4,246.00
				INV	7/08/2017	85122	Supply and install 10m3 Pine Bark Mulch July 2017	1,347.50
				INV	7/08/2017	85333	Landscape Maintenance Works-July 17 Emerald Park	3,707.19
				INV	7/08/2017	85340	Landscape Maint Works - July 17	13,749.60



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3541.4166-(Alison Dymond	50.00	INV	8/08/2017	31stJuly2017	Reimbursement of mobile phone - 13/6/17-12/7/17	50.00
3541.4190-(		AC Cooling Services	2,352.90	INV	8/08/2017	INV-6090	APU - unit 3, install new Air-conditioner unit (M	2,352.90
3541.4350-(		T J Depiazzi & Sons	3,160.30	INV	7/08/2017	87611	Supply and Deliver 50m3 of Pinebark Mulch to Oper	3,160.30
3541.4387-(		Kott Gunning	253.44	INV	9/08/2017	232640	2016/17 Audit costs - Solicitor letters	253.44
3541.4477-(		Trophy Express	6.00	INV	7/08/2017	7727	Engraving - Friday Morning Netball MVP	6.00
3541.453-0'		David Gray & Co Pty Ltd	298.32	INV	9/08/2017	1455650	MGB 140LT Dark Green Bin with any colour lid	298.32
3541.457-0'		Porter Consulting Engineers	3,960.00	INV	7/08/2017	00017418	Lot 572/573 Media Ave Indicative Development Costs	3,960.00
3541.4719-(		Complete Office Supplies Pty Ltd	173.45	INV	7/08/2017	07002787	Photocopy paper and Pine O'Clean Bacterial Wipes	173.45
3541.483-0'		Landgate	1,343.83	INV	7/08/2017	332769-10001098	GRV Chargeables,Sch No.G2017/15 15/7/17-28/7/17	1,343.83
3541.4853-(		Ashley Thomas Harding	120.51	INV	8/08/2017	3rdAugust2017	Reimb of SD cards & leadplugs for covert cameras	120.51
3541.4861-(		Big W	237.70	INV	7/08/2017	953378	Mop and gloves Recquatic	38.70
				INV	8/08/2017	953369/953370	Basket for noodles and netted bags - REcquatic	43.00
				INV	8/08/2017	953348	PPE for Artists - steel cap boots - The Zone	156.00
3541.5105-(		Tiffany Nicole Johanson	65.86	INV	9/08/2017	4thAugust2017	Refund of items for Senior Group & After School	65.86
3541.5109-(		Building Commission (Department of	20,321.62	INV	8/08/2017	July2017	Building Services levy - July 2017	20,321.62
3541.5520-(		Master Lock Service	965.00	INV	8/08/2017	00004541	Margaret Feilman Centre - new lock required	400.00
				INV	8/08/2017	00004545	Adventure Park - Electrical Cabinet rekey	135.00
				INV	8/08/2017	00004547	APU - replace broken gate lock on perimeter gate	210.00
				INV	8/08/2017	00004536	BP - villa 62, replace broken lock on rear glass	110.00
				INV	8/08/2017	00004544	Department of Housing - Side entry gate handle	110.00



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3541.5528-(Alvin Peter Frost	350.00	INV	8/08/2017	2ndAugust2017	Financial Assistance-2017 National Tenpin Bowling	350.00
3541.56-01		Aim	1,288.00	INV	9/08/2017	728453	Excel Advanced A Training - 14-15/09/2017	846.00
				INV	9/08/2017	728452	Excel Advanced A Training - 5 December 2017	442.00
3541.583-0'		Flexi Staff Pty Ltd	1,469.45	INV	7/08/2017	179437	Temp stgaff w/e 22/07/2017 - Shaun Quinn	1,469.45
3541.6018-(		ALSCO Pty Ltd	64.21	INV	8/08/2017	CPER1739422	Linen table cloths	64.21
3541.6124-(		Matchbox Rockingham	148.44	INV	7/08/2017	3240062	Replacement cups and saucers, Mugs for Pin it, etc	148.44
3541.6267-(		Woolworths Limited	1,173.04	INV	8/08/2017	2830375	Prizes for YOLO - The Zone	41.00
				INV	7/08/2017	22213775	Items for Admin	110.22
				INV	8/08/2017	2830379	Items for Drop Ins	86.18
				INV	8/08/2017	2830377	Food for meeting - Recquatic	37.12
				INV	7/08/2017	2830366	Shopping for Truffles session, Boredom Busters	18.90
				INV	7/08/2017	22388805	Items for Admin	96.72
				INV	7/08/2017	22404222	Catering items 7/08/2017	147.11
				INV	7/08/2017	2830362	Caf�� supplies	48.90
				INV	7/08/2017	2772661	Consumerables John Wellard Community Centre	73.43
				INV	7/08/2017	2830353	Clever Craft Term 3 supplies	38.00
				INV	7/08/2017	2830364	William Bertram Term 3 afterschool Craft Supplies	123.61
				INV	7/08/2017	22310134	Items for Admin	260.42
				INV	7/08/2017	2830368	Food and supplies for Mooditj Kulungars playg, etc	91.43
3541.6370-(		Elexacom	5,859.37	INV	3/08/2017	20892	John Wellard CC - reset assistance alarm	38.50
				INV	8/08/2017	20835	Thomas Netball Changerooms - Removed light fixture	1,335.13
				INV	3/08/2017	20900	Administration - Exit Light Repairs - Job #25945	2,410.10
				INV	3/08/2017	20899	Koorliny Communtiy Arts Centre - light fitting rep	317.08
				INV	7/08/2017	20891	BP - villa 22, investigate external light in rear	266.06
				INV	7/08/2017	20861	BP - villa 18, replace faulty light fitting	74.53



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				INV	3/08/2017	20902	Darius Wells - light repairs	775.84
				INV	8/08/2017	20863	Kwinana Out of School Care - Conduct six monthly	116.88
				INV	3/08/2017	20890	John Wellard CC RCD Testing	140.25
				INV	8/08/2017	20901	Administration - Preventative Maintenance Testing	385.00
3541.6371-(		KDAire Mechanical Services Pty Ltd	4,261.61	INV	8/08/2017	37559	Department of Housing - Compressors Replacement	4,261.61
3541.638-0'		GHD Consultant Engineers	2,200.00	INV	8/08/2017	610043313	Millar Road - PSI Report - final invoices	2,200.00
3541.664-0'		StrataGreen	346.50	INV	8/08/2017	87038	Coastcare Project-Tree guards- coastal planting	346.50
3541.682-0'		Harmony Software	1,760.00	INV	7/08/2017	00018600	Harmony Web Annual Subscription 2017/2018	1,760.00
3541.6860-(		Advance Scanning Services	2,420.00	INV	7/08/2017	20161460	Underground utility scanning for Bertram Road	2,420.00
3541.69-01		Alinta Gas	47.00	INV	7/08/2017	972215970Jul17	Usage to 20/7/17 271U - BP Club	47.00
3541.7165-(		Sprayline Spraying Equipment	1,066.64	INV	7/08/2017	12945	3 x 1/2" PRESSURE REGULATOR, SOLENOID VALVE A, etc	1,066.64
3541.7191-(		Shannon Maree Laing	175.00	INV	8/08/2017	2ndAugust2017	Financial Assistance - 2017 School Championship	175.00
3541.7388-(		Morris Jacobs	300.00	INV	7/08/2017	01/08/2017	Facilitate Tuesday Art Group Term 3 - 1/8/17	150.00
				INV	9/08/2017	080817	Facilitate Tuesday Art Group Term 3 - 08/08/17	150.00
3541.7436-(		Action Glass Pty Ltd	809.71	INV	8/08/2017	B56376	Koorliny Communitiy Arts Centre - broken windows	809.71
3541.7569-(		BP Refinery (Kwinana) Ltd	300.00	RFD	9/08/2017	1139412	Refund bond-hall hire 11/06/2017	300.00
3541.7612-(		Professional Trapping Supplies	4,537.60	INV	8/08/2017	27977	Reconyx MS8 Security Microfire and parts	4,537.60
3541.762-0'		Blackwood & Sons Ltd	887.49	INV	8/08/2017	KWNA4684	Puulovers, shirts,trousers, gloves	111.87
				INV	8/08/2017	KWNA9704	Shirts,trousers & respiratory half sunstrom	385.19
				INV	8/08/2017	KWNA8942	Pullovers and gloves	390.43
3541.7960-(Kerb 2 Kerb Concreting	1,210.00	INV	7/08/2017	1600	Supply and lay new kerb and crossover - 27 Challe	1,210.00
3541.814-0'		Keynote Conferences	3,180.00					



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				INV	9/08/2017	69	Waste and Recycle 2017 Conference - R Elkins	550.00
				INV	9/08/2017	79	Waste and Recycle 2017 Conference - C Tanner	550.00
				INV	9/08/2017	68	Waste and Recycle 2017 Conference - T Kursar	1,040.00
				INV	9/08/2017	80	Waste and Recycle 2017 Conference - D Monteiro	1,040.00
3541.8192-(		Artlines Cutting Service	2,684.00	INV	9/08/2017	5124	16 x A frame reversible herbicide signs, 40	2,684.00
3541.8302-(		Chris Kershaw Photography	440.00	INV	8/08/2017	L2060	Photography at citizenship ceremony 1 August 2017	440.00
3541.8319-(		Poolwerx Spearwood	1,812.00	INV	7/08/2017	88831-1	Daily water test & balance-Kwinana Adventure park	1,812.00
3541.8325-(		Envirosweep	12,067.55	INV	8/08/2017	50239	Extra street sweeping-Halsted Turn 19/7/17	151.25
				INV	9/08/2017	49775	Monthly Road Sweeping - July 2017	2,713.70
				INV	9/08/2017	49928	Weekly footpath sweeping - July 2017	844.80
				INV	8/08/2017	49774	Car Park Sweeping - July 2017	3,071.20
				INV	8/08/2017	49986	Road sweeping - July 2017	5,286.60
3541.8649-(		Ezy2c GPS Tracking	6,975.21	INV	9/08/2017	16515/03	GPRS Tracking Device	6,975.21
3541.8678-(		G T Raceway	250.00	INV	7/08/2017	17028	Slot Cars for July School Holidays Program	250.00
3541.8756-(		Ohura Consulting	1,108.25	INV	8/08/2017	311	Consulting services	1,108.25
3541.8901-(		Imagepro	396.00	INV	7/08/2017	81718	Photography at Citizenship ceremony-Darius Wells	396.00
3541.8946-(		National Film and Sound Archive	324.00	INV	8/08/2017	INV56248	Copy of film - The Secret Agent	324.00
3541.8967-(		Katherine May Talagi	1,000.00	RFD	4/08/2017	1145292	Refund bond-Hall hire 25/7/17	1,000.00
3541.8978-(		Aigle Royal Properties Pty Ltd	4,841.36	INV	3/08/2017	1.5	Rates Refund	4,841.36
3541.8986-(		Hon Trung KHA	577.00	INV	8/08/2017	Refund	17/18 Food surveillance fee refund - business sold	577.00
3541.8987-(		Tendai Makumbe	1,000.00	RFD	8/08/2017	1140978	Refund bond - Hall hire 24/6/2017	1,000.00
3541.8989-(		Meghan Philpott & Simon Mills: Danc	300.00	INV	8/08/2017	5thAugust2017	Ballroom dance workshop & floorshow	300.00
3541.8990-(		Anish Varughese	2,000.00	RFD	9/08/2017	1142599	Refund bond - Hall hire 12/06/2017	2,000.00
3541.8991-(Keerthichowdary Kuppuru	1,000.00	RFD	9/08/2017	1142263	Refund bond-Hall hire 23/7/2017	1,000.00



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3541.8992-(Owners of Braemer Mews	300.00	RFD	9/08/2017	1104604	Refund bond-Hall hire 30/5/17	300.00
3541.8993-(		Justine Louise Thomas	900.00	INV	9/08/2017	A/N22296	C/over subsidy rebate - L2 Chapman Road, CALISTA	900.00
3541.8994-(		Hayley Emma Crow	360.00	INV	9/08/2017	A/N20075	C/over subsidy rebate- L157 Rockport Ridge,WELLARD	360.00
3541.8996-(		Fridgair Industries Pty Ltd	482.15	INV	9/08/2017	27823	Medina Hall - Fridge Repairs	482.15
3541.903-0'		Lo-Go Appointments	5,277.36	INV	7/08/2017	00416112	Temp staff w/e 8/07/2017 - B Miller	2,193.82
				INV	7/08/2017	00416156	Temp staff w/e 15/7/2017 - B Miller	3,083.54
3542	16/08/2017	EFT TRANSFER: - 16/08/2017	13,838.84					
3542.2853-(		Maxxia Pty Ltd	4,809.19	INV	10/08/2017	100329020170731	Being employee NET ITc for period 1/7 to 31/7/17	533.12
				INV	16/08/2017	PY01-04-Maxxia P	Payroll Deduction	1,974.00
				INV	16/08/2017	PY01-04-Maxxia P	Payroll Deduction	2,302.07
3542.3376-(		Health Insurance Fund of WA (HIF)	1,259.65	INV	16/08/2017	PY01-04-Health I	Payroll Deduction	1,259.65
3542.3719-(		City of Kwinana - Xmas fund	7,770.00	INV	16/08/2017	PY01-04-TOK Chri	Payroll Deduction	7,770.00
3543	16/08/2017	EFT TRANSFER: - 18/08/2017	166,924.43					
3543.565-0'		Bright Futures Family Day Care - Pa	112,807.41	INV	18/08/2017	300717-130817	FDC payroll 30/7/17-13/8/17	112,807.41
3543.568-0'		Bright Futures In Home Care - Payro	54,117.02	INV	18/08/2017	310717-130817	IHC payroll 31/7/17-13/8/17	54,117.02
3544	16/08/2017	EFT TRANSFER: - 21/08/2017	464,052.62					
3544.1044-(		Oakford Agricultural & Garden Suppl	43.35	INV	14/08/2017	77528	Hardware Supplies Depot July 2017	43.35
3544.1046-(		OCE Australia Ltd	222.66	INV	10/08/2017	1420824	Monthly Charges for ColorWave 550-Scanner-Aug 17	222.66
3544.115-0'		AAA Asphalt Surfaces	1,100.00	INV	14/08/2017	00005697	1 x pallet of coldmix 20kg bags	1,100.00
3544.1157-(		Quality Traffic Management Pty Ltd	5,818.18	INV	11/08/2017	22817	Traffic management for footpath/kerb repairs	2,391.68
				INV	14/08/2017	22815	Traffic Management on 18/7/2017 - 2 x 2 crew	1,828.75
				INV	11/08/2017	22816	Traffic management 24/04/2017 Gilmore Ave	847.00
				INV	14/08/2017	22814	Footpath repairs Hope Valley Road 18/7/17	750.75
3544.1227-(		Rockingham Holden	76,504.23	INV	16/08/2017	47175	Holden Colado - KWN2051	37,791.15
				INV	14/08/2017	GMFS237332	Service - 1EOB725	28.70
				INV	15/08/2017	47179	Holden 4 x 4 Trailblazer - KWN2049	38,251.25



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				INV	10/08/2017	32964	GM-94713406, CAP HUB, COLORADO UTE	117.04
				INV	14/08/2017	32797	STEEL RIM Lamp tail, ex amcap - 1EOB725	316.09
3544.1276-(		Satellite Security Services	120.00	INV	14/08/2017	01800498	The Zone - Satellite Security technician on site	120.00
3544.1338-(		South West Group	35,805.00	INV	14/08/2017	171805	2017 / 2018 Member Council Contributions	35,805.00
3544.1343-(		Southern Metropolitan Regional Coun	95,636.75	INV	11/08/2017	12531	Annual SMRC Contribution 2017/2018 - Governance	89,562.00
				INV	11/08/2017	12581	RRRC Education Program 2017/2018 Contribution.	6,074.75
3544.1393-(		Sunny Sign Company Pty Ltd	148.50	INV	11/08/2017	365681	Double sided signs - Kwinana spectacles	148.50
3544.1423-(		Telstra	2,515.95	INV	14/08/2017	3752384000Jul17	Charges to 210717 FDC	24.33
				INV	10/08/2017	9385375010Aug17	Usage to 28/7/17 Internet & Data	2,491.62
3544.1577-(		WA Rangers Association Inc	1,700.00	INV	10/08/2017	SD1733	Professional Development conference-20 & 21/9/17	1,700.00
3544.1589-(		Waste Stream Management Pty Ltd	2,244.00	INV	15/08/2017	00822989	Tipping fees - July - Class 1 Sand/Rubble	2,244.00
3544.1614-(		Westbooks	18.49	INV	15/08/2017	288763	Book - "All I want for Christmas is Rain"	18.49
3544.1660-(		Wurth Australia Pty Ltd	1,068.41	INV	14/08/2017	4305920780	0614250300 Bit assortment 105 pieces	1,068.41
3544.1684-(		Ergolink	623.43	INV	15/08/2017	SI-00059274/1	Ergonomic chair for Bruce Mentz	623.43
3544.1830-(		Biffa Bins	565.00	INV	15/08/2017	0859142	BP - deliver skip bin to rear of Clubhouse	565.00
3544.188-0'		Beaurepaires Tyres Kwinana	2,715.32	INV	14/08/2017	U548347215	Pressure maintenance - KWN1779	17.82
				INV	14/08/2017	U548347218	Pressure miantenance - KWN1835	17.82
				INV	14/08/2017	U548347217	Pressure maintenance - KWN2072	17.82
				INV	14/08/2017	U548347348	Tyres, fittings	1,291.70
				INV	14/08/2017	U548347372	Tyres and fittings - 1DSI398	1,322.64
				INV	14/08/2017	U548347219	Pressure maintenance - KWN005P	17.82
				INV	14/08/2017	U548347220	Pressure maintenance - 1ERM600	29.70
3544.1900-(		Mercury Firesafety Pty Ltd	187.00	INV	10/08/2017	00073133	Fire Nozzle, Service & Repair as Required	187.00
3544.2068-(		Echelon Australia Pty Ltd	2,112.00	INV	15/08/2017	156-016064	Risk Management Training - 28 July 2017	2,112.00
3544.2096-(		Orelia Primary School	220.00	INV	11/08/2017	37	Bus hire to Challengber Beach	220.00
3544.2125-(Synergy	37,901.65	INV	15/08/2017	264244690Aug17	Usage to 4/08/2017 54U - Bore pump - Gecko Park	47.85



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				INV	15/08/2017	135567600Aug17	Usage to 03/08/17 53096.72U - D/W Lib & Res Ctre	14,298.50
				INV	15/08/2017	141057240Aug17	Usage to 030817 13U Zone	3,771.95
				INV	15/08/2017	177581220Aug17	Usage to 03/08/17 72065U - Recquatic	17,923.20
				INV	15/08/2017	830669340Aug17	Usage to 040817 7U Fire Pump	32.35
				INV	15/08/2017	214467920Aug17	Usage to 040817 15U BBQ/Lights	35.45
							Honeywood/Bruny Mea	
				INV	15/08/2017	2184401214Aug17	Usage to 030817 2549U Kwinana Adventure Park	638.65
				INV	15/08/2017	118367820Aug17	Usage to 030817 4525U New Thomas Oval Pavilion	1,067.45
				INV	15/08/2017	198511040Aug17	Usage to 040817 174U Bore/BBQ/Lights	86.25
							Bruny Meander	
3544.2155-(		Academy Publishing Ltd Partnership	379.50	INV	16/08/2017	00043452	Schoolbook Sponsorship Leda & District PS	379.50
3544.218-0'		Bob Jane T-Mart	3,221.00	INV	14/08/2017	126494	Tyres, alignment - thrust	567.00
				INV	14/08/2017	126293	Tyres, fittings, wheel balance	617.00
				INV	14/08/2017	126558	Trailer tyres - 1TJO798	770.00
				INV	14/08/2017	126253	Tyres	678.00
				INV	14/08/2017	126295	Supply and fit 2 x New tyres Mazda CX5	589.00
							1EWW253	
3544.2256-(		GlobalX Information Services Pty Lt	44.00	INV	11/08/2017	PSI0067406	Legal Name Searches - July 17	44.00
3544.2460-(		Allcom Communications	665.06	INV	14/08/2017	26535	Install of motorola radio - KWN2050	665.06
3544.248-0'		Bunnings Building Supplies	821.37	INV	15/08/2017	2163/01527708	Thomas Kelly Pavilion - Metal Studs	68.30
				INV	15/08/2017	2163/01657560	Darius Wells Library ceiling paint	120.65
				INV	15/08/2017	2163/99720940	Purchase items for skate park activation	430.46
				INV	15/08/2017	2163/01654382	DW Library access panels	53.35
				INV	15/08/2017	2163/01526315	Depot - Male and Female Toilet signs	78.59
				INV	15/08/2017	2163/01653034	Medina Hall - Access panel and silicone	70.02
3544.2507-(		Ixom Operations Pty Ltd	1,199.11	INV	11/08/2017	5855722	2 x chlorine gas bottles	942.68
				INV	11/08/2017	5853126	Service charge for the chlorine gas for July 2017	130.94
				INV	11/08/2017	5842693	Service charge for Chlorine - 30/06/2017	125.49
3544.2546-(		Sigma Chemicals	735.85	INV	11/08/2017	103735/01	Liquid chlorine & drum poly	28.55
				INV	11/08/2017	103734/01	Granular Chlorine cal hypo Aquacure	105.60
				INV	11/08/2017	103678/01	Pool chemicals	601.70



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3544.2852-(Downer EDI Works Pty Ltd	204.59	INV	15/08/2017	6002203	.50tonne of 10mm gran	91.05
				INV	15/08/2017	6002222	.62 tonne 7mm gran	113.54
3544.29-01		Acurix Networks Pty Ltd	4,736.60	INV	10/08/2017	00001388	Monthly Public Wi-Fi Service @ Wellard CC-Aug 17	2,368.30
				INV	10/08/2017	00001380	Monthly Public Wi-Fi Service - July 2017	2,368.30
3544.2914-(		Lesley Vivienne Barrett	2,000.00	INV	11/08/2017	1	Sculptures for the Outdoor Youth Space	2,000.00
3544.30-01		Carol Elizabeth Adams	361.14	INV	16/08/2017	July2017	Reimb of travel and other expenses - July 2017	361.14
3544.3105-(		Poly Pipe Traders	1,847.43	INV	14/08/2017	00085539	PVC Pipe 40mm CL9 x 6M x 2	26.92
				INV	15/08/2017	00085508	13 Core 1.0mm Wire	271.00
				INV	14/08/2017	00085374	PVC Red. Bush 100 x 80mm	8.71
				INV	10/08/2017	00085507	Reticulation items & rainbird stand base	643.76
				INV	10/08/2017	00085434	Assorted reticulation parts & rainbird stand	412.36
				INV	10/08/2017	00085592	Valve box rainbird	484.68
3544.3212-(		Marketforce Pty Ltd	2,682.02	INV	16/08/2017	15463	Advert - Greenwaste collection - 28/7/17	621.51
				INV	15/08/2017	15461	Public Notice advert 26/7/2017	295.97
				INV	14/08/2017	15464	Advertising - Kwinana Beach Feasibility Study	663.98
				INV	15/08/2017	15462	Public Notice advert - 28/7/2017	349.56
				INV	15/08/2017	15457	Advertising with Seek - Youth Services Officer Lib	171.94
				INV	14/08/2017	15465	Advertising Provision of General Litter Collection	579.06
3544.339-0'		Civica Pty Ltd	37,156.18	INV	10/08/2017	M/LG006690	Excel Wizard Integration - 1/9/2016 to 31/08/2017	5,935.03
				INV	10/08/2017	M/LG006752	MSP Monthly Fee License - September 2017	31,221.15
3544.342-0'		CJD Equipment Pty Ltd	375.78	INV	14/08/2017	1560062	Grommet	28.85
				INV	15/08/2017	1556996	16836293, Bracket Headlamp, (RH L70F)	346.93
3544.347-0'		Cleanaway Pty Ltd	728.20	INV	15/08/2017	9756311	Service Skip Bins at Adventure Park - July 17	728.20
3544.358-0'		Coastline Mower World	1,712.00	INV	15/08/2017	14774#4	385-288 Trimmer Head	200.00
				INV	15/08/2017	14649#12	Blade Com Edger 12	1,000.00
				INV	14/08/2017	14645#12	Head speedload comercial	200.00
				INV	14/08/2017	14640#4	Harness - double shoulder	300.00
				INV	14/08/2017	14648#12	Torx screw BG starter	12.00



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3544.3580-(HECS Fire	418.00	INV	14/08/2017	44051	The Recquatic - Check and repair faulty sensor	418.00
3544.3607-(		Hays Specialist Recruitment Pty Ltd	14,243.04	INV	15/08/2017	6740286	K Sercombe w/e 230717	4,747.68
				INV	15/08/2017	6773558	K Sercombe w/e 060817	4,747.68
				INV	15/08/2017	6709673	K Sercombe w/e 090717	4,747.68
3544.3608-(		Foreshore Rehabilitation & Landscap	1,067.00	INV	15/08/2017	INV-4019	Medina Netball Courts-fence & rail works	1,067.00
3544.3916-(		Kwinana Industries Council	516.32	INV	15/08/2017	00011727	KIC School Based Trainee - B Andrews fe 040817	258.16
				INV	15/08/2017	00011728	KIC School Based Trainee C Gshwendtner fe 040817	258.16
3544.4003-(		Infiniti Group	702.40	INV	11/08/2017	411829	Toilet rolls, hand towels for Recquatic	643.88
				INV	11/08/2017	411877	Facial tissues	58.52
3544.407-0'		Staples Australia	163.62	INV	16/08/2017	9021919685	First Aid Stickers	5.81
				INV	16/08/2017	9021867631	First Aid Poly Sign for First Aid Room	33.37
				INV	11/08/2017	9021850936	Consumables for programs	124.44
3544.412-0'		Courier Australia	169.45	INV	10/08/2017	0294	Courier - 27/07/2017	12.68
				INV	14/08/2017	0295	Courier charges to 040817	131.41
				INV	14/08/2017	0293	Courier charges 19/7/17	12.68
				INV	14/08/2017	0291	Courier charges - 05/07/2017	12.68
3544.4125-(		LD Total	8,005.07	INV	15/08/2017	85356	Maint services July 2017 - Sunrise Estate	990.67
				INV	15/08/2017	85151	Additional work July 2017 - Belgravia	1,307.26
				INV	15/08/2017	85355	Maint services for July 17 - Sunrise Estate	201.06
				INV	15/08/2017	85123	Additional work July 2017 - Sunrise	58.82
				INV	15/08/2017	85096	Additional work July 2017 - Honeywood	1,255.38
				INV	15/08/2017	85120	Additional work July 2017 - Wellard	4,191.88
3544.413-0'		Covs Parts Pty Ltd	818.75	INV	14/08/2017	1650029373	Filters, pins,socket set, bag of rags	457.64
				INV	14/08/2017	1650030269	Pad set - disc brake	72.45
				INV	14/08/2017	1650032456	Shackles	35.20
				INV	10/08/2017	1650033115	Socket,silicones,sealant gasket & pipe	84.23
				INV	9/08/2017	1650033650	Filter - Cabin Air - RCA252C	32.91
				INV	10/08/2017	1650033140	Sockets, spinner handles & silicone	136.32
3544.42-01		Adventure World	560.00	INV	15/08/2017	26481	Vacation care booking for Zone - 25/01/2018	560.00
3544.4279-(Data #3 Limited	1,178.66					



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				INV	10/08/2017	01642799	1x Microsoft Exchange Server Standard License	1,178.66
3544.434-0'		Curtin University	3,950.00	INV	15/08/2017	9043046	Study fees for Rhys Pryce - Student ID:18869503	3,950.00
3544.4412-(		JB Hi-Fi Rockingham	998.86	INV	15/08/2017	102543332-100	Various Gaming Consoles, Accessories, Games-Lib	998.86
3544.4477-(		Trophy Express	60.00	INV	10/08/2017	7751	Additional soccer trophies - Recquatic	60.00
3544.4692-(		Elliotts Irrigation Pty Ltd	983.40	INV	10/08/2017	811328	Service iron filter - Wellard July 2017	983.40
3544.4719-(		Complete Office Supplies Pty Ltd	1,202.12	INV	11/08/2017	07006871	July 2017 Stationery Order for Recquatic	403.85
				INV	14/08/2017	06982052	White magnetic glassboard	299.84
				INV	16/08/2017	07009173	Stationery for Zone Staff	498.43
3544.4861-(		Big W	468.40	INV	11/08/2017	953398	Products for disco party	105.75
				INV	11/08/2017	953388	Items for cafe - Recquatic	24.00
				INV	16/08/2017	953390	Children's stickers & stamps. Baby blankets. Chil	338.65
3544.5071-(		JB HiFi Commercial Division	309.76	INV	11/08/2017	001-5809549-223-	8x Samsung USB 3.0 Flash Drive (64GB)	309.76
3544.5279-(		OCP Sales	99.99	INV	15/08/2017	00045505	Tacite Pro Pant Black Male 30W/301	99.99
3544.546-0'		Enzed Fremantle	34.67	INV	15/08/2017	43080	Swivel Connector for Water Pressure Pump	34.67
3544.5474-(		Bankwest	60.00	INV	15/08/2017	Ref#82808	Audit Certificate for year ended 30 June 2017	60.00
3544.560-0'		Goodchild Enterprises	784.30	INV	14/08/2017	378606	C60-N30L-A Battery C/W Acid	44.00
				INV	15/08/2017	378795	Bosch N120-S4	464.20
				INV	14/08/2017	378049	1EOB725 Holden Colorado LTZ - 1 New Battery	196.90
				INV	14/08/2017	376197	Battery	79.20
3544.5627-(		Tyrecycle Pty Ltd	415.55	INV	14/08/2017	637893	Collection of tyres - JULY 17	415.55
3544.5750-(		Kev's Wheelie Kleen	291.50	INV	14/08/2017	4494	Darius Bin and Water Fountain Cleans	203.50
				INV	14/08/2017	4493	Administration - Rubbish and recycle bin cleans	88.00
3544.5823-(		Accord Security Pty Ltd	4,921.84	INV	15/08/2017	00021816	1 x Security Officer-D/W Library period 23/7/17	4,921.84
3544.5982-(		Mahomad Arif Satar	506.35	INV	15/08/2017	8thAugust2017	Reimb of frames for exhibition display	506.35
3544.6000-(Scott Printers Pty Ltd	1,210.00	INV	14/08/2017	110752	Letterhead order - 040817	1,210.00

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3544.6224-(The Grant Finder	90.00	INV	15/08/2017	00107	Facilitation 27/7/17 & meeting 19/7/17	90.00
3544.6267-(		Woolworths Limited	678.81	INV	10/08/2017	2830376	Morning tea supplies - Depot	75.69
				INV	10/08/2017	2830380	Cafe supplies - Recquatic	103.33
				INV	10/08/2017	2830358	Milk,coffee, tea biscuits - Depot	76.00
				INV	15/08/2017	2772664	Catering for Skate Park Activation Activities.	28.43
				INV	15/08/2017	2830381	Items for Master Chef Program	10.63
				INV	15/08/2017	2830391	Milk for Zone Staff and Tenants	6.00
				INV	16/08/2017	2830399	Purchase of Food items for Drop In	69.00
				INV	15/08/2017	2830395	Milk, coffee - Recquatic	40.30
				INV	15/08/2017	2830400	D/W Lib & Res catering & cleaning supplies	91.10
				INV	15/08/2017	2830385	Milk - D/W Lib & Res Ctre	4.40
				INV	10/08/2017	2830390	Caf�� supplies - Recquatic	68.98
				INV	10/08/2017	2830382	Items for Kwinana Kids Play & Learn	20.95
				INV	15/08/2017	2830394	Milk, coffee, tea, biscuits - Depot	84.00
3544.634-0'		Geodetic Supply & Repair	687.50	INV	14/08/2017	33584	Calibration certificates	687.50
3544.6370-(		Elxacom	5,771.36	INV	15/08/2017	20985	Administration - Records - Down light repair	196.02
				INV	14/08/2017	20945	The Zone - Lights in Upstairs Meeting Room	77.00
				INV	15/08/2017	20940	APU - unit 23, repair to bathroom exhaust fan	77.00
				INV	15/08/2017	20944	Tennis Club - Emergency/Exit Light Testing	187.00
				INV	15/08/2017	20986	Wellard Pavilion - investigate HWS not working	23.38
				INV	15/08/2017	20941	Incubator/IT office testing/tagging	1,697.96
				INV	15/08/2017	20989	DW circulation desk - light not working	960.31
				INV	15/08/2017	20937	APU - unit 33, exhaust fan in bathroom	163.63
				INV	14/08/2017	20942	Recquatic - Exhaust Fan over deep fryer in caf��	1,826.15
				INV	15/08/2017	20947	Investigate and repair various external lights	516.16
				INV	14/08/2017	20939	Recquatic Plant room lights not operating investig	46.75
3544.6371-(		KDAire Mechanical Services Pty Ltd	532.95	INV	11/08/2017	37673	Recquatic - AHU 1 & 2 Fresh air filters	532.95
3544.6486-(		Lotus Folding Walls & Doors P/L	203.50	INV	14/08/2017	61089	Fiona Harris Pavilion - BiFold Door Repair	203.50
3544.6749-(		Australia Post	18,224.89	INV	11/08/2017	1006627396	Postage for period ending 31/07/2017	18,224.89
3544.6860-(Advance Scanning Services	1,358.50	INV	16/08/2017	20161524	Underground Utility Scanning - Clark Way, Kwinana	1,358.50



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3544.6972-(Go Doors Pty Ltd	566.50	INV	14/08/2017	405136	D/W-install emergency wireless press button	566.50
3544.7042-(		Quantum Building Services	1,998.70	INV	14/08/2017	00001506	Margaret Feilman Centre water leak remedial works	1,998.70
3544.7062-(		UES International	479.93	INV	10/08/2017	INV60-000233010	Supply and deliver water reservoir - 15L capacity	479.93
3544.7388-(		Morris Jacobs	150.00	INV	15/08/2017	15/08/2017	Facilitate Tuesday Art - 15/8/2017	150.00
3544.7445-(		Mustang Welding & Fabrication	572.00	INV	14/08/2017	133	6 monthly service @\$65 per hour - Variou Trailers	572.00
3544.7503-(		Priceless Discount Kwinana	32.00	INV	15/08/2017	10	Supplies for programs Term 3	32.00
3544.7521-(		Strategen Environmental Consultants	550.00	INV	11/08/2017	15422	BAL Report for Wellard Glen Estate	550.00
3544.7604-(		Tanya Halliday	60.00	INV	15/08/2017	4thAug2017	Reimb of purchase of PPE for Art Program	60.00
3544.762-0'		Blackwood & Sons Ltd	619.38	INV	11/08/2017	KWNB0421	Gloves, round sling	104.93
				INV	11/08/2017	PENC0254	Safety vest	14.48
				INV	14/08/2017	PENC1552	07969590, CASTOR SWIVEL BLACK PNEU 140KG 200MM	182.40
				INV	10/08/2017	KWNC0049	Trousers & shirts - Environment	238.37
				INV	10/08/2017	KWNB8877	Pullovers - Environment	79.20
3544.7625-(		Flex Industries Pty Ltd	1,035.77	INV	15/08/2017	57629	KWN2035 Service and parts	535.77
				INV	15/08/2017	13877	Insurance Excess only - KWN701 Fire Support Fleet	500.00
3544.795-0'		K Mart	149.50	INV	15/08/2017	072356	Children's party items - Recquatic	149.50
3544.8088-(		GTA Consultants (WA) Pty Ltd	9,833.82	INV	11/08/2017	107455	Kwinana Cycling and Walking Network Plan	9,833.82
3544.8125-(		Xpresso Delight Midland	880.00	INV	9/08/2017	INV-0068	Coffee Machine Service - June 2017	440.00
				INV	11/08/2017	INV-0073	Coffee machine servicing and supplies-July 17	440.00
3544.8192-(		Artlines Cutting Service	677.60	INV	10/08/2017	5077	4 x A- frame signs	677.60
3544.8400-(		Katherine Ann Schilling	193.21	INV	16/08/2017	2ndAugust2017	Reimb of meals & taxi fares-Adelaide Conference	193.21
3544.8645-(		Serena E Kingi	136.75	INV	16/08/2017	10thJuly2017	Refund-cancellation of patio hire 16/7/2017	36.75
				RFD	16/08/2017	1140732	Refund bond-Hall hire 16/7/2017	100.00
3544.867-0'		Lamp Replacements	400.68	INV	14/08/2017	IN1006253	Recquatic - TUBEPLL 18W 2G11 4000K WHITE OSR, etc	400.68



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3544.8894-(Landscape and Maintenance Solutions	17,530.14	INV	15/08/2017	INV-0309	Passive and Streetscape mowing- 3 & 17/7/17	8,734.48
				INV	15/08/2017	INV-0310	Broadacre mowing of Sportsgrounds 6 & 20/7/17	6,935.71
				INV	15/08/2017	INV-0308	Mowing service - various locations week of 17/7/17	1,859.95
3544.8905-(		Kelli Anne Hayward	234.65	INV	15/08/2017	14thAugust2017	Reimb- Rates Planning Day, morning tea & fuel	234.65
3544.8935-(		Adrian John Cooper	100.00	RFD	16/08/2017	1146059	Refund bond-Patio hire 31/7/17	100.00
3544.8976-(		Scott Daly Visual Arts	2,000.00	INV	11/08/2017	201708001	Artist Services for provision of log sculpture	2,000.00
3544.8979-(		Vocus Communications	9,244.11	INV	10/08/2017	P183134	Install & 1st Month New Corporate Internet service	9,244.11
3544.8980-(		Westplan Design	500.00	INV	11/08/2017	i1804DEP	Wellard Pavilion Extension - Deposit/Sketch	500.00
3544.8998-(		McLeods	10,605.47	INV	11/08/2017	99014	Legal fees - Matter No.41367	1,599.61
				INV	11/08/2017	98909	Legal fees - Matter No.38623	436.67
				INV	11/08/2017	99012	Legal fees - Matter No.41325	603.79
				INV	11/08/2017	99095	Legal fees - Matter No.41203	2,307.64
				INV	11/08/2017	98832	Legal fees - Matter No.41290	1,328.16
				INV	11/08/2017	98946	Legal fees - Matter No.41363	195.93
				INV	11/08/2017	98969	Legal fees - Matter No.39979	1,768.65
				INV	11/08/2017	98931	Legal fees - Matter No.33252	445.98
				INV	11/08/2017	99009	Legal fees - Matter No.34176	1,919.04
3544.8999-(		Jarod Paul Griffiths	148.40	INV	14/08/2017	090817	Reimbursement for Admin Worm Farm Supplies	148.40
3544.9010-(		Nathan Charles Commins	60.00	INV	15/08/2017	1.8	Rates Refund	60.00
3544.9011-(		Gail Garlett	250.00	INV	15/08/2017	2ndAugust2017	Fianancial Assistance-AFL High Performance program	250.00
3544.9014-(		Ernice Albaran Daniel	1,000.00	RFD	16/08/2017	1142533	Refund bond-Patio hire 12/7/17	1,000.00
3544.9015-(		Deanne Murphy	100.00	RFD	16/08/2017	1143996	Refund bond-Patio hire 6/8/17	100.00
3544.9016-(		Kirri Lee Harper	100.00	RFD	16/08/2017	1146065	Refund bond-Patio hire 24/7/17	100.00
3544.9017-(		Rhalina Aslam	100.00	RFD	16/08/2017	1146065	Refund bond-Patio hire 24/7/17	100.00
3544.9018-(Melissa Warren	100.00	RFD	16/08/2017	1140978	Refund bond-Patio hire 13/8/2017	100.00



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3544.9019-(Kearns Garden Supplies	335.42	INV	16/08/2017	03	APU Hardware July 2017	66.87
				INV	16/08/2017	24	Depot Hardware Supplies July 2017	221.66
				INV	16/08/2017	04	BP Hardware Supplies July 2017	46.89
3544.9020-(		Travis James Hossen	500.00	INV	16/08/2017	110817	Contracts and Tenders OP Ex Subscriptions Publicat	500.00
3544.928-0'		Major Motors	2,219.77	INV	14/08/2017	525957	Service KWN2043	1,367.50
				INV	14/08/2017	525904	Filters, gaskets, element kits	852.27
3545	18/08/2017	EFT TRANSFER: - 22/08/2017	926.75					
3545.568-0'		Bright Futures In Home Care - Payro	926.75	INV	22/08/2017	310717-130817-2	IHC payroll 31/7/17-13/8/17 File 2	926.75
3546	22/08/2017	EFT TRANSFER: - 23/08/2017	204,939.00					
3546.153-0'		Australian Taxation Office	204,939.00	INV	16/08/2017	PY01-04-Australi	Payroll Deduction	204,939.00
3547	23/08/2017	EFT TRANSFER: - 24/08/2017	250,013.15					
3547.1059-(		Vodafone Messaging	176.00	INV	21/08/2017	11170703	Alpha network access fee - Aug 2017	176.00
3547.1078-(		Parks And Leisure Australia	242.00	INV	23/08/2017	9429	Event Risk Management Workshop - 29 September 2017	242.00
3547.1130-(		Port Printing Works	75.90	INV	22/08/2017	INV000845	Business Cards	75.90
3547.1157-(		Quality Traffic Management Pty Ltd	1,815.00	INV	23/08/2017	22756	Contract 608KWN16 Provide Traffic Management	500.50
				INV	22/08/2017	22794	Traffic management - Kwinana Beach Rd	1,314.50
3547.1159-(		SoundPack Solutions Pty Ltd	381.50	INV	18/08/2017	INV-7903	CD jewel cases and DVD cases	381.50
3547.1168-(		Raeco International Pty Ltd	1,336.09	INV	21/08/2017	507546	Dustcover jackets and contact for book covers	1,336.09
3547.1187-(		Red Sand Supplies Pty Ltd	246.40	INV	23/08/2017	00011074	Tipping concrete 310717	246.40
3547.1227-(		Rockingham Holden	990.00	INV	22/08/2017	GMCS238301	Supply and Install reversing camera - KWN2023	495.00
				INV	21/08/2017	GMCS238300	Supply and Install reversing camera - KWN1989	495.00
3547.1249-(		Royal Life Saving Society	264.00	INV	21/08/2017	71622	2 x boxes of watch around water bands	264.00
3547.1277-(		Savage Garden Services	5,043.50	INV	22/08/2017	89	Roundabout maintenance on 24/7/17	3,448.50
				INV	22/08/2017	91	Maintenance of publci access - August 2017	1,595.00
3547.130-0'		Australasian Performing Rights	1,076.85	INV	23/08/2017	02083494/000038	APRA license 1/7/17 - 30/9/17 events, Darius, Zone	1,076.85



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3547.134-0'		Australia Post	820.68	INV	22/08/2017	1006610727	Commission/supply for period ending 31/07/2017	820.68
3547.1485-(		T-Quip	3,960.60	INV	21/08/2017	70221#5	Switch Key 48V	110.90
				INV	21/08/2017	69979#12	Assorted parts - Insurance claim	534.75
				INV	21/08/2017	70080#12	Tray battery - Insurance claim	21.85
				INV	21/08/2017	70062#12	Assorted parts - Insurance claim	3,259.35
				INV	21/08/2017	70009#12	Assorted parts - Insurance claim	33.75
3547.1516-(		Trisley's Hydraulic Services Pty Lt	82.50	INV	21/08/2017	194931	Chlorine Probe Washers required for Aquatics	82.50
3547.1572-(		Western Australian Local Government	454.01	INV	21/08/2017	I3066495	Cultural Planning & Local Govt Workshop - 4/8/17	150.00
				INV	23/08/2017	I3066711	Mayor Carol Adams - 2017 WALGA Convention	60.01
				INV	21/08/2017	I3066464	Aboriginal Culture & Heritage Preservation Forum	95.00
				INV	23/08/2017	I3066511	Registration for Community Safety Network Conferen	149.00
3547.1726-(		Kyocera Document Solutions Australi	3,939.26	INV	18/08/2017	2852269246	FS-C2526MFP - July 17 - Admin CSO area	156.80
				INV	18/08/2017	2852273798	Taskalfa 4550CI - July 17 - Library (Public)	78.43
				INV	18/08/2017	2852272750	Taskalfa 4550CI - July 17 - Library (Staff)	186.23
				INV	18/08/2017	2852270712	Taskalfa 3050CI - July 17 - Zone (Multimedia Room)	67.70
				INV	18/08/2017	2852272453	FS-C2626MFP - July 17 - Darius (Downstairs)	71.18
				INV	18/08/2017	2852270144	Taskalfa 7551CI - July 17 - Admin	713.08
				INV	18/08/2017	2852271563	Taskalfa 4551CI - July 17 - Depot	169.08
				INV	18/08/2017	2852270976	Taskalfa 4551CI - July 17 - J/W Community Ctre	18.90
				INV	18/08/2017	2852268509	Taskalfa 4551CI - July 17 - W/B Community Ctre	127.39
				INV	18/08/2017	2852272319	Taskalfa 7550CI - July 17 - GSS area	526.28
				INV	18/08/2017	2852268653	Taskalfa4550CI - July 17 - FDC	409.57
				INV	18/08/2017	2852270607	M6526CIDN - July 17 - APU	113.86
				INV	18/08/2017	2852269691	Taskalfa 4551CI - July 17 - CEO area	118.75
				INV	18/08/2017	2852273358	Taskalfa 7550CI - July 17 - Finance area	198.65
				INV	18/08/2017	2852273620	Taskalfa 4550CI - July 17 - Darius Upstairs	79.17



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				INV	18/08/2017	2852270407	Taskalfa 4550CI - July 17 - BI (ICT)	385.02
				INV	18/08/2017	2852269503	Taskalfa 8000CI - July 17 - Planning area	64.83
				INV	18/08/2017	2852272186	Taskalfa 4551CI - July 17 - The Zone	71.00
				INV	18/08/2017	2852271750	Taskalfa 4551CI - July 2017 - Recquatic	383.34
3547.1760-(		Hanson Construction Materials Pty L	711.86	INV	21/08/2017	70710541	1.8m2 concrete mini load charge	470.43
				INV	21/08/2017	70724538	Lot 815 Tuart Ridge Parmelia 0.4m3	241.43
3547.1937-(		Coles Myer Ltd - Gift Card Accounti	1,214.85	INV	22/08/2017	IN705237	Gift vouchers-Significant years of service	1,214.85
3547.2021-(		Subway Kwinana	139.00	INV	22/08/2017	53	Catering for Young Entrepreneurs Workshop	139.00
3547.2048-(		Palm Lakes Gardens & Landscape Serv	250.00	INV	18/08/2017	38	APU - unit 57, repair to sunken pavers in backyard	250.00
3547.2121-(		SITA Australia Pty Ltd	1,290.81	INV	23/08/2017	21673538	WALGA C002/11 - Depot greenwaste bin	1,290.81
3547.2125-(		Synergy	2,630.25	INV	22/08/2017	201813230Aug17	Usage to 8/8/17 1665U-Mandogalup Res bore/Fire Stn	566.20
				INV	22/08/2017	958335710Aug17	Usage to 6/08/17 7006U - Orelia Oval	2,035.70
				INV	21/08/2017	657514270Aug17	Usage to 8/08/2017 0U - 3phase power supply	28.35
3547.218-0'		Bob Jane T-Mart	2,016.00	INV	22/08/2017	127188	KWN1986 - Alignment Thrust, KWN1986 - BST245	750.00
				INV	21/08/2017	127110	Tyre Repairs - KWN1952	25.00
				INV	21/08/2017	127036	KWN1896 - Holden Colorado - Tyre	256.00
				INV	21/08/2017	127054	Tyres - alignment thrust	985.00
3547.2224-(		Prestige Catering & Event Hire	1,450.10	INV	22/08/2017	00020997	Catering - 09/08/2017	394.40
				INV	21/08/2017	00020998	Catering for Community Book launch - 10/08/2017	1,055.70
3547.2410-(		ABCO Products	1,286.56	INV	18/08/2017	300688	Interfold toilet tissue dispensers	1,286.56
3547.2463-(		Battery World	200.00	INV	21/08/2017	IN6080142352	BP & APU purchase of 9V batteries for smoke alarm	200.00
3547.248-0'		Bunnings Building Supplies	143.65	INV	21/08/2017	2163/01532322	BP & APU - purchase of hardware	143.65
3547.2492-(		Yakka Pty Ltd	185.30	INV	22/08/2017	1701833	Uniforms - C Kizhakke	166.60
				INV	22/08/2017	1708201	Uniforms - S Snowden	18.70
3547.2512-(		Konnect	17.88	INV	22/08/2017	16099071	M8 nuts	17.88
3547.264-0'		Cabcharge Australia Ltd	91.98	INV	22/08/2017	00989066P1708	Cab Charges 170717 - 130817	91.98



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3547.2646-(Neverfail Springwater	30.30	INV	18/08/2017	524832	Bottled water - Admin	30.30
3547.2698-(		Wilson Security Pty Ltd	158.95	INV	22/08/2017	W00205075	BP Villa 9 - Wilson security to attend	158.95
3547.270-0'		Caltex Australia Petroleum Pty Ltd	4,267.02	INV	21/08/2017	0301566399	Caltex Fuel Card - July 2017	4,267.02
3547.2758-(		CSR Gyprock Fibre Cement WA	920.16	INV	21/08/2017	915078569	Ceiling panels - Administration	57.89
				INV	21/08/2017	915078480	Ceiling repairs at Admin - OWA Alto, repair panels	862.27
3547.2817-(		Medina Aboriginal Cultural Centre	1,650.00	INV	23/08/2017	01	Naidoc 2017 & MACC Open Day event	1,650.00
3547.2904-(		Team Digital	2,295.00	INV	23/08/2017	37880	Premiere Pro Essentials Training - A Grover	765.00
				INV	23/08/2017	37878	Premiere Pro Essentials Training - R Heron	765.00
				INV	23/08/2017	37879	Premiere Pro Essentials Training - F O'Brien	765.00
3547.3105-(		Poly Pipe Traders	1,176.28	INV	21/08/2017	00085772	PVC pipe 50mm CL9 x 6M	38.50
				INV	21/08/2017	00085683	PVC Pipe supply	23.34
				INV	21/08/2017	00085695	Rainbird St base, PVC elbow 90deg 25mm	491.28
				INV	21/08/2017	00085670	Rainbird St base only	623.16
3547.3155-(		PFD Food Services Pty Ltd	974.55	INV	21/08/2017	KG745666	Caf�� Supplies	714.05
				INV	21/08/2017	KG745667	Caf�� Supplies	260.50
3547.3357-(		BGC Residential Pty Ltd	132.00	INV	22/08/2017	Rec#916077	Refund verge maerial fee - 27.2016.112.1	132.00
3547.357-0'		BullAnt Security Pty	30.10	INV	22/08/2017	10,157,750	Cutting of TWIN blank to suit 21.1 key	30.10
3547.3757-(		Teamworks Development Australia Pty	792.00	INV	22/08/2017	00005362	Adventure Challenge and Leadership-8/8/17	792.00
3547.3805-(		Officeworks Superstores Pty Ltd	171.00	INV	22/08/2017	620010378	Laminating of documents. 15 x A1 sheets.	171.00
3547.3877-(		Schweppes Australia Pty Ltd	220.92	INV	21/08/2017	0807212116	Drinks for cafe	220.92
3547.4007-(		Digitales	1,098.90	INV	23/08/2017	SINV-09445	Online subscription - Library	493.90
				INV	23/08/2017	SINV-09446	1 year subscription to online access for Who Else	605.00
3547.4057-(		Kelyn Training Services	1,750.00	INV	23/08/2017	00026021	Civil Construction Excavator Operation Training	1,750.00
3547.407-0'		Staples Australia	208.28	INV	23/08/2017	9021973508	Stationery Items - FDC	204.68
				INV	22/08/2017	9021857485	First aid bandages for first aid kits	3.60
3547.412-0'		Courier Australia	34.95	INV	21/08/2017	0296	Courier charge - 10/8/17	12.68
				INV	22/08/2017	0297	Courier charges 17/8/17	22.27
3547.4125-(LD Total	1,347.50					



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				INV	21/08/2017	84486	Pine bark mulch 10m3 - Additional Work June 2017	1,347.50
3547.413-0'		Covs Parts Pty Ltd	322.45	INV	22/08/2017	1650034843	Lamp Strobe Amber	78.05
				INV	22/08/2017	1650034873	RSK25C - FILTERS 4WD KIT, 85340A - Halogen Be, etc	244.40
3547.4134-(		WA Independant Steel	61.60	INV	22/08/2017	8192	2 x lengths 50 x 50 x 3m angle	61.60
3547.4412-(		JB Hi-Fi Rockingham	418.98	INV	22/08/2017	102550364-100	New equipment/controllers/cables - Youth Lounge	418.98
3547.4413-(		Cranetech Australia Pty Ltd	1,182.59	INV	21/08/2017	12238	Annual inspection/service - Crane	1,182.59
3547.4552-(		Public Libraries Western Australia	30.00	INV	21/08/2017	302	Parking for PLWA Conference - 7/09/2017	30.00
3547.4635-(		Brett Butler	106.00	RFD	23/08/2017	1147512	Refund bond-Animal trap hire	106.00
3547.4800-(		Web In A Box	30.00	INV	22/08/2017	38388	Domain Registration for nyoongarart.org	30.00
3547.483-0'		Landgate	3,660.23	INV	22/08/2017	333089-10001098	GRV chargeable, Sch No.G2017/16 29/7/17 to 11/8/17	3,660.23
3547.4861-(		Big W	88.00	INV	18/08/2017	953367	Supplies for arts & crafts	88.00
3547.4891-(		Display Me	510.39	INV	22/08/2017	N097497	2 x 1800 Black 1 A1 Snap 1 Side (SKU: PL2B)	510.39
3547.5035-(		Quell Cleen	270.00	INV	21/08/2017	00049854	APU - unit 30, vacate clean	270.00
3547.5061-(		Department of Planning -DAP	8,707.00	INV	22/08/2017	DAP/16/01068	JDAP DA8664.2 - L201 Donaldson Rd, KWINANA BEACH	196.00
				INV	22/08/2017	DAP/17/01261	JDAP - DA9014 - L201 Donaldson Rd,KWINANA BEACH	8,511.00
3547.5062-(		Tony Aveling & Associates Pty Ltd	1,980.00	INV	23/08/2017	00324812	H & S Representatives Introductory Course-K Togher	990.00
				INV	23/08/2017	00325124	H & S Representatives Intro Course - Alison Rogers	990.00
3547.5071-(		JB HiFi Commercial Division	242.36	INV	21/08/2017	DE01-5844908-701	Panasonic 32L Inverter Sensor 1100W Microwave	242.36
3547.5520-(		Master Lock Service	436.00	INV	21/08/2017	00004575	Darius Wells replace lock balcony door	436.00
3547.5743-(		Programmed Maintenance Services Ltd	10,017.52	INV	23/08/2017	SINV503255	Garden & Turf maintenance - August 2017	10,017.52
3547.5975-(Shane Craig Beresford	418.50	INV	23/08/2017	15thAugust2017	Reimb rego - overpayment Maxxia vehicle 1EIC510	418.50



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				INV	18/08/2017	13599	Website and Email Hosting (Aug 2017 to Aug 2018)	440.00
3547.6370-(Ellexacom	5,253.05	INV	21/08/2017	20938	Test emergency lights - Trade Centre	163.63
				INV	21/08/2017	21005	Zone Preventative Maintenance Testing	346.50
				INV	21/08/2017	21000	Casuarina Hall - Replaced faulty Verandah lights	832.87
				INV	21/08/2017	21012	John Wellard Community Centre - install GPO	310.70
				INV	21/08/2017	20943	Out of School Care-Test emergency & exit lights	140.25
				INV	21/08/2017	21004	Darius Wells - Preventative Maintenance Testing	385.00
				INV	23/08/2017	20988	BP - villa 23, repair to faulty light switch	165.37
				INV	21/08/2017	20935	Test exit & emergency lights - Thomas Netball	226.60
				INV	21/08/2017	21020	BP 16 - Serviced Light fitting in the lounge	70.13
				INV	21/08/2017	21013	William Bertram Community Centre - Install GPO	286.18
				INV	21/08/2017	21018	BP 53 - Serviced faulty light switch	108.63
				INV	22/08/2017	21021	The Zone - External lighting not working	1,170.87
				INV	22/08/2017	21001	Margaret Fielman Centre - Please check TV aerial	545.82
				INV	22/08/2017	21003	The Zone - Injection RCD Testing	500.50
3547.6593-(		Lester Blades Pty Ltd	14,718.00	INV	23/08/2017	LB301981/3	Recruitment fees-Director Infrastructure	6,600.00
				INV	23/08/2017	LB301981/P	Psychometric assessments	759.00
				INV	23/08/2017	LB301982/P	Psychometric assessment - Director City Regulation	759.00
				INV	23/08/2017	LB301982/3	Recruitment fees-Director City Regulation	6,600.00
3547.6615-(		Andre Georgieff	200.00	INV	18/08/2017	10thAugust17	Setup exhibition for Children's Book week	200.00
3547.6872-(		Schindler Lifts Australia Pty Ltd	2,731.06	INV	21/08/2017	4678614543	Margaret Feilman Centre - Serviced lifts - Sept 17	2,255.00
				INV	21/08/2017	4678614542	Margaret Feilman Centre - Serviced lift	476.06
3547.69-01		Alinta Gas	9,557.25	INV	21/08/2017	220784990Jul17	Usage to 20/07/2017 157660U - Recquatic	9,557.25
3547.6923-(A Bonza Bounce	500.00	INV	21/08/2017	903	Incursion on 28/9/17 - Bonza Extreme Obstacle	500.00



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3547.6973-(Invision Investigations & Consultin	19,223.00	INV	22/08/2017	010817T	Professional costs	19,223.00
3547.7042-(		Quantum Building Services	1,358.50	INV	21/08/2017	00001543	The Zone & John Wellard - Water leak inspection	1,358.50
3547.7186-(		Kwinana Wolves Sports Club	500.00	INV	22/08/2017	18thAugust2017	Donation to U16s Wolves Rugby Union Club	500.00
3547.7366-(		REDIMED Pty Ltd	319.00	INV	22/08/2017	941802	Pre employment medical - 28/7/17	159.50
				INV	23/08/2017	948228	Pre Employment Medical N Morgan	159.50
3547.738-0'		OCLC (UK) Ltd	10,836.85	INV	22/08/2017	201870014	Amlib Annual Maintenance - Amlib 18 CAL User, Net	10,836.85
3547.7388-(		Morris Jacobs	150.00	INV	22/08/2017	22ndAugust2017	Facilitate Tuesday Art Group - 22/08/2017	150.00
3547.7403-(		Jasman Enterprises Pty Ltd	544.06	INV	18/08/2017	00021470	Workshop Pressure Cleaner service	544.06
3547.7605-(		Flying Canape	2,042.20	INV	23/08/2017	11420	Catering Stakeholder Event 170817	2,042.20
3547.762-0'		Blackwood & Sons Ltd	254.63	INV	23/08/2017	KWNE5584	1 x Safety Boot E/S 990 Rubber Black Size 11	129.60
				INV	23/08/2017	BYNF0897	1 x Safety Boot Women Tradie K27390 E/S Bk 6	103.99
				INV	21/08/2017	PEND9313	Various Safety Equipment - Depot	21.04
3547.7808-(		EEO Specialists	2,750.00	INV	22/08/2017	006of2017	X2 1/2 day Manager Training Session 1 - 10 August	2,750.00
3547.7858-(		Datacom systems (WA) Pty Ltd	1,870.00	INV	22/08/2017	INV0012820	Monthly Saas fee Sphere website - August 2017	1,870.00
3547.7888-(		Vinu John Varughese	1,000.00	RFD	23/08/2017	1147080	Refund bond-Hall hire 4/8/2017	1,000.00
3547.795-0'		K Mart	38.00	INV	23/08/2017	07477	Childrens party items - Recquatic	38.00
3547.7959-(		Engineered Water Systems	4,174.50	INV	21/08/2017	00000765	Adventure Park-Installation of aluminium grate	4,174.50
3547.8062-(		Moncrieff Technology Solutions Pty	599.50	INV	18/08/2017	00027394	Webroot SecureAnywhere Endpoint Protection	599.50
3547.8119-(		The Smart Security Company P/L	3,703.70	INV	22/08/2017	3228	24 hour monitoring of medi alarm July - September	3,703.70
3547.8130-(		Armana Holdings Pty Ltd	28,515.13	RFD	23/08/2017	962492	Refund bond-Land sub-Sunrise Wellard	28,515.13
3547.822-0'		Kone Elevators Pty Ltd	841.50	INV	22/08/2017	191687218	Darius Wells Install Junction box	841.50
3547.8223-(ARDP PTY LTD	17,307.00	RFD	23/08/2017	962490	Refund bond-Land subdivision	17,307.00



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3547.8302-(Chris Kershaw Photography	275.00	INV	23/08/2017	L2066	Photography at Community Book Launch	275.00
3547.833-0'		Kwinana District Tennis Club Inc	54.00	INV	22/08/2017	170817	Hire Fees July 2017	54.00
3547.8504-(		DDLS Australia Pty Ltd	3,245.00	INV	23/08/2017	INV100164-W7C7M	MCSA - SQL Training	3,245.00
3547.851-0'		Kwinana Signs & Engraving	110.00	INV	21/08/2017	00013331	Non potable water stickers	110.00
3547.8593-(		Deb Fitzpatrick	615.00	INV	22/08/2017	C467	Children's Book Week Presentation Sessions	615.00
3547.8623-(		Irrigation West	5,723.25	INV	22/08/2017	IV00000000533	Skate Park Car Park irrigation repairs.	5,723.25
3547.8717-(		Sara's Patisserie & Bakery	37.50	INV	18/08/2017	14	Seniors Monthly Morning Tea - 4th August 17	37.50
3547.8887-(		Baldja Entertainment	300.00	INV	22/08/2017	150817	Payment for Desmond Hansen, drummer, NAIDOC openi	300.00
3547.8899-(		Majestic Plumbing	8,796.16	INV	21/08/2017	207987	Recquatic - Service leaking tapware at site.	195.80
				INV	21/08/2017	207972	Thomas Kelly Pavilion - Investigate no water suppl	85.80
				INV	21/08/2017	207988	Recquatic - Repair burst water pipe	446.27
				INV	21/08/2017	207986	Darius Wells-Service female toilet	171.60
				INV	21/08/2017	207960	Koorliny Community Arts Centre - disabled toilet	180.66
				INV	21/08/2017	207984	Recquatic - Service PVC main pipes	649.62
				INV	21/08/2017	207966	Plumbing Services - August	209.09
				INV	21/08/2017	207969	Darius Wells & Res Ctre - service valve	323.40
				INV	21/08/2017	207958	Medina Oval Buildings - Repairs	419.87
							Leaking/Burst Pipe	
				INV	21/08/2017	207982	BP - villa 23, relight and bleed HWS	171.60
				INV	21/08/2017	207975	Recquatic - No hot water at site, tripped GPOs	171.60
				INV	21/08/2017	207976	Recquatic - Leaking pipe in back compound of site	642.14
				INV	21/08/2017	207977	Kwinana Bowling Club - Investigate pump control	171.60
				INV	21/08/2017	207968	APU 75 - install washing machine	197.12
				INV	21/08/2017	207981	Recquatic - Burst water main, please investigate	721.84
				INV	21/08/2017	207985	Smirks Cottage - Male toilet leak from base of pan	202.40
				INV	21/08/2017	207973	Wells Paerk Toilets - repair leak	200.52

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				INV	21/08/2017	207980	Thomas Kelly Pavilion - male change room shower	330.00
				INV	21/08/2017	207959	APU 9 - service toilet - inlet valve	146.30
				INV	21/08/2017	207964	BP - villa 19, investigate no hot water	182.60
				INV	21/08/2017	207967	BP 24 - Investigate HWS	182.60
				INV	21/08/2017	207974	Challenger Beach Public Toilets vandalised	531.19
				INV	21/08/2017	207962	Casuarina/Wellard Fire Station faulty Water Purifi	490.05
				INV	21/08/2017	207963	Fiona Harris Pavilion - Canteen - HWS repair	428.41
				INV	21/08/2017	207961	APU - unit 26, repair to leaking kitchen taps	266.70
				INV	21/08/2017	207970	Medina Oval Toilets - Water pipe under the sinki	199.10
				INV	21/08/2017	207971	Sloan Cottage - Male toilet - flusher mechanism	207.28
				INV	21/08/2017	207979	Thomas Oval Pavilion - After hours call out water	330.00
				INV	21/08/2017	207978	Recquatic - AH call out ceiling leak	341.00
3547.8984-(		Baldivis Transport Pty Ltd	175.00	INV	22/08/2017	00001508	Casuarina/Wellard Fire Station Bulk drinking water	175.00
3547.9002-(		Delene Wendy Henry	740.00	INV	17/08/2017	2.0	Rates Refund	740.00
3547.9012-(		Monique Mulligan	600.00	INV	22/08/2017	137	Children's Book Week performance 2017	600.00
3547.9019-(		Kearns Garden Supplies	99.00	INV	22/08/2017	01	Hardware Supplies - Various	99.00
3547.902-0'		Leisure Institute of WA (Aquatics)	1,785.00	INV	22/08/2017	2155	Aquatics Annual State Conference x 5 staff	1,785.00
3547.9021-(		Deborah Lee Baines	1,996.34	INV	17/08/2017	2.1	Rates Refund	1,996.34
3547.9026-(		Lisa Langdon	229.60	INV	21/08/2017	7thAugust2017	Refund of swim lessons - withdrawal due to work	229.60
3547.9028-(		Medina Newsagency	3,000.00	INV	22/08/2017	18thAug2017	Replace front door & install roller shutter	3,000.00
3547.903-0'		Lo-Go Appointments	9,474.97	INV	21/08/2017	00416306	Bradley Miller - week ending 5/08/2017	2,230.95
				INV	21/08/2017	00416305	S Fedigan w/ending 050817	1,176.42
				INV	21/08/2017	00416254	S Fedigan w/ending 28717	1,568.56
				INV	21/08/2017	00416207	B Miller w/ending 220717	2,230.95
				INV	21/08/2017	00416255	Bradley Miller - week ending 28/07/2017	2,268.09
3547.9030-(Air Liquide Australia	204.77	INV	22/08/2017	UA4044	Cylinder fee - G size	100.71
				INV	22/08/2017	UB9688	Cylinder fee - G size	104.06



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3547.9031-(Minh Ngoc Le	382.70	INV	22/08/2017	6thAugust2017	Refund cancellation of membership admin fee	382.70
3547.9032-(		Tamara Mary-Louise Artemis	100.00	RFD	23/08/2017	1146064	Refund bond-Patio hire 18/07/2017	100.00
3547.9033-(		Te Urupu IMPI Community Development	200.00	RFD	23/08/2017	974387	Refund bond - Hall hire 20/6/17	200.00
3547.9034-(		Larissa Riddle	100.00	RFD	23/08/2017	1146057	Refund bond-Hall hire 21/7/2017	100.00
3547.9035-(		Ricky Ferns	100.00	RFD	23/08/2017	1142259	Refund bond - Patio hire 5/8/2017	100.00
3547.9036-(		Tracy Green	100.00	RFD	23/08/2017	1143996	Refund bond - Patio hire 20/8/17	100.00
3547.9037-(		Shyam Prasad Gattu	1,000.00	RFD	23/08/2017	1146054	Refund bond-Hall hire 26/7/2017	1,000.00
3548	25/08/2017	EFT TRANSFER: - 25/08/2017	1,408.54					
3548.9051-(		Eleanor May Hamilton	1,408.54	INV	25/08/2017	2.5	Rates Refund	1,408.54
3549	30/08/2017	EFT TRANSFER: - 31/08/2017	170,917.34					
3549.565-0'		Bright Futures Family Day Care - Pa	113,483.69	INV	30/08/2017	140817-270817	FDC Payroll 14/8/17-27/8/17	113,483.69
3549.568-0'		Bright Futures In Home Care - Payro	57,433.65	INV	30/08/2017	140817-270817	IHC Payroll 14/8/17-27/8/17	57,433.65
3550	31/08/2017	EFT TRANSFER: - 31/08/2017	13,005.72					
3550.2853-(		Maxxia Pty Ltd	4,276.07	INV	30/08/2017	PY01-05-Maxxia P	Payroll Deduction	2,302.07
				INV	30/08/2017	PY01-05-Maxxia P	Payroll Deduction	1,974.00
3550.3376-(		Health Insurance Fund of WA (HIF)	1,259.65	INV	30/08/2017	PY01-05-Health I	Payroll Deduction	1,259.65
3550.3719-(		City of Kwinana - Xmas fund	7,470.00	INV	30/08/2017	PY01-05-TOK Chri	Payroll Deduction	7,470.00
3551	30/08/2017	EFT TRANSFER: - 31/08/2017	416,221.73					
3551.115-0'		AAA Asphalt Surfaces	1,100.00	INV	28/08/2017	00005716	Cold mix in a bag. 1 pallet with delivery	1,100.00
3551.1157-(		Quality Traffic Management Pty Ltd	2,011.63	INV	29/08/2017	22754	Traffic controllers 10 & 14/7/17 - Gilmore Avenue	1,571.63
				INV	24/08/2017	22605-2	RTM Endorsement for Skate Park Car Park TMP	440.00
3551.120-0'		Curtain Gallery	100.00	INV	29/08/2017	7637	APU - unit 30, repair to broken blinds carriers	100.00
3551.1227-(		Rockingham Holden	41,235.65	INV	30/08/2017	47088	New vehicle - Trailblazer 1GIL601	41,235.65
3551.1276-(		Satellite Security Services	1,505.00	INV	29/08/2017	01800637	Reset cameras at Darius Wells	210.00
				INV	24/08/2017	J1702573	Administration - 19/5/17 - Checked comms on alarm	240.00
				INV	24/08/2017	01800583	William Bertram CC replace CCTV monitor	587.50
				INV	24/08/2017	01800568	Recquatic - 2/8/17 - Replace zone 31	467.50



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3551.1277-(Savage Garden Services	5,652.00	INV	30/08/2017	92	City Centre Litter Collection for August 2017	3,696.00
				INV	30/08/2017	94	Weed spraying various August 2017	1,380.00
				INV	30/08/2017	93	Maintenance of streetscape gardens at latitude 32	576.00
3551.1282-(		Sealanes (1985) Pty Ltd	255.30	INV	30/08/2017	F5372094	30 x Carton of 24 Peats Ridge 600 ml Bottled Water	255.30
3551.1357-(		Sportsworld Of WA	1,696.20	INV	29/08/2017	134086	Assorted goggles for proshop.	963.60
				INV	29/08/2017	134087	assorted goggles and caps for proshop	732.60
3551.1360-(		Saint John Ambulance Australia (WA)	450.45	INV	28/08/2017	EHSINV00087004	First Aid Cover (Homelessness Awareness Event)	450.45
3551.1423-(		Telstra	81,943.62	INV	28/08/2017	1548725500Aug17	Usage to 13/8/17 Alarm at Hutchins Cove	72.05
				INV	28/08/2017	1170168000JUL17	Usage to 27/07/2017 - Corporate Account	75,035.79
				INV	28/08/2017	0335568200Aug17	Usage to 9/8/17 BP Club	67.69
				INV	28/08/2017	1355246271Jul17	Usage to 27/07/2017 Mobile-Whole organisation	6,768.09
3551.1455-(		Returned Services League Of Austral	88.00	INV	29/08/2017	0039	1 x Wreath provided for Vietnam Vets Day - 2017	88.00
3551.1569-(		WA Hino Sales & Service	440.05	INV	28/08/2017	HTCS109853	Service - KWN2073	440.05
3551.1572-(		Western Australian Local Government	1,160.00	INV	28/08/2017	I3066713	Councillor Sandra Lee - 2017 WALGA Convention	970.00
				INV	28/08/2017	I3066712	Councillor Sandra Lee - 2017 WALGA Convention	190.00
3551.1589-(		Waste Stream Management Pty Ltd	99.00	INV	28/08/2017	00823173	Tipping fee's - Class 1 - sand/rubble	99.00
3551.1614-(		Westbooks	19.97	INV	29/08/2017	290694	Purchase of title to fulfil patron request	19.97
3551.1649-(		Dennis Cleve Wood	2,905.33	INV	24/08/2017	ICTALLOW17/18	ICT Allowance	291.67
				INV	24/08/2017	MEETINGFEE17/18	Meeting Fees	2,613.66
3551.1674-(		Inkwell Cartridges & Toner	767.00	INV	30/08/2017	66536	1x Black Toner for Kyocera P6130, 1x Cyan Ton, etc	767.00
3551.1689-(		Sandra Elizabeth Lee	2,905.33	INV	24/08/2017	ICTALLOW17/18	ICT Allowance	291.67
				INV	24/08/2017	MEETINGFEES17/18	Meeting Fees	2,613.66
3551.1690-(Keleke T/A Bay Pools & Spas	4,004.00	INV	29/08/2017	00033758	Pool Surface Repairs Preparation, sealing, clean	4,004.00



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3551.1849-(Environmental Health Association	1,900.00	INV	29/08/2017	2841	WA Conference 2017 - Shalini Herath- 31/8/2017	350.00
				INV	29/08/2017	2840	Safety & Emergency Management-S Herath- 30/8/17	300.00
				INV	29/08/2017	2814	WA Conference 2017 - Darrell Monteiro- 30/08/2017	550.00
				INV	29/08/2017	2838	WA Conference 2017 - Jarod Griffiths - 01/09/2017	350.00
				INV	29/08/2017	2831	WA Conference 2017 - Gladys Nyashanu - 01/08/2017	350.00
3551.1948-(		Alleasing Pty Ltd	6,495.69	INV	24/08/2017	E6N0160299-PD	Contract E6N0160299 - ELB: 6x Prowise Pro-Line 65	4,498.35
				INV	24/08/2017	E6N0160312-PD	Contract E6N0160312 - Data 3 - 3x Latitude 12 Rug	1,997.34
3551.2012-(		Dell Australia Pty Ltd	2,311.10	INV	28/08/2017	2408379133	1x Dell Latitude Tablet + Non Tied Peripherals	2,311.10
3551.2125-(		Synergy	8,320.30	INV	30/08/2017	705629830Aug17	Usage to 170817 13U Bournan Heights Reserve	33.70
				INV	29/08/2017	521814530Aug17	Usage to 17/8/17 2922U - Wellard Pavilion	646.95
				INV	29/08/2017	618835230Aug17	Usage to 17/8/17 0U - Sloans Cottage	30.75
				INV	30/08/2017	824098750Aug17	Usage to 150817 49U Thomas Road Entry	44.50
				INV	30/08/2017	963532150Aug17	Usage to 160817 3U Town Centre Park	31.75
				INV	30/08/2017	144348440Aug17	Usage to 160817 2U Bore Sutherland Pde	31.00
				INV	29/08/2017	254890320Aug17	Usage to 21/08/2017 5U - Rushbrooke Park BBQs	31.60
				INV	28/08/2017	126641430Aug17	Usage to 18/8/17 1251U - Lights for Tavern carpark	339.35
				INV	30/08/2017	544003140Aug17	Usage to 170817 19U Wellard Road Verge	126.10
				INV	30/08/2017	151027420Aug17	Usage to 160817 0U Brandon Mews Reserve	30.30
				INV	30/08/2017	558638440Aug17	Usage to 170817 2U Challenger/Bertram Entry Statem	31.50
				INV	29/08/2017	254890650Aug17	Usage to 21/08/2017 20U - Maldern Park	36.05
				INV	28/08/2017	882174540Aug17	Usage to 17/8/17 1365U POS Lighting	476.05
				INV	28/08/2017	821437900Aug17	Usage to 17/8/17 1829U-POS Wellard Village lights	627.60
				INV	29/08/2017	422268910Aug17	Usage to 3/8/2017 5990U - Depot	1,424.30

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				INV	29/08/2017	846031050Aug17	Usage to 18/8/17 2228U - St Lights-The Strand	759.20
				INV	29/08/2017	282690350Aug17	Usage to 23/8/2017 3791U-Cas/Well Fire Stn & bore	1,279.15
				INV	29/08/2017	829280210Aug17	Usage to 18/8/2017 1969U - Street Lights	515.10
				INV	30/08/2017	201352990Aug17	Usage to 170817 10U Newstead Park Smart Meter	123.55
				INV	30/08/2017	166216150Aug17	Usage to 160817 20U Sloan Reserve Bore Pump 3	37.30
				INV	30/08/2017	479742820Aug17	Usage to 160817 0U Bore Parmelia Verge	30.30
				INV	30/08/2017	488212530Aug17	Usage to 160817 36U Chisham Oval	129.00
				INV	30/08/2017	786264020Aug17	Usage to 160817 19U Bore Sutherland/Chisham	129.15
				INV	30/08/2017	809178030Aug17	Usage to 160817 15U Warner Rd Sump	35.20
				INV	29/08/2017	127609840Aug17	Usage to 17/8/17 98U - Darius Top Floor	62.35
				INV	29/08/2017	819683070Aug17	Usage to 22/8/2017U - Car Park Lighting	303.50
				INV	29/08/2017	861503150Aug17	Usage to 22/08/2017 838U - Medina Oval	353.75
				INV	30/08/2017	228715140Aug17	Usage to 160817 155U Wellard Village/Pimlico Gdns	91.00
				INV	30/08/2017	958312220Aug17	Usage to 150817 258U Djilba View	169.30
				INV	30/08/2017	546496270Aug17	Usage to 160817 26U Skottowe Park	38.85
				INV	30/08/2017	704953470Aug17	Usage to 170817 20U Barney Court	36.00
				INV	30/08/2017	114826050Aug17	Usage to 150817 211U Ind s/scapes Kwinana Beach	158.75
				INV	28/08/2017	151880770Aug17	Usage to 18/8/17 2U - Car park Lighting	127.35
3551.2213-(		Palmerston Association	200.00	RFD	30/08/2017	1148140	Refund bond-Hall hire 16/8/2017	200.00
3551.2224-(		Prestige Catering & Event Hire	297.00	INV	30/08/2017	00021074	Supply morning tea Library 230817	297.00
3551.2301-(		Good Reading Magazine P/L	995.00	INV	29/08/2017	00016607	Annual subscription to Good Reading Magazine	995.00
3551.248-0'		Bunnings Building Supplies	895.46	INV	29/08/2017	2163/01663512	Medina Hall - Gate hinges	23.42
				INV	29/08/2017	2163/01663884	Oakfield Gardens - Paint and painting items	249.60
				INV	29/08/2017	2163/01648008	Supplies for repairs to the playground at Burkett	13.78
				INV	29/08/2017	2163/00149462	Folding tables and heavy duty tarps	111.84
				INV	29/08/2017	2163/01653099	Youth Outdoor Space Art Program Artist Supllies	245.24



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				INV	29/08/2017	2163/99721358	Youth Outdoor Space Art Program Artist Supplies	251.58
3551.2512-(		Konnect	62.02	INV	29/08/2017	1611197678	Recquatic centre .Screws M6 16mm and M5 12mm	37.73
				INV	28/08/2017	1612942097	Hex nuts	24.29
3551.263-0'		Central Regional Tafe	685.03	INV	29/08/2017	10002247	Firearms Handling and Safety Training - 24/10/17	685.03
3551.2646-(		Neverfail Springwater	181.65	INV	28/08/2017	525489	Bottled water - Admin	45.40
				INV	29/08/2017	470721	Bottled water - Admin	37.85
				INV	29/08/2017	445107	Bottled water - Admin	45.40
				INV	29/08/2017	387143	Bottled water - Admin	53.00
3551.2652-(		Modern Teaching Aids Pty Ltd	1,117.58	INV	29/08/2017	43094622	Assorted art, craft, educational, storage and out	1,117.58
3551.275-0'		Cannon Hygiene Australia Pty Ltd	1,193.95	INV	28/08/2017	00078871	Sanitary Services - August 2017	1,193.95
3551.2852-(		Downer EDI Works Pty Ltd	465.17	INV	28/08/2017	6002274	7mm gran asphalt AC50B 02/08/17 - docket 6204	465.17
3551.2931-(		Ruth Elizabeth Alexander	2,905.33	INV	24/08/2017	ICTALLOW17/18	ICT Allowance	291.67
				INV	24/08/2017	MEETINGFEE17/18	Meeting Fees	2,613.66
3551.2981-(		Peter Edward Feasey	4,756.66	INV	24/08/2017	ICTALLOW17/18	ICT Allowance	291.67
				INV	24/08/2017	DEPMAYFEE17/18	Deputy Mayoral Allowance	1,851.33
				INV	24/08/2017	MEETINGFEES17/18	Meeting Fees	2,613.66
3551.30-01		Carol Elizabeth Adams	11,617.50	INV	24/08/2017	ICTALLOW17/18	ICT Allowance	291.67
				INV	24/08/2017	MAYALLOW17/18	Mayoral Allowance	7,405.33
				INV	24/08/2017	MEETINGFEE17/18	Meeting Fees	3,920.50
3551.3031-(		Specialised Security Shredding	20.24	INV	29/08/2017	00216344	Specialised Security Shedding GC Bin Exchange	20.24
3551.3155-(		PFD Food Services Pty Ltd	772.75	INV	29/08/2017	KG849959	Caf�� Supplies - Standing Order	700.70
				INV	30/08/2017	KG892451	Caf�� Supplies - 240817	72.05
3551.3212-(		Marketforce Pty Ltd	414.94	INV	28/08/2017	15459	Advertising - Public Notice - 7/7/2017	414.94
3551.3359-(		J Corp Pty Ltd	97.70	INV	29/08/2017	Rec:01150562	Refund fee-BP201/604 - 84 Bindarri Grove, WANDI	97.70
3551.3452-(Western Maze Pty Ltd	22,222.00	INV	29/08/2017	00014965	Greenwaste collection from Area 1, 2 & 3	22,222.00



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3551.3607-(Hays Specialist Recruitment Pty Ltd	5,293.38	INV	29/08/2017	6789093	Temp staff w/e 6/8/17 - K Sercombe	218.28
				INV	29/08/2017	6804717	Temp staff w/e 20//2017 - K Sercombe	5,075.10
3551.3608-(		Foreshore Rehabilitation & Landscap	3,741.10	INV	29/08/2017	INV-4032	Repairs to landscaping fence at Wildflower Reserve	3,097.60
				INV	29/08/2017	INV-4031	Repair mesh on the cricket nets on Bertram Oval	643.50
3551.3632-(		Eclipse Soils Pty Ltd	11,139.34	INV	29/08/2017	KWIN01R042932	Greenwaste oversize GW3	359.34
				INV	29/08/2017	KWIN01R042948	Grass greenwaste 1-11/08/2017	10,780.00
3551.3916-(		Kwinana Industries Council	516.32	INV	29/08/2017	00011730	KIC School Based Trainee - Carly Gshwendtner	258.16
				INV	29/08/2017	00011731	KIC School Based Trainee - Bria Andrews	258.16
3551.4003-(		Infiniti Group	661.98	INV	30/08/2017	410221	Toilet Paper & Hand Towels	661.98
3551.407-0'		Staples Australia	56.69	INV	29/08/2017	9021974462	Custom stamp	56.69
3551.413-0'		Covs Parts Pty Ltd	846.53	INV	28/08/2017	1650035199	RSK27C - RYCO SERVICE KIT x 3	434.13
				INV	28/08/2017	1650020924	Filters	79.02
				INV	28/08/2017	1650035152	RYCO SERVICE KIT, Oil Filer, Cabin Air Filter	268.70
				INV	28/08/2017	1650035250	Tridox Flexblade Wiper Blade Hook x 2	64.68
3551.4245-(		ED Property Services	2,013.00	INV	24/08/2017	00000984	BP 6 - replace loose tiles in bathroom and laundry	1,210.00
				INV	24/08/2017	00000985	APU - unit 75 investigate and repair to roof leak	154.00
				INV	24/08/2017	00000986	APU - unit 3, cover gap underneath of rear fence	275.00
				INV	24/08/2017	00000987	APU - unit 33, repair to cracked ceiling bathroom	374.00
3551.4256-(		Rockingham Skylights	75.00	INV	28/08/2017	11622	APU - unit 30, repair to skylight ducting	75.00
3551.426-0'		CSBP	600.00	RFD	30/08/2017	1147079	Refund bond-Hall hire 18/8/2017	300.00
				RFD	30/08/2017	1147079	Refund bond-Hall hire 17/8/2017	300.00
3551.4279-(		Data #3 Limited	62,797.72	INV	30/08/2017	01629438	1x AP130, indoor plenum rated, 2 radio 2x2:2, etc	43,377.97
				INV	28/08/2017	01645774	WALGA 2013 (MS) - Skype for Business Server, etc	4,174.36
				INV	28/08/2017	01643224	1x Adobe Illustrator CC License (Warwick Carter)	43.47



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				INV	29/08/2017	01640568	Data 3 Consultancy Work - Onsite Network	1,732.50
				INV	28/08/2017	01645772	Cutover Office Professional Plus AllNg	13,469.42
3551.4345-(		Fence Hire WA	1,337.56	INV	29/08/2017	20262	Skate Park Car Park - Standard Mesh Fence	1,337.56
3551.4477-(		Trophy Express	52.15	INV	29/08/2017	7829	Fireman Trophy for Annual Volunteer Bush Fire	52.15
3551.4550-(		Bitumen Surfacing	5,385.60	INV	29/08/2017	00003731	Spray CRS170/60 emulsion-Skate Park car park	5,385.60
3551.4743-(		Artcom Fabrication	627.00	INV	29/08/2017	00029050	Replacement of sign at Adventure Park	627.00
3551.483-0'		Landgate	50.60	INV	28/08/2017	787093	Land enquiry	50.60
3551.4861-(		Big W	49.40	INV	28/08/2017	953401/953375	Purchase of prizes for Youth Lounge activities	49.40
3551.4891-(		Display Me	926.19	INV	29/08/2017	N097642	A1 Black Water Base Sign x 3 + freight cost	926.19
3551.5000-(		Compact Mobile Entertainment	750.00	INV	29/08/2017	2623	Kwinana Volunteer Bush Fire Brigade Dinner - DJ	750.00
3551.504-0'		Domino's Pizza - Kwinana Market Pla	78.45	INV	28/08/2017	98276 - 18/08/17	Catering: Pizza for Youth Festival/Event	78.45
3551.5143-(		Wendy Gaye Cooper	2,905.33	INV	24/08/2017	ICTALLOW17/18	ICT Allowance	291.67
				INV	24/08/2017	MEETINGFEES17/	Meeting Fees	2,613.66
3551.5279-(		OCP Sales	2,181.51	INV	28/08/2017	00045862	Mobile Radios	2,181.51
3551.5750-(		Kev's Wheelie Kleen	379.50	INV	29/08/2017	4689	Darius Wells - Rubbish bin clean - 23/8/17	203.50
				INV	29/08/2017	4688	Administration - Rubbish bin clean - 23/8/17	176.00
3551.5752-(		Perdaman Advanced Energy Pty Ltd	1,100.00	INV	30/08/2017	00000243	Final switch on, handover and sunny portal set up	1,100.00
3551.5823-(		Accord Security Pty Ltd	10,019.46	INV	30/08/2017	00021867	1 x Security Officer for Council Meeting 090817	175.78
				INV	30/08/2017	00021864	Security Services Darius Wells period ended 060817	4,921.84
				INV	30/08/2017	00021866	Security Services Darius Wells period ended 200817	4,921.84
3551.5841-(		Mandurah Volkswagen	500.00	INV	28/08/2017	M10726	Insurance excess only - KWN1894	500.00
3551.6091-(		Plants & Garden Rentals	110.00	INV	28/08/2017	00010758	Darius Wells PLant Hire August 2017	110.00
3551.6223-(Robert Thompson	2,905.33	INV	24/08/2017	MEETINGFEES17/	Meeting Fees	2,613.66



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				INV	24/08/2017	ICTALLOW17/18	ICT Allowance	291.67
3551.6261-(Rebecca J Flanagan	1,600.00	INV	30/08/2017	27/07/2017	Bertram - Term 3 Music and Story Time Facilitato	1,600.00
3551.6267-(		Woolworths Limited	446.27	INV	28/08/2017	22649008	Woolworths purchases for Admin	187.89
				INV	29/08/2017	2851189	Cafe supplies -Recquaitc	27.40
				INV	28/08/2017	2851181	Darius Wells milk for coffee/tea	4.40
				INV	28/08/2017	2851187	Morning tea supplies - Depot	56.00
				INV	29/08/2017	2851155	Food/ supplies for Mooditj Kulungars & FDC	85.90
				INV	28/08/2017	2851180	Food and supplies for Mooditj Kulungars playgroup	76.68
				INV	28/08/2017	2851183	Milk for Zone Staff and Tenants	8.00
3551.6332-(		Drainflow Services Pty Ltd	10,175.00	INV	28/08/2017	00000412	Gully educting Medina, 617KWN16	10,175.00
3551.6357-(		Supa Soils Pty Ltd	407.58	INV	28/08/2017	25338	Limestone Blocks for Recquatic Centre Entrance	407.58
3551.6370-(		Elaxacom	4,330.43	INV	29/08/2017	21122	Recquatic - 2 x Exit Lights at the hall way	119.63
				INV	24/08/2017	20987	APU- garage block 33-36, internal sensor lights	341.36
				INV	24/08/2017	21097	Wandi Hall Exposed wiring visible at ground level	445.23
				INV	24/08/2017	21096	Administration install a data point Engineering	669.26
				INV	29/08/2017	21121	APU - unit 29, replace broken light switch	78.30
				INV	24/08/2017	21093	BP villa 23 exhaust fans and BP pathway Lights	415.36
				INV	29/08/2017	21124	APU - unit 71, replace broken light switch	133.58
				INV	24/08/2017	21092	Darius Wells Server Room Light Repairs	121.44
				INV	29/08/2017	21094	Recquatic - Check hotwater systems at Recquatic	116.88
				INV	29/08/2017	21134	Recquatic-Hydro Pool-Two lights need replacing	1,889.39
3551.6371-(		KDAire Mechanical Services Pty Ltd	20,253.94	INV	24/08/2017	37653	Aircon Maint July 17 - Dog Pound Office	66.00
				INV	24/08/2017	37750	Aircon Maint July 17 - Fiona Harris Pavilion	511.50
				INV	24/08/2017	37649	Aircon Maint July 17 - Casuarina Fire Station	66.00
				INV	24/08/2017	37937	DW Frank Konechy Meeting Room Investigate Units	280.50



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				INV	24/08/2017	37778	Aircon Maint July 17 - FDC	66.00
				INV	24/08/2017	37934	Darius Wells AC Panel not displaying temperature	220.00
				INV	24/08/2017	37932	Aircon Maint July 17 - Wellard CC	181.50
				INV	24/08/2017	37650	Aircon Maint July 17 - Smirk Cottage Museum	66.00
				INV	24/08/2017	37646	Aircon Maint July 17 - Senior Citizens	132.00
				INV	24/08/2017	37651	Aircon Maint July 17 - Victory for Life	66.00
				INV	24/08/2017	37667	Aircon Maint July 17 - Medina Hall	220.00
				INV	24/08/2017	37805	DW - FCU-KC 10 Air Filters Replace	3,401.97
				INV	24/08/2017	37655	Aircon Maint July 17 - Admin Building	297.00
				INV	24/08/2017	37702	Aircon Maint July 17 - Parmelia House	132.00
				INV	24/08/2017	37668	Aircon Maint July 17 - Bertram CC	352.00
				INV	24/08/2017	37647	Aircon Maint July 17 - Leda Hall	66.00
				INV	24/08/2017	37701	Aircon Maint July 17 - Incubator	429.00
				INV	24/08/2017	37703	Aircon Maint July 17 - Dept of Housing	66.00
				INV	24/08/2017	37694	Aircon Maint July 17 - Koorliny Arts Centre	99.00
				INV	24/08/2017	37648	Aircon Maint July 17 - Mandogalup Fire Station	66.00
				INV	24/08/2017	37933	Aircon Maint July 17 - DW Lib/Resource Centre	1,518.00
				INV	24/08/2017	37935	Recquatic - Air curtain is not switching off	583.00
				INV	24/08/2017	37749	Aircon Maint July 17 - Thomas Kelly Pavilion	198.00
				INV	24/08/2017	37670	Aircon Maint July 17 - Margaret Feilman	165.00
				INV	24/08/2017	37806	DW Relationships Aust - Condenser Unit Compressor	8,366.29
				INV	24/08/2017	37748	Aircon Maint July 17 - Recquatic	1,583.18
				INV	24/08/2017	37652	Aircon Maint July 17 - Wellard Pavilion	66.00
				INV	24/08/2017	37931	Aircon Maint July 17 - Kwin Trade Centre	66.00
				INV	24/08/2017	37654	Aircon Maint July 17 - Depot	115.50
				INV	24/08/2017	37787	Aircon Maint July 17 - Kwinana Out of School Care	66.00
				INV	24/08/2017	37785	Aircon Maint July 17 - Zone	742.50
3551.6469-(		Brajovich Demolition & Salvage Pty	900.00	RFD	30/08/2017	577607	Ref demolition bond-L1675 Lyon Rd, WANDI	450.00
				RFD	30/08/2017	526944	Ref demolition bond-30 Kirkus Rd,MEDINA	450.00
3551.6615-(Andre Georgieff	200.00	INV	30/08/2017	160817	Lions Club Kwinana exhibition setup	200.00



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3551.664-0'		StrataGreen	2,162.95	INV	28/08/2017	87367	Glyphosate 450, 20Lt	1,785.17
				INV	30/08/2017	87539	850mm Litter Picker	377.78
3551.69-01		Alinta Gas	233.10	INV	29/08/2017	449998994Aug17	Usage to 21/08/2017 0U - Peace Park BBQ	24.90
				INV	29/08/2017	792001491Aug17	Usage to 14/8/17 64U - O:relia Sports Pavilion	9.05
				INV	29/08/2017	134999798Aug17	Usage to 14/8/17 1038U - New Thomas Oval Pavilion	68.20
				INV	29/08/2017	861503150Aug17	Usage to 14/8/17 542U - Medina Oval changerooms	48.20
				INV	29/08/2017	383997659Aug17	Usage to 14/8/17 63U - Wellard Pavilion	20.70
				INV	29/08/2017	717000585Aug17	Usage to 14/8/17 212U - Feilman Civic Ctre	18.05
				INV	29/08/2017	692999916Aug17	Usage to 14/8/17 476U - Medina Oval changerooms	44.00
3551.7094-(		Food Safety Information Council	110.00	INV	28/08/2017	240617	2017/2018 Annual subscription to FSIC Ltd	110.00
3551.7168-(		Exit Waste	434.50	INV	28/08/2017	2038	Clean greasetraps 10/8/2017	434.50
3551.7366-(		REDiMED Pty Ltd	159.50	INV	28/08/2017	941145	Pre empl medical - D Elkins	159.50
3551.7388-(		Morris Jacobs	150.00	INV	30/08/2017	290817	Facilitate Tuesday Art Group Term 3 Week 5	150.00
3551.7557-(		Sheila Mills	2,991.33	INV	30/08/2017	Aug17	Reimb of travel expenses - August 2017	52.49
				INV	24/08/2017	ICTALLOW17/18	ICT Allowance	291.67
				INV	30/08/2017	July17	Reimb of travel expenses - August 2017	33.51
				INV	24/08/2017	MEETINGFEE17/18	Meeting Fees	2,613.66
3551.7765-(		ArborCarbon Pty Ltd	9,564.50	INV	28/08/2017	INV_100838	Calista Oval KAP Area 1	5,183.75
				INV	28/08/2017	INV_100839	Skate Park Systemic Treatment	4,380.75
3551.7808-(		EEO Specialists	2,750.00	INV	29/08/2017	008 of 2017	Manager Training Session - 22 August	2,750.00
3551.8066-(		Photo Perth Wholesale Pty Ltd	154.97	INV	29/08/2017	L1825	Archival photo storage pages - plus freight	154.97
3551.8078-(		Parmelia Hilton Perth	4,198.00	INV	28/08/2017	26214	Annual Bushfire volunteers dinner-26 August 2017	4,198.00
3551.8099-(		Total Tools Rockingham	600.00	INV	28/08/2017	22644	106309, MILWAUKEE, 18V 5.0AH 2 PIECE DRILL/DRIVER	600.00
3551.8421-(		Back Beach Co	1,957.10	INV	29/08/2017	15858	Back beach bath robes in assorted sizes.	1,957.10
3551.8635-(		Waste Management Association of	285.00	INV	28/08/2017	INV-1312	Member Subscription - WMAA - Darrell Monteiro	142.50
				INV	28/08/2017	INV-1316	Member Subscription - WMAA - Trish Kursar	142.50



Cheque Listing

Payments made between
01/08/2017 to 31/08/2017

<u>Chq/Ref</u>	<u>Pmt Date</u>	<u>Payee</u>	<u>Amount</u>	<u>Tran</u>	<u>Date</u>	<u>Invoice</u>	<u>Description</u>	<u>Amount</u>
3551.8713-(		Saferight Pty Ltd	1,250.00	INV	28/08/2017	139498	Working at Heights Training - 15 August 2017	1,250.00
3551.8844-(		Pavement Management Services Pty Lt	5,500.00	INV	29/08/2017	00008288	Pavement engineer consultancy inspection.	5,500.00
3551.888-0'		Les Mills Australia	435.63	INV	30/08/2017	862709	Monthly license fee August 2017	435.63
3551.8905-(		Kelli Anne Hayward	224.90	INV	30/08/2017	25thAugust2017	Reimb catering for Finance Business Unit Planning	224.90
3551.8975-(		Stiles Electrical Services	418.00	INV	28/08/2017	7129	Modifications to switchboard cabling-Skate Park	418.00
3551.8980-(		Westplan Design	929.50	INV	28/08/2017	i1804ENG	Contour for Wellard Community Pavilion	929.50
3551.8998-(		McLeods	165.00	INV	28/08/2017	99183	Preparation of Annual Audit - Fin 17/18	165.00
3551.9038-(		Baldivis Primary School P & C	300.00	INV	28/08/2017	029	Kwinana Recquatic Stall fee Baldivis Fair 4/11/17	300.00
3551.9041-(		Planning Institute of Australia Pty	610.00	INV	24/08/2017	75189	Full member (WA) - Chandran Kizhakke Veetil	610.00
3551.9042-(		Signarama Rockingham	412.46	INV	24/08/2017	8960	Single sided sign - magnetic with digital print	412.46
3551.9048-(		Integrity Property Group Pty Ltd	473.71	INV	29/08/2017	3.3	Rates Refund	70.87
				INV	28/08/2017	2.7	Rates Refund	402.84
3551.9049-(		Colin Martin	1,014.98	INV	28/08/2017	2.9	Rates Refund	459.95
				INV	29/08/2017	3.4	Rates Refund	81.32
				INV	28/08/2017	2.8	Rates Refund	402.84
				INV	29/08/2017	3.4	Rates Refund	70.87
3551.9054-(		Adcraft Promotional Products & Move	128.70	INV	29/08/2017	00003722	Mens soft shell jacket with logo	128.70
3551.9055-(		Seventh Day Adventist Church	300.00	RFD	30/08/2017	1148119	Refund bond-Hall hire 12/8/2017	300.00
3551.9056-(		Mental Illness Fellowship of WA Inc	400.00	RFD	30/08/2017	1142229	Refund bond-Hall hire July/Aug 2017	400.00
3551.9057-(		School Curriculum and Standards Aut	200.00	RFD	30/08/2017	1123139	Refund bond-Hall hire 15/6 & 02/08/17	200.00
3551.9058-(		Kristeena Trainor	100.00	RFD	30/08/2017	1157159	Refund bond-Hall hire 15/8/2017	100.00
3551.9059-(		Nadine Odendaal	100.00	RFD	30/08/2017	1148426	Refund bond-Hall hire 10/8/17	100.00
3551.9060-(		Jessica O'Shea	100.00	RFD	30/08/2017	1146066	Refund bond-Hall hire 28/7/17	100.00
3551.9061-(		Lauren Berry	100.00	RFD	30/08/2017	1140633	Bond Refund-Patio hire 20/8/2017	100.00
3551.9062-(		Normida Estores Cervo	540.00					



Cheque Listing

Payments made between
01/08/2017 to 31/08/2017

<u>Chq/Ref</u>	<u>Pmt Date</u>	<u>Payee</u>	<u>Amount</u>	<u>Tran</u>	<u>Date</u>	<u>Invoice</u>	<u>Description</u>	<u>Amount</u>
				INV	30/08/2017	A/N22649	C/over subsidy rebate-L48 Corton App,WELLARD	540.00
3551.9063-(		Enrico Dharma Atmaja	360.00	INV	30/08/2017	A/N21497	C/over subsidy rebate-L1010 Littabella Ave,WANDI	360.00
3551.9064-(		Anthony Sims	360.00	INV	30/08/2017	A/N22944	C/over subsidy rebate-L136 Framingham Cres,WELLARD	360.00
3551.9065-(		Rohan Kumar Tokala	360.00	INV	30/08/2017	A/N22178	C/over subsidy rebate-L1510 Cople Way, WELLARD	360.00
3551.9066-(		Jane Catherine Pasahol	360.00	INV	29/08/2017	A/N21143	C/over subsidy rebate-L906 Bindarri Grove,WANDI	360.00
3551.9067-(		Sahib Singh Grover	360.00	INV	29/08/2017	A/N21494	C/over subsidy rebate-L1007 Littabella Ave,WANDI	360.00
3551.9068-(		Mark Neal	360.00	INV	29/08/2017	A/N21180	C/over subsidy rebate-L1100 Lambeth Circle,WELLARD	360.00
3551.9069-(		Fritzgerald Cruz Suarez	540.00	INV	29/08/2017	A/N22224	C/over subsidy rebate-L1556 Maltby Way,WELLARD	540.00
3551.9070-(		Simon Roger Chant	26.70	INV	30/08/2017	28thAug2017	Reimb of MR licence renewal	26.70
3551.926-0'		Main Roads Western Australia	1,992.80	INV	25/08/2017	8007300	Chisham Avenue Resurfacing - MCW36748	1,992.80
3551.928-0'		Major Motors	370.44	INV	28/08/2017	542260	Filters, elements, repair kits	370.44
Total EFT			3,381,751.22					
Payroll								
PY01-03	2/08/2017	Payroll	597,657.11					
PY01-04	16/08/2017	Payroll	621,429.65					
PY01-05	30/08/2017	Payroll	593,854.30					
Total Payroll			1,812,941.06					
Grand Total			5,367,928.06					

16.2 Council Policy Review – City Ovals and Reserves Seasonal Hire

SUMMARY:

A review of the Council policy – ‘City Ovals and Reserves Seasonal Hire’ was undertaken and the revised policy now named ‘Seasonal Hire of Sports Pavilions, Reserves and Parks’ is recommended for Council adoption.

OFFICER RECOMMENDATION:

That Council adopt the amended policy – Seasonal Hire of Sports Pavilions, Reserves and Parks, as contained within Attachment A.

DISCUSSION:

A copy of the policy as recommended for adoption is detailed in Attachment A. The struck through red text is recommended for deletion, and the green text denotes the recommended additions.

No change to the intent of the policy is recommended, a definitions section has been added, pavilions located adjacent to sporting grounds and parks have been included, and the other amendments recommended are of a minor rewording nature.

LEGAL/POLICY IMPLICATIONS:

Local Government Act 1995

2.7. Role of council

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

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications as a result of this report or its recommendation. There is no proposed change to the method of calculating seasonal hire fees.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications as a result of this report or its recommendation.

ENVIRONMENTAL IMPLICATIONS:

There are no environmental implications as a result of this report or its recommendation.

16.2 COUNCIL POLICY REVIEW – CITY OVALS AND RESERVES SEASONAL HIRE

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following objectives and strategies detailed in the Strategic Community Plan and/or Corporate Business Plan.

Plan	Objective	Strategy
Strategic Community Plan	4.2 The community has easy access to well equipped, quality parks and public open spaces	Community Infrastructure Plan Community Development Team Business Plan Parks for People Strategy Parks and Reserves Asset Management Plan Public Open Space Infrastructure Asset Management Plan
Strategic Community Plan	4.4 Create diverse places and spaces where people can enjoy a variety of lifestyles with high levels of amenity.	Local Planning Strategy Public Open Space Policy Parking Strategy Local Housing Strategy Town Planning Scheme Environmental Health Team Business Plan Place Plans for City areas

COMMUNITY ENGAGEMENT:

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

RISK IMPLICATIONS:

The risk implications in relation to this proposal are as follows:

Risk Event	Grounds booking issues arising from multiple users requiring and accessing City facilities, ie double bookings, damage to property
Risk Theme	Ineffective management of facilities/venues/events
Risk Effect/Impact	Property, Reputation and Service Delivery
Risk Assessment Context	Operational
Consequence	Moderate
Likelihood	Almost Certain
Rating (before treatment)	High
Risk Treatment in place	Reduce (mitigate the risk)
Response to risk treatment required/in place	Facility Management groups and tenancy arrangements between City and clubs/ groups, providing access at designated times and providing process for clubs to apply for use and report management issues.
Rating (after treatment)	Moderate

16.2 COUNCIL POLICY REVIEW – CITY OVALS AND RESERVES SEASONAL HIRE

COUNCIL DECISION

596

MOVED CR B THOMPSON

SECONDED CR R ALEXANDER

That Council adopt the amended policy – Seasonal Hire of Sports Pavilions, Reserves and Parks, as contained within Attachment A.

**CARRIED
8/0**



Council Policy

**Seasonal Hire of Sports Pavilions,
Reserves and Parks** ~~City Ovals and
Reserves Seasonal Hire~~



Council Policy

Seasonal Hire of Sports Pavilions, Reserves and Parks ~~City Ovals and Reserves Seasonal Hire~~

D12/63030[v4]

1. Title

Seasonal Hire of Sports Pavilions, Reserves and Parks ~~City Ovals and Reserves Seasonal Hire~~

2. Purpose

To ensure that all City ovals and reserves are available for casual and organised use by all sectors within the community and that all sporting clubs that use the City's facilities on a seasonal basis are levied fees and charges using a transparent and fair system.

3. Scope

3.1 Season Time Frames

The seasonal allocation periods for the City's ovals, reserves and associated facilities are:

- Summer Season 1 October – 31 March
- Winter Season 1 April – 30 September

4. Definitions

- 4.1 Sports Pavilion (e.g. Fiona Harris, Thomas Kelly, Wellard Pavilions). These facilities are located adjacent to playing surfaces used for sport. They generally have clubs that occupy them on a seasonal basis. They are also available for ongoing or casual use for other compatible activities.
- 4.2 Sports Reserves and Parks (e.g. Calista Oval, Rhodes Park). These are sports fields or courts and parks that provide for a range of recreation activities. These areas may have clubs that occupy them on a seasonal basis, but are available for ongoing or casual use for compatible activities.
- 4.3 Seasonal Tenancy – agreement for the use of a sports pavilion and/or sports reserve or park at a shared use facility for a given 6 month period. Pre-season training and finals are considered non-seasonal use.
- 4.4 Seasonal Fee – fee applied for the use of the applicable sports pavilion and/or sports reserve or park, based on usage outlined in the seasonal tenancy.

5. Policy Statement

5.1 Seasonal Hire of Sports Pavilions, Reserves and Parks ~~Sports Grounds~~

- 5.1.1 The City will consider applications for summer seasonal use of sports grounds during the month of August and for winter seasonal use during the month of February each year.

- 5.1.2 While availability of facilities will be a key determining factor for ground allocation, the allocation of City facilities is not automatic. Applications will be assessed taking into consideration;
- Historical contribution of the club to the provision of sport within the City of Kwinana;
 - Club's previous record with respect to compliance with the Seasonal Tenancy Agreement, including, but not exclusively:
 - Timely payment of fees;
 - Behavior and respect for others on and off the field; and
 - Community facility cleanliness, care for ground condition and sustainability.
 - Availability of facilities suitable for the sport proposed, relative to industry guidelines;
 - Efficiency of facility usage, potential for multiuse;
 - Club's initiatives to support programs that encourage participation across all ages, abilities, genders and cultural backgrounds; ~~cater for the needs of both genders and all age groups;~~
 - Club's incorporation and implementation of good management policies including:
 - Responsible service of alcohol
 - Food Safety Program
 - Sound financial and planning practices; and
 - Percentage of active members that reside, study or work in Kwinana.

5.2 Hire Process

- 5.2.1 Forms – Applications for seasonal hire to be made ~~by~~ **on** the appropriate form with all necessary information provided.
- 5.2.2 Booking Confirmation – Seasonal hire arrangements will be confirmed in writing by **the Club Development Officer.** ~~a City Facility Booking Officer.~~
- 5.2.3 Keys – hirers will be provided with 3 sets of keys. No additional sets are to be provided. Loss of keys will result in replacement fees. The return of keys will be by agreement with the City.
- 5.2.4 Cleanliness – is the responsibility of the hirer. ~~The to leave the~~ **facility must be left in a clean and tidy condition,** as ~~it was~~ **they have** received ~~them.~~
- 5.2.5 Repair – **the hirer must notify the City of** any issues of a structural nature needing repair, ~~the hirer must advise the City~~ at ~~its~~ **their** earliest convenience. **The cost of** repairs due to damage from inappropriate or malicious use will be the responsibility of the hirer.

6. Financial/Budget Implications

6.1 Fees and Charges

- 6.1.1 The applicable fees and charges for the **approved sports pavilion and/or sports reserve or park** ~~City's ovals, reserves and associated facilities sportsgrounds~~ will be calculated using a method based on a percentage of the annual maintenance costs of both the **sports pavilion/community facility** and the sporting ground.

- 6.1.2 Junior sporting clubs will be charged at a rate lower than seniors in order to promote junior sporting activities.
- 6.1.3 Where a club has junior~~s~~ and senior members, fees will be calculated based on the percentage of each **category of member**.
- 6.1.4 Fees and charges applicable to all ovals and reserves covered by this policy will be in accordance with the Schedule of Fees and Charges adopted by Council annually as part of the budget and **as** amended from time to time. These fees and charges may increase on an annual basis.
- 6.1.5 Additional fees and charges may apply as determined by Council and detailed in the Seasonal Tenancy Guide and the City's annual budget.
- 6.1.6 **Hire of lights will be additional to seasonal fees and will be charged in line with the City's terms and conditions of hire for these facilities.**

7. Asset Management Implications

7.1 Determination of Annual Maintenance Costs

- 7.1.1 When new facilities are constructed, annual maintenance costs that form part of the calculation of fees and charges will initially be calculated based on similar City of Kwinana sporting facilities.
- 7.1.2 Annual maintenance costs for established facilities are **to** be calculated using actual previous financial year maintenance costs, operational costs and utilities costs.

8. Environmental Implications

Hirers and Clubs are to comply with the Kwinana Local Club Signage Guidelines

9. Strategic/Social Implications

This proposal will support the achievement of the following objectives and strategies detailed in the Strategic Community Plan and/or Corporate Business Plan.

Plan	Objective	Strategy
Strategic Community Plan	4.2 The community has easy access to well equipped, quality parks and public open spaces	<ul style="list-style-type: none"> Community Infrastructure Plan Community Development Team Business Plan Parks for People Strategy Parks and Reserves Asset Management Plan Public Open Space Infrastructure Asset Management Plan
Strategic Community Plan	4.4 Create diverse places and spaces where people can enjoy a variety of lifestyles with high levels of amenity.	<ul style="list-style-type: none"> Local Planning Strategy Public Open Space Policy Parking Strategy Local Housing Strategy Town Planning Scheme Environmental Health Team Business Plan Place Plans for City areas

10. Occupational Safety and Health Implications

10.1 All hirers and contractors must comply with the City of Kwinana Occupational Safety and Health Policy

10.2 All hirers must hold a current public liability insurance policy to the satisfaction of the City and a copy to be provided.

11. Risk Assessment

A risk assessment has been conducted and with no policy in place the risk of interruptions to service delivery, cost of damage to facilities and reputation of Council could be high. The policy allows the City to have processes in place to mitigate these risks, reducing risk rating to moderate.

12. References

Name of Policy	Seasonal Hire of Sports Pavilions, Reserves and Parks City Ovals and Reserves Seasonal Hire
CM Reference	D12/63030[v4]
Date of Adoption and resolution No	27/09/2006 # 519
Review dates and resolution No #	28/04/2010 #105 11/07/2012 # 163
Next review date due	11/07/2014
Legal Authority	Local Government Act 1995 Section 2.7 – Role of Council.
Directorate	City Living
Department	Healthy Lifestyles
Related documents	Acts/Regulations Local Government Act 1995 s2.7. Role of Council. WA Public Health Act 2014 Plans/Strategies Community Strategic Plan Policies Occupational Safety and Health Policy D16/51525* Healthy Lifestyles Public Health Plan 2015-2018 D15/7810* Healthy Lifestyles Policy D13/69856* Work Instructions Other documents Kwinana Local Club Signage Guidelines D16/59399*

16.3 Budget Monthly Financial Report – July 2017

SUMMARY:

The Monthly Financial Report, which includes the Monthly Statement of Financial Activity and explanation of material variances, for the period ending 31 July 2017 has been prepared for Council acceptance.

OFFICER RECOMMENDATION:

That Council accepts:

1. The Monthly Statements of Financial Activity for the period ending 31 July 2017; and
2. The explanations for material variances for the period ending 31 July 2017.

DISCUSSION:

The purpose of this report is to provide a monthly financial report, which includes rating, investment, reserve, debtor, and general financial information to Councillors in accordance with Section 6.4 of the Local Government Act 1995.

The period of review is July 2017. The municipal surplus for this period is \$42,325,934 compared to a budget position of \$38,401,237. This is considered a satisfactory result for the City as the City is maintaining a healthy budget surplus position. It is important to note that the current brought forward surplus amount is only an estimated position as the financial statements for 2016/2017 are still to be finalised.

Income for the July 2017 period, year-to-date is \$42,118,851. This is made up of \$41,811,600 in operating revenues and \$307,251 in non-operating grants, contributions and subsidies received. The budget estimated \$42,342,032 would be received for the same period. The variance to budget is (\$223,181). Details of all significant variances are provided in the notes to the Monthly Financial Report.

Expenditure for the July 2017 period year-to-date is \$2,400,045. This is made up of \$2,371,121 in operating expenditure, and \$28,924 in capital expenditure. The budget estimated \$6,206,395 would be spent for the same period. The variance to budget is \$3,806,350. Details of all significant variances are provided in the notes to the Monthly Financial Report.

LEGAL/POLICY IMPLICATIONS:

Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial statement for the preceding year and other financial reports as are prescribed.

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 as amended requires the local government to prepare monthly financial statements and report on actual performance against what was set out in the annual budget.

16.3 BUDGET MONTHLY FINANCIAL REPORT – JULY 2017**FINANCIAL/BUDGET IMPLICATIONS:**

There are no financial implications relating to the preparation of the report. Any material variances that have an impact on the outcome of the budgeted closing surplus position are detailed in the Monthly Financial Report.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications associated with this report.

ENVIRONMENTAL IMPLICATIONS:

There are no environment implications associated with this report.

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following objectives and strategies detailed in the Corporate Business Plan.

Plan	Objective	Strategy
Corporate Business Plan	6.1 Ensure the financial sustainability of the City of Kwinana into the future	6.1.2 Implement sound revenue and expenditure policies, seek additional revenue sources and optimise financial management system

COMMUNITY ENGAGEMENT:

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

RISK IMPLICATIONS:

The risk implications in relation to this proposal are as follows:

Risk Event	Inadequate management of the City's provisions, revenues and expenditures.
Risk Theme	Failure to fulfil statutory regulations or compliance Providing inaccurate advice/information
Risk Effect/Impact	Financial Reputation Compliance
Risk Assessment Context	Operational
Consequence	Minor

16.3 BUDGET MONTHLY FINANCIAL REPORT – JULY 2017

Likelihood	Unlikely
Rating (before treatment)	Low
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Annual adoption of variance tolerances for reporting purposes.
Rating (after treatment)	Low

COUNCIL DECISION**597****MOVED CR S MILLS****SECONDED CR P FEASEY****That Council accepts:**

- 1. The Monthly Statements of Financial Activity for the period ending 31 July 2017; and**
- 2. The explanations for material variances for the period ending 31 July 2017.**

CARRIED
8/0

A photograph of a park landscape. In the foreground, a small stream flows over a bed of large, dark, mossy rocks. The stream is surrounded by lush green trees and foliage. A paved path curves through the park on the right side. The sun is visible through the trees in the upper center, creating a bright glow.

Monthly Financial Report

CITY OF KWINANA
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 July 2017

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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CITY OF KWINANA
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 July 2017

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var. Indicator	Material Var.
		\$	\$	\$	\$	%		
Opening Funding Surplus(Deficit)	3	1,534,059	1,534,059	3,743,449	2,209,390	144%	▲	
Revenue from operating activities								
Governance		34,112	392	25,338	24,946	6364%	▲	
General Purpose Funding - Rates	9	35,239,983	34,639,983	34,596,594	(43,389)	(0%)	▼	
General Purpose Funding - Other		4,120,048	165,606	199,989	34,383	21%	▲	
Law, Order and Public Safety		428,938	50,979	11,109	(39,870)	(78%)	▼	
Health		232,333	7,500	9,507	2,007	27%	▲	
Education and Welfare		7,077,857	614,820	647,684	32,864	5%	▲	
Community Amenities		14,725,868	6,176,841	5,950,323	(226,518)	(4%)	▼	
Recreation and Culture		3,182,645	232,818	210,814	(22,004)	(9%)	▼	
Transport		246,593	0	1,404	1,404	140400%	▲	
Economic Services		1,656,713	146,255	140,452	(5,803)	(4%)	▼	
Other Property and Services		278,524	6,858	18,383	11,525	168%	▲	
		67,223,614	42,042,052	41,811,600	(230,452)	(1%)	▼	
Expenditure from operating activities								
Governance		(5,740,233)	(623,144)	(165,933)	457,211	73%	▼	M
General Purpose Funding		(1,507,199)	(109,917)	(59,168)	50,749	46%	▼	
Law, Order and Public Safety		(3,285,871)	(301,012)	(125,506)	175,506	58%	▼	M
Health		(1,306,423)	(108,292)	(58,896)	49,396	46%	▼	
Education and Welfare		(9,804,161)	(833,900)	(610,613)	223,287	27%	▼	M
Community Amenities		(11,083,382)	(802,966)	(225,331)	577,635	72%	▼	M
Recreation and Culture		(20,013,094)	(1,667,740)	(614,829)	1,052,911	63%	▼	M
Transport		(14,313,868)	(1,060,218)	(121,692)	938,526	89%	▼	M
Economic Services		(2,202,270)	(195,513)	(91,141)	104,372	53%	▼	M
Other Property and Services		(4,174,570)	(374,360)	(298,012)	76,348	20%	▼	
		(73,431,071)	(6,077,062)	(2,371,121)	3,705,941	61%	▼	
Operating activities excluded from budget								
Add back Depreciation		13,268,106	1,105,680	0	(1,105,680)	(100%)	▼	
Adjust (Profit)/Loss on Asset Disposal	8	139,399	0	0	0	0%		
Adjust Provisions and Accruals		0	0	(923,383)	(923,383)	(92338324%)	▼	
Amount attributable to operating activities		7,200,048	37,070,670	38,517,095	1,446,425	4%	▲	
Investing Activities								
Non-operating Grants, Subsidies and Contributions		1,707,484	299,980	307,251	7,271	2%	▲	
Proceeds from Disposal of Assets	8	659,000	0	0	0	0%		
Land and Buildings	12	(4,833,500)	(8,333)	(38)	8,295	100%	▼	
Plant, Furniture and Equipment	12	(1,932,951)	(21,000)	0	21,000	100%	▼	
Infrastructure Assets - Roads	12	(2,539,695)	0	0	0	0%		
Infrastructure Assets - Parks and Reserves	12	(2,211,012)	(100,000)	(28,262)	71,738	72%	▼	
Infrastructure Assets - Footpaths	12	(310,000)	0	(202)	(202)	20200%	▼	
Infrastructure Assets - Drainage	12	(140,000)	0	0	0	0%		
Infrastructure Assets - Street Lighting	12	(42,436)	0	0	0	0%		
Infrastructure Assets - Bus Shelters	12	(51,500)	0	(422)	(422)	42200%	▼	
Infrastructure Assets - Car Parks	12	(171,311)	0	0	0	0%		
Amount attributable to investing activities		(9,865,921)	170,647	278,327	107,680	63%	▲	
Financing Activities								
Proceeds from New Debentures		2,897,000	0	0	0	0%		
Self-Supporting Loan Principal		15,645	0	0	0	0%		
Transfer from Reserves	7	8,033,866	4,000	1,276	(2,724)	(68%)	▼	
Repayment of Debentures	10	(617,722)	0	0	0	0%		
Transfer to Reserves	7	(9,196,975)	(378,139)	(214,213)	163,926	43%	▼	M
Amount attributable to financing activities		1,131,814	(374,139)	(212,936)	161,203	43%	▼	
Closing Funding Surplus(Deficit)	3	0	38,401,237	42,325,934	3,924,697	10%	▲	

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data.

M Indicates if the variance between YTD Budget and YTD Actual data is determined material, in line with Council's adopted limits, and is to be reported on. Refer to Note 2 for an explanation of the reasons for the variance.

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

CITY OF KWINANA
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 July 2017

	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var. Indicator	Material Var.
		\$	\$	\$	\$	%		
Opening Funding Surplus (Deficit)	3	1,534,059	1,534,059	3,743,449	2,209,390	144%	▲	
Revenue from operating activities								
Rates	9	35,239,983	34,639,983	34,596,594	(43,389)	(0%)	▼	
Operating Grants, Subsidies and Contributions		15,591,452	539,130	466,193	(72,937)	(14%)	▼	
Fees and Charges		13,612,832	6,666,117	6,506,404	(159,713)	(2%)	▼	
Interest Earnings		2,183,500	158,000	190,295	32,295	20%	▲	
Other Revenue		589,101	38,822	52,114	13,292	34%	▲	
Profit on Disposal of Assets	8	6,746	0	0	0	0%		
		67,223,614	42,042,052	41,811,600	(230,452)	(1%)	▼	
Expenditure from operating activities								
Employee Costs		(28,531,268)	(2,765,145)	(1,366,408)	1,398,737	51%	▼	M
Materials and Contracts		(27,092,856)	(1,706,489)	(652,549)	1,053,940	62%	▼	M
Utility Charges		(2,527,669)	(172,623)	(63,871)	108,752	63%	▼	M
Depreciation on Non-Current Assets		(13,268,106)	(1,105,680)	0	1,105,680	100%	▼	M
Interest Expenses		(1,101,765)	(49,774)	34,737	84,511	170%	▼	
Insurance Expenses		(593,109)	(227,709)	(388,154)	(160,445)	(70%)	▲	M
Other Expenditure		(170,153)	(49,642)	65,123	114,765	231%	▼	M
Loss on Disposal of Assets	8	(146,145)	0	0	0	0%		
		(73,431,071)	(6,077,062)	(2,371,121)	3,705,941	61%	▼	M
Operating activities excluded from budget								
Add back Depreciation		13,268,106	1,105,680	0	(1,105,680)	(100%)	▼	M
Adjust (Profit)/Loss on Asset Disposal	8	139,399	0	0	0	0%		
Adjust Provisions and Accruals		0	0	(923,383)	(923,383)	(92338324%)	▼	
Amount attributable to operating activities		7,200,048	37,070,670	38,517,095	1,446,425	4%	▲	
Investing activities								
Grants, Subsidies and Contributions		1,707,484	299,980	307,251	7,271	2%	▲	
Proceeds from Disposal of Assets	8	659,000	0	0	0	0%		
Land and Buildings	12	(4,833,500)	(8,333)	(38)	8,295	(100%)	▲	
Plant, Furniture and Equipment	12	(1,932,951)	(21,000)	0	21,000	(100%)	▲	
Infrastructure Assets - Roads	12	(2,539,695)	0	0	0	0%		
Infrastructure Assets - Parks and Reserves	12	(2,211,012)	(100,000)	(28,262)	71,738	(72%)	▲	
Infrastructure Assets - Footpaths	12	(310,000)	0	(202)	(202)	(20200%)	▲	
Infrastructure Assets - Drainage	12	(140,000)	0	0	0	0%		
Infrastructure Assets - Street Lighting	12	(42,436)	0	0	0	0%		
Infrastructure Assets - Bus Shelters	12	(51,500)	0	(422)	(422)	(42200%)	▲	
Infrastructure Assets - Car Parks	12	(171,311)	0	0	0	0%		
Amount attributable to investing activities		(9,865,921)	170,647	278,327	107,680	63%	▲	
Financing Activities								
Proceeds from New Debentures	10	2,897,000	0	0	0	0%		
Self-Supporting Loan Principal		15,645	0	0	0	0%		
Transfer from Reserves	7	8,033,866	4,000	1,276	(2,724)	(68%)	▼	
Repayment of Debentures	10	(617,722)	0	0	0	0%		
Transfer to Reserves	7	(9,196,975)	(378,139)	(214,213)	163,926	43%	▼	M
Amount attributable to financing activities		1,131,814	(374,139)	(212,936)	161,203	43%	▼	
Closing Funding Surplus (Deficit)	3	(0)	38,401,237	42,325,934	3,924,697	10%	▲	

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data.

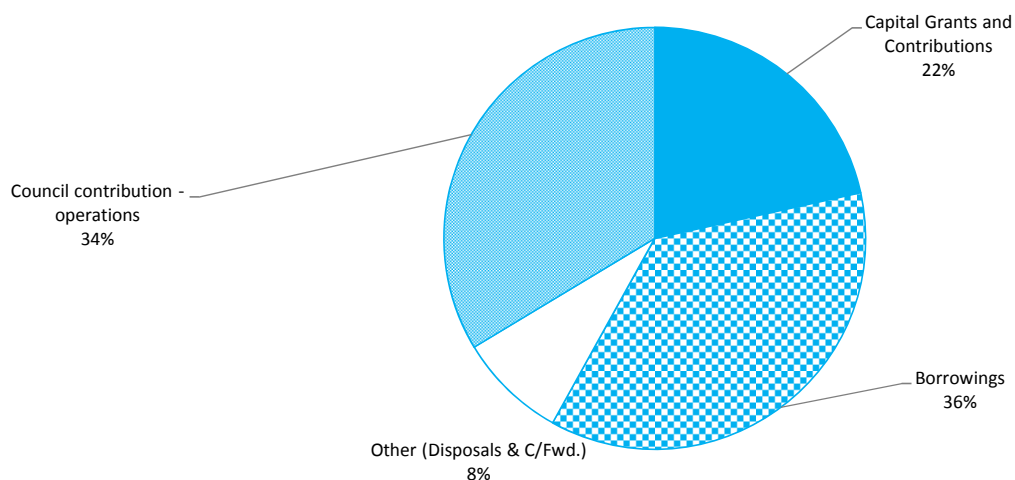
M Indicates if the variance between YTD Budget and YTD Actual data is determined material, in line with Council's adopted limits, and is to be reported on. Refer to Note 2(b) for an explanation of the reasons for the variance.

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

CITY OF KWINANA
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 July 2017

Capital Acquisitions	Note	Annual Budget	YTD Budget (d)	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Actual Total (c) = (a)+(b)	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	4,833,500	8,333	38	0	38	(8,295)
Plant, Furniture and Equipment	13	1,932,951	21,000	0	0	0	(21,000)
Infrastructure Assets - Roads	13	2,539,695	0	0	0	0	0
Infrastructure Assets - Parks and Reserves	13	2,211,012	100,000	0	28,262	28,262	(71,738)
Infrastructure Assets - Footpaths	13	310,000	0	0	202	202	202
Infrastructure Assets - Drainage	13	140,000	0	0	0	0	0
Infrastructure Assets - Street Lighting	13	42,436	0	0	0	0	0
Infrastructure Assets - Bus Shelters	13	51,500	0	422	0	422	422
Infrastructure Assets - Car Parks	13	171,311	0	0	0	0	0
Capital Expenditure Totals		12,232,405	129,333	460	28,464	28,924	(100,409)
Capital acquisitions funded by:							
Capital Grants and Contributions		1,707,484	0	0	0	0	0
Borrowings		2,897,000	0	0	0	0	0
Other (Disposals & C/Fwd)		659,000	0	0	0	0	0
Council contribution - Cash Backed Reserves		3,826,662	0	0	0	0	0
Council contribution - operations		2,667,555	129,333	460	28,464	28,924	(100,409)
Capital Funding Total		12,232,405	129,333	460	28,464	28,924	(100,409)

Budgeted Capital Acquisitions Funding



CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 1: Significant Accounting Policies

(a) Basis of Accounting

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Critical Accounting Estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

(b) The Local Government Reporting Entity

All Funds through which the City 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 statement, but a separate statement of those monies appears at Note 11.

(c) Rounding Off Figures

All figures shown in this statement 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

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

(f) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

(g) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(h) Inventories

General

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed. Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point. Land held for sale is classified as current except where it is held as non-current based on City's intentions to release for sale.

(i) Fixed Assets

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 1: Significant Accounting Policies

(j) 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.

Asset	Years
Land	Not Depreciated
Buildings (including structural components, internal fit-out, mechanical services, security, fire systems, and other building structures)	2 to 100 years
Plant and Equipment	
Motor Vehicles	3 to 10 years
Other Plant & Equipment	3 to 20 years
Furniture and Equipment	
Computer & Audio Visual Equipment	2 to 7 years
Office Furniture & Equipment	3 to 15 years
Other Furniture & Equipment	5 to 15 years
Art Works	Not Depreciated
Infrastructure – Roads (including pavement, subgrade, surface, kerbs and barriers)	0 to 100 years
Infrastructure – Footpaths	40 to 80 years
Infrastructure – Drainage (including pits, pipes, chambers and culverts)	80 years
Infrastructure – Car Parks	5 to 20 years
Infrastructure – Bus Shelters	20 to 25 years
Infrastructure – Street Lights	15 to 30 years
Infrastructure – Parks & Reserves (including playground equipment, shade structures, irrigation assets, park furniture and BBQ's, fencing, lighting, public art and other park and reserve structures)	10 to 50 years

It is important to effectively balance the administrative workload of recording and maintaining a reliable Asset Register with the risk and compliance issues attaching to the proper classification of capital expenditure. To permit this, expenditure to acquire or enhance an asset should be capitalised if the expenditure is above the following thresholds and meets the definition of an asset:

Asset Group	Threshold Amount
Land	\$1
Artworks	\$5,000
Buildings	\$5,000
Furniture and Equipment	\$5,000
Plant and Equipment	\$5,000
Motor Vehicles	\$5,000
Roads	\$1
Drainage	\$1
Footpaths	\$1
Parks and Reserves	\$1

(k) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the City prior to the end of the financial year that are unpaid and arise when the City becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(l) Employee Benefits

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the City has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the City expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (Long-term Benefits)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the City does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 1: Significant Accounting Policies

(m) Interest-bearing Loans and Borrowings

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Borrowings are classified as current liabilities unless the City has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset.

(n) Provisions

Provisions are recognised when: The City has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations is small.

(o) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the City's operational cycle. In the case of liabilities where City does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on City's intentions to release for sale.

(p) Nature or Type Classifications

Rates

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Excludes administration fees, interest on instalments, interest on arrears and service charges.

Operating Grants, Subsidies and Contributions

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

Non-Operating Grants, Subsidies and Contributions

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

Profit on Asset Disposal

Profit on the disposal of assets includes gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

Fees and Charges

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

Service Charges

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. It excludes rubbish removal charges.

Interest Earnings

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

Other Revenue / Income

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

Employee Costs

All costs associated with the employment of persons such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

Materials and Contracts

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

Utilities (Gas, Electricity, Water, etc.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

Insurance

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

Loss on asset disposal

Loss on the disposal of fixed assets.

Depreciation on non-current assets

Depreciation expense raised on all classes of assets.

Interest expenses

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

Other expenditure

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 1: Significant Accounting Policies

(q) Program Classifications (Function/Activity)

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 Community Vision, and for each of its broad activities/programs.

COMMUNITY VISION

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

City operations as disclosed in these financial statements encompass the following service orientated activities/programs.

GOVERNANCE

Objective:

To provide a decision making process for the efficient allocation of scarce resources.

Activities:

Members of City and Governance (includes Audit and other costs associated with reporting to City).

Administration, Financial and Computing Services are included.

GENERAL PURPOSE FUNDING

Objective:

To collect revenue to allow for the provision of services.

Activities:

Rates income and expenditure, Grants Commission and Pensioner deferred rates interest and interest on investments.

LAW, ORDER, PUBLIC SAFETY

Objective:

To provide services to help ensure a safer and environmentally conscious community.

Activities:

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

HEALTH

Objective:

To provide an operational framework for environmental and community health.

Activities:

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

EDUCATION AND WELFARE

Objective:

To provide services to disadvantaged persons, the elderly, children and youth.

Activities:

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

Objective:

To provide services required by the community.

Activities:

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

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 1: Significant Accounting Policies

RECREATION AND CULTURE

Objective:

To establish and effectively manage infrastructure and resources which will help the social well being of the community.

Activities:

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, garden, sports grounds and the operation of Libraries.

TRANSPORT

Objective:

To provide safe, effective and efficient transport services to the community.

Activities:

Construction, maintenance and clearing of streets, roads, bridges, drainage works, footpaths, parking facilities, traffic signs and the City Depot, including plant purchases and maintenance.

ECONOMIC SERVICES

Objective:

To help promote the City and economic wellbeing.

Activities:

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

OTHER PROPERTY AND SERVICES

Objective:

To monitor and control the City's overheads operating accounts.

Activities:

Private works, public works overheads, City 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 City.

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 2(a): Explanation of Material Variances by Reporting Program

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2017/18 year is the greater of \$100,000 or 10%.

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues					
Governance	\$ 24,946	6364%		No Material Variance	
General Purpose Funding - Rates	(43,389)	(0%)		No Material Variance	
General Purpose Funding - Other	34,383	21%		No Material Variance	
Law, Order and Public Safety	(39,870)	(78%)		No Material Variance	
Health	2,007	27%		No Material Variance	
Education and Welfare	32,864	5%		No Material Variance	
Community Amenities	(226,518)	(4%)		No Material Variance	
Recreation and Culture	(22,004)	(9%)		No Material Variance	
Transport	1,404	140400%		No Material Variance	
Economic Services	(5,803)	(4%)		No Material Variance	
Other Property and Services	11,525	168%		No Material Variance	
Operating Expense					
Governance	457,211	73%	M	Timing	Under expenditure due to current spread of budget not matching the timing of works. Being July services and projects for the year are in early stages, funds are expected to be expended in 17/18.
General Purpose Funding	50,749	46%		No Material Variance	
Law, Order and Public Safety	175,506	58%	M	Timing	Under expenditure due to current spread of budget not matching the timing of works. Being July services and projects for the year are in early stages, funds are expected to be expended in 17/18.
Health	49,396	46%		No Material Variance	
Education and Welfare	223,287	27%	M	Timing	Under expenditure due to current spread of budget not matching the timing of works. Being July services and projects for the year are in early stages, funds are expected to be expended in 17/18.
Community Amenities	577,635	72%	M	Timing	Under expenditure due to current spread of budget not matching the timing of works. Being July services and projects for the year are in early stages, funds are expected to be expended in 17/18.
Recreation and Culture	1,052,911	63%	M	Timing	Under expenditure due to current spread of budget not matching the timing of works. Being July services and projects for the year are in early stages, funds are expected to be expended in 17/18.
Transport	938,526	89%	M	Timing	Under expenditure due to current spread of budget not matching the timing of works. Being July services and projects for the year are in early stages, funds are expected to be expended in 17/18.
Economic Services	104,372	53%	M	Timing	Under expenditure due to current spread of budget not matching the timing of works. Being July services and projects for the year are in early stages, funds are expected to be expended in 17/18.
Other Property and Services	76,348	20%		No Material Variance	
Capital Revenues					
Grants, Subsidies and Contributions	7,271	2%		No Material Variance	
Proceeds from Disposal of Assets	0	0%		No Material Variance	Refer to Note 8 for detailed breakdown of asset disposals.
Capital Expenses					
Land and Buildings	8,295	100%		No Material Variance	Refer to Note 12 for detailed breakdown of expenditure.
Infrastructure - Roads	21,000	100%		No Material Variance	Refer to Note 12 for detailed breakdown of expenditure.
Infrastructure - Public Facilities	71,738	72%		No Material Variance	Refer to Note 12 for detailed breakdown of expenditure.
Infrastructure - Footpaths	(202)	20200%		No Material Variance	Refer to Note 12 for detailed breakdown of expenditure.
Infrastructure - Drainage	0	0%		No Material Variance	Refer to Note 12 for detailed breakdown of expenditure.
Heritage Assets	0	0%		No Material Variance	Refer to Note 12 for detailed breakdown of expenditure.
Plant and Equipment	(422)	42200%		No Material Variance	Refer to Note 12 for detailed breakdown of expenditure.
Furniture and Equipment	0	0%		No Material Variance	Refer to Note 12 for detailed breakdown of expenditure.
Financing					
Proceeds from New Debentures	0	0%		No Material Variance	
Self-Supporting Loan Principal	0	0%		No Material Variance	
Transfer from Reserves	(2,724)	(68%)		No Material Variance	
Repayment of Debentures	0	0%		No Material Variance	
Transfer to Reserves	163,926	43%	M	Timing	Developer Contribution reserve transfers are difficult to estimate and can only be transferred at the time they are received.

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 2(b): Explanation of Operating Revenue and Expenditure Material Variances by Nature and Type

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

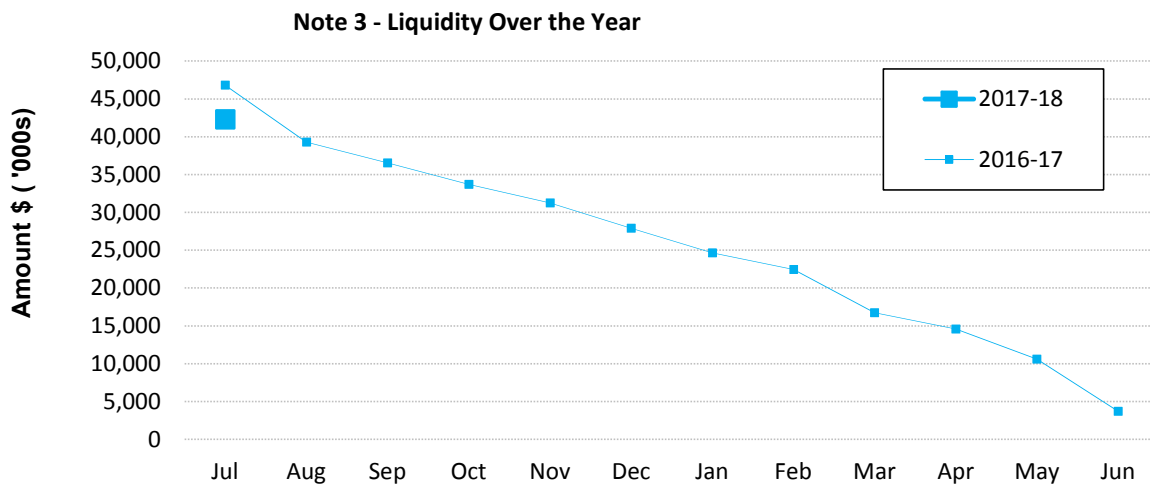
The material variance adopted by Council for the 2017/18 year is the greater of \$100,000 or 10%.

Nature and Type Category	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Rates	(43,389)	(0%)		No Material Variance	
Operating Grants, Subsidies and Contributions	(72,937)	(14%)		No Material Variance	
Fees and Charges	(159,713)	(2%)		No Material Variance	
Interest Earnings	32,295	20%		No Material Variance	
Other Revenue	13,292	34%		No Material Variance	
Profit on Disposal of Assets	0	0%		No Material Variance	
Operating Expense					
Employee Costs	1,398,737	51%	M	Timing	Current vacancies in various budgeted positions.
Materials and Contracts	1,053,940	62%	M	Timing	Timing variance due to budget spread. Funds expected to be expended in 17/18.
Utility Charges	108,752	63%	M	Timing	Timing variance due to budget spread. Funds expected to be expended in 17/18.
Depreciation on Non-Current Assets	1,105,680	100%	M	Timing	Due to finalisation of the end of year accounts depreciation is not able to be run until such time as the final sign off has occurred by the City's auditors.
Interest Expenses	84,511	170%		No Material Variance	
Insurance Expenses	(160,445)	(70%)	M	Timing	Budget spread has been based on 2 instalments for all insurance. All insurance has been paid in full except for Property Insurance.
Other Expenditure	114,765	231%	M	Timing	Due to the reversal of the provision for doubtful debts in 16/17.
Loss on Disposal of Assets	0	0%		No Material Variance	

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 3: Net Current Funding Position

		Last Years Closing	This Time Last Year	Current
	Note	30 June 2017	31 Jul 2016	31 Jul 2017
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	3,382,609	5,201,395	1,716,659
Cash Restricted - Other		0	3,402,102	0
Cash Restricted - Reserves	4	50,343,657	44,175,598	50,556,593
Receivables - Rates	6	2,761,590	39,876,718	43,898,931
Receivables - Sundry Debtors	6	1,260,375	2,028,452	1,323,059
Other Current Assets		0	1,500	0
Inventories		36,204	24,783	35,362
		57,784,435	94,710,548	97,530,604
Less: Current Liabilities				
Payables		(2,772,135)	(293,782)	(4,646,265)
Provisions		(925,195)	0	(1,812)
		(3,697,329)	(293,782)	(4,648,077)
Less: Cash Reserves	7	(50,343,657)	(47,577,700)	(50,556,593)
Net Current Funding Position - Surplus/(Deficit)		3,743,449	46,839,066	42,325,934



CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 4: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Interest Rate	Calculated Interest Earnings	Institution	S&P Rating	Deposit Date	Maturity Date	Term Days
	\$	\$	\$	\$	%	\$					
(a) Cash Deposits											
CBA Municipal Bank Account	1,710,613	224,545		1,935,158	Variable	N/A	CBA	AA-	N/A	N/A	N/A
CBA Reserves Bank Account		191,687		191,687	Variable	N/A	CBA	AA-	N/A	N/A	N/A
CBA Trust Bank Account	1,046		2,811,008	2,812,054	Variable	N/A	CBA	AA-	N/A	N/A	N/A
Cash On Hand - Petty Cash	5,000			5,000	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sub-total Cash Deposits	1,716,659	416,232	2,811,008	4,943,899		-					
(b) Cash at Call - Investments											
ANZ Call		1,042		1,042	Variable	N/A	ANZ	AA-	N/A	N/A	N/A
AMP		165		165	Variable	N/A	AMP	A+	N/A	N/A	N/A
Rabo Call		214		214	Variable	N/A	RABO	AA-	N/A	N/A	N/A
ME Bank		138,941		138,941	Variable	N/A	ME	BBB	N/A	N/A	N/A
Sub-total Cash at Call Investments	-	140,362	-	140,362		-					
(c) Term Deposits - Investments											
NAB.TD 940895211		1,000,000		1,000,000	2.52%	6,352	NAB	AA-	9/05/2017	8/08/2017	92
NAB.TD 706109761		1,000,000		1,000,000	2.80%	28,000	NAB	AA-	9/08/2016	8/08/2017	365
NAB.TD 319899636		1,000,000		1,000,000	2.65%	25,992	NAB	AA-	23/08/2016	15/08/2017	358
NAB.TD 699873904		1,000,000		1,000,000	2.65%	26,500	NAB	AA-	23/08/2016	22/08/2017	365
NAB.TD 912036540		1,000,000		1,000,000	2.65%	25,484	NAB	AA-	6/09/2016	22/08/2017	351
NAB.TD 912222781		1,000,000		1,000,000	2.65%	26,500	NAB	AA-	6/09/2016	5/09/2017	365
NAB.TD 985717005		2,000,000		2,000,000	2.78%	46,003	NAB	AA-	15/11/2016	12/09/2017	302
NAB.TD 740188600		1,000,000		1,000,000	2.80%	28,000	NAB	AA-	11/10/2016	10/10/2017	365
NAB.TD 865845880		1,000,000		1,000,000	2.80%	28,000	NAB	AA-	18/10/2016	17/10/2017	365
NAB.TD 388009422		1,000,000		1,000,000	2.80%	27,770	NAB	AA-	28/10/2016	24/10/2017	362
NAB.TD 741092125		1,000,000		1,000,000	2.78%	27,800	NAB	AA-	8/11/2016	7/11/2017	365
WPAC.TD 020209 (51958557)		2,000,000		2,000,000	2.60%	52,000	WBC	AA-	21/02/2017	20/02/2018	365
WPAC.TD		2,000,000		2,000,000	2.63%	52,600	WBC	AA-	14/03/2017	13/03/2018	365
NAB.TD 816307734		1,000,000		1,000,000	2.60%	26,000	NAB	AA-	2/05/2017	1/05/2018	365
NAB.TD 884154944		1,000,000		1,000,000	2.50%	22,603	NAB	AA-	11/07/2017	5/06/2018	330
NAB.TD 399386282		1,000,000		1,000,000	2.50%	22,534	NAB	AA-	12/07/2017	5/06/2018	329
NAB.TD 728242723		1,000,000		1,000,000	2.53%	23,359	NAB	AA-	18/07/2017	19/06/2018	337
NAB.TD 740948075		1,000,000		1,000,000	2.52%	24,717	NAB	AA-	4/07/2017	26/06/2018	358
BKW.TD 2575899		1,000,000		1,000,000	2.55%	25,570	BWA	AA-	17/07/2017	17/07/2018	366
AMP.TD 719652646-349812		1,000,000		1,000,000	3.00%	30,000	AMP	A+	2/08/2016	1/08/2017	365
BEN 1358302		1,000,000		1,000,000	3.55%	35,500	BEN	A-	16/08/2016	15/08/2017	365
BB.TD 018528		1,000,000		1,000,000	2.65%	13,795	BEY	BBB	14/02/2017	22/08/2017	190
RUR.TD 018533|1923152		1,000,000		1,000,000	2.60%	13,534	RUR	#N/A	21/02/2017	29/08/2017	190
BEN 958130		1,000,000		1,000,000	2.70%	26,482	BEN	A-	6/09/2016	29/08/2017	358
BEN 958130/TT01		2,000,000		2,000,000	2.76%	55,200	BEN	A-	27/09/2016	26/09/2017	365
BEN 958130/TT02		1,000,000		1,000,000	2.76%	27,600	BEN	A-	4/10/2016	3/10/2017	365
BB.TD 021151		1,000,000		1,000,000	2.70%	14,055	BEN	BBB	4/04/2017	10/10/2017	190
BOQ.TD 446215		1,000,000		1,000,000	2.65%	15,319	BOQ	A-	21/03/2017	17/10/2017	211
BEN.TD		1,000,000		1,000,000	2.70%	27,000	BEN	A-	18/10/2016	17/10/2017	365
AMP.TD 23702144-373193		1,000,000		1,000,000	2.75%	14,240	AMP	A+	26/04/2017	31/10/2017	189
SUN.TD		1,000,000		1,000,000	2.60%	13,962	SUN	A+	19/04/2017	31/10/2017	196
BB.TD 018529		1,000,000		1,000,000	2.70%	14,055	BEY	BBB	2/05/2017	7/11/2017	190
AMP.TD 357821990-375672		1,000,000		1,000,000	2.80%	28,000	AMP	A+	15/11/2016	14/11/2017	365
BB.TD 023923		1,000,000		1,000,000	2.70%	14,055	BEY	BBB	27/06/2017	2/01/2018	190
BOQ.TD 389140		1,000,000		1,000,000	2.65%	19,893	BOQ	A-	11/04/2017	9/01/2018	274
AUS		2,000,000		2,000,000	2.65%	31,655	AUS	BBB	13/06/2017	16/01/2018	218
AMP.TD 193058617-349175		1,000,000		1,000,000	2.90%	21,770	AMP	A+	9/05/2017	6/02/2018	274
GOLDFIELDS TD		1,000,000		1,000,000	2.65%	25,992	GOLD	UR	6/09/2016	29/08/2017	358
BCU.TD		1,000,000		1,000,000	2.75%	13,788	BCU	UR	7/03/2017	5/09/2017	183
ECU.TD		1,000,000		1,000,000	2.80%	24,778	ECU	UR	1/11/2016	19/09/2017	323
BCU.TD 237371		1,000,000		1,000,000	2.75%	18,007	BCU	UR	28/02/2017	24/10/2017	239
BOS.TD		1,000,000		1,000,000	2.65%	13,286	BOS	UR	23/05/2017	21/11/2017	183
RIM 251048-10823023		1,000,000		1,000,000	2.70%	20,268	BOS	UR	21/03/2017	19/12/2017	274
MYS.TD		1,000,000		1,000,000	2.65%	19,893	MYS	BBB	21/03/2017	19/12/2017	274
PCU.TD 023803		1,000,000		1,000,000	2.90%	28,205	PCU	UR	17/03/2017	6/03/2018	355
Sub-total Term Deposits	-	50,000,000	-	50,000,000		1,126,115					
Total	1,716,659	50,556,593	2,811,008	55,084,260		1,126,115					
Less Trust Bank			-	2,811,008							
Total Municipal Controlled Funds	1,716,659	50,556,593	-	52,273,252		1,126,115					

Note: Refer to Note 13 for details on compliance with Investment Policy

Key:

AMP Bank	AMP	Beyond Bank	BEY	ECU Australia	ECU	Police Credit Union	PCU
ANZ Bank	ANZ	Bank of Queensland	BOQ	Goldfields Money	GOLD	Rabobank	RABO
Auswide Credit Society	AUS	Bank of Sydney	BOS	ME Bank	ME	Rural Bank	RUR
Bananacoast Community Credit Union	BCU	Bankwest	BWA	MyState Bank	MYS	Suncorp Bank	SUN
Bendigo Bank	BEN	Commonwealth Bank Australia	CBA	National Australia Bank	NAB	Westpac Bank	WBC

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 5: Budget Amendments

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget Adoption		Surplus/(Deficit)				0
							0
				0	0	0	0

There were no budget amendments in July 2017.

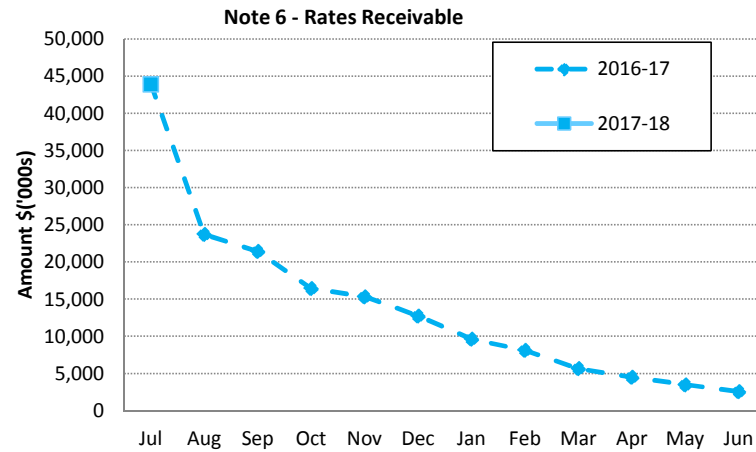
CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 6: Receivables

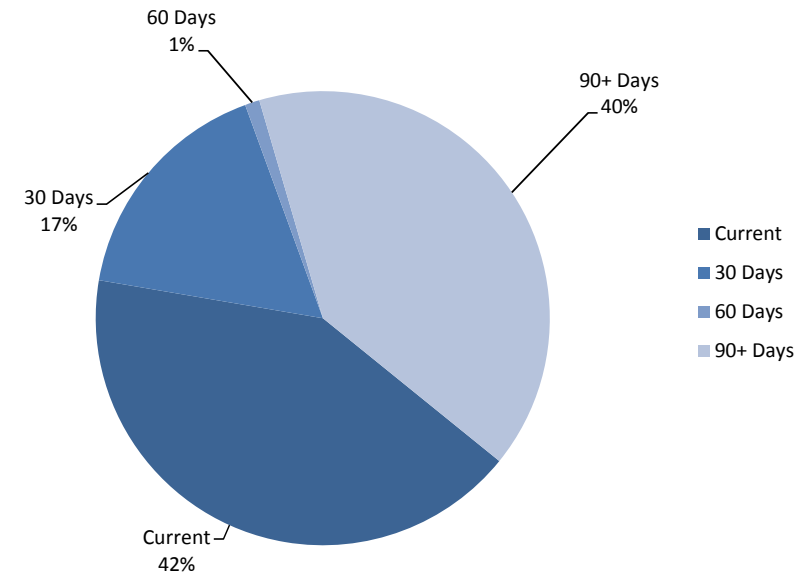
Receivables - Rates Receivable	31 Jul 2017	30 June 2017
	\$	\$
Opening Arrears Previous Years	2,620,292	2,179,452
Levied this year	45,616,631	46,344,239
<u>Less</u> Collections to date	(4,337,992)	(45,903,398)
Equals Current Outstanding	43,898,931	2,620,292
Net Rates & Charges Collectable	43,898,931	2,620,292
% Outstanding	91.01%	5.40%

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Sundry Debtors	553,663	221,719	13,793	533,884	1,323,059
Total Receivables General Outstanding					1,323,059

Amounts shown above include GST (where applicable)



Note 6 - Accounts Receivable (non-rates)

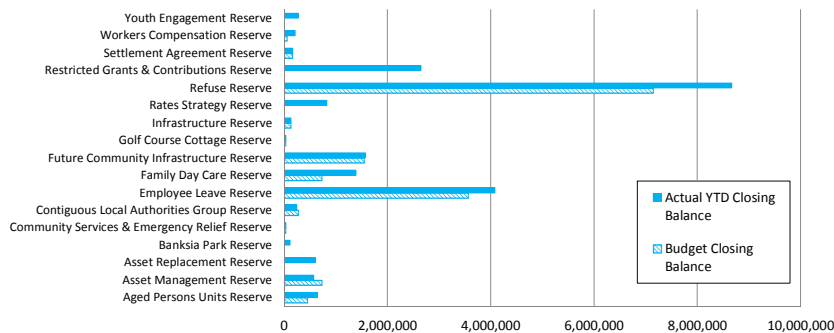


CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

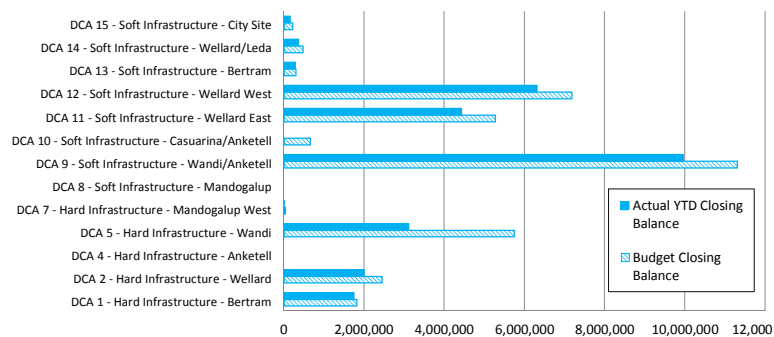
Note 7: Cash Backed Reserve

Reserve	Budget Opening Balance \$	Actual Opening Balance \$	Budget Transfers In (incl Interest) (+) \$	Actual Transfers In (+) \$	Actual Interest Earned (+) \$	Budget Transfers Out (-) \$	Actual Transfers Out (-) \$	Budget Closing Balance \$	Actual YTD Closing Balance \$
Municipal Reserves									
Aged Persons Units Reserve	389,941	643,367	279,588	0	2,174	(221,315)	0	448,214	645,540
Asset Management Reserve	784,951	566,868	22,399	0	2,356	(83,090)	0	724,260	569,224
Asset Replacement Reserve	213,186	595,442	254,814	0	1,117	(468,000)	0	0	596,559
Banksia Park Reserve	107,650	107,840	735	0	364	(108,385)	0	0	108,205
Community Services & Emergency Relief Reserve	25,966	26,059	611	0	88	0	0	26,577	26,147
Contiguous Local Authorities Group Reserve	253,161	239,215	56,950	0	808	(45,000)	0	265,111	240,023
Employee Leave Reserve	4,100,853	4,074,338	0	0	0	(539,162)	0	3,561,691	4,074,338
Family Day Care Reserve	1,446,637	1,383,877	34,023	0	4,887	(751,569)	0	729,091	1,388,764
Future Community Infrastructure Reserve	2,013,802	1,568,683	54,784	0	5,300	(527,100)	0	1,541,486	1,573,983
Golf Course Cottage Reserve	27,167	27,264	639	0	92	0	0	27,806	27,356
Infrastructure Reserve	122,859	128,213	2,889	0	433	0	0	125,748	128,646
Rates Strategy Reserve	819,692	819,692	0	0	0	(819,692)	0	0	819,692
Refuse Reserve	8,606,073	8,636,810	202,401	0	29,178	(1,667,704)	0	7,140,770	8,665,988
Restricted Grants & Contributions Reserve	1,297,522	2,644,454	0	0	0	(1,297,522)	0	0	2,644,454
Settlement Agreement Reserve	157,743	157,743	0	0	0	0	0	157,743	157,743
Workers Compensation Reserve	342,176	210,503	0	0	0	(289,544)	0	52,632	210,503
Youth Engagement Reserve	270,000	270,000	0	0	0	(270,000)	0	0	270,000
Sub-Total Municipal Reserves	20,979,379	22,100,369	909,833	0	46,797	(7,088,083)	0	14,801,129	22,147,165
Developer Contribution Reserves									
DCA 1 - Hard Infrastructure - Bertram	1,738,315	1,743,836	489,830	0	5,891	(414,093)	0	1,814,052	1,749,728
DCA 2 - Hard Infrastructure - Wellard	1,953,717	1,969,898	487,102	27,648	6,655	0	0	2,440,819	2,004,201
DCA 4 - Hard Infrastructure - Anketell	0	0	0	0	0	0	0	0	0
DCA 5 - Hard Infrastructure - Wandl	3,079,247	3,104,086	2,662,656	0	10,487	0	0	5,741,903	3,114,573
DCA 7 - Hard Infrastructure - Mandogalup West	8,537	8,567	27,097	0	29	0	0	35,634	8,596
DCA 8 - Soft Infrastructure - Mandogalup	0	0	0	0	0	0	0	0	0
DCA 9 - Soft Infrastructure - Wandl/Anketell	9,893,320	9,928,654	1,895,119	0	33,543	(488,318)	0	11,300,121	9,962,197
DCA 10 - Soft Infrastructure - Casuarina/Anketell	0	0	666,609	0	0	(7,117)	0	659,492	0
DCA 11 - Soft Infrastructure - Wellard East	4,323,240	4,374,577	958,816	44,352	14,779	(9,724)	(1,276)	5,272,332	4,432,432
DCA 12 - Soft Infrastructure - Wellard West	6,274,935	6,297,345	914,116	0	21,275	(15,637)	0	7,173,414	6,318,619
DCA 13 - Soft Infrastructure - Bertram	287,083	288,108	6,750	0	973	0	0	293,833	289,081
DCA 14 - Soft Infrastructure - Wellard/Leda	359,161	367,092	117,719	0	1,240	(6,704)	0	470,176	368,332
DCA 15 - Soft Infrastructure - City Site	160,443	161,124	61,328	0	544	(4,190)	0	217,581	161,668
Sub-Total Developer Contribution Reserves	28,077,998	28,243,288	8,287,142	72,000	95,416	(945,783)	(1,276)	35,419,357	28,409,428
Total Reserves	49,057,377	50,343,657	9,196,975	72,000	142,213	(8,033,866)	(1,276)	50,220,486	50,556,593

Municipal Reserves - Year To Date Reserve Balance to End of Year Estimate



Developer Contribution Reserves - Year To Date Reserve Balance to End of Year Estimate



CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 8: Disposal of Assets

Asset Number	Asset Description	YTD Actual				Budget			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
Motor Vehicles									
5596	Toyota Aurion Sportivo 3.5L Auto - Motor Vehicle - Dispose 1ENV377 (PL420)					26,170	15,000		(11,170)
5591	Holden Colorado LTZ 4x4 Auto - Motor Vehicle - Dispose 1EOB725 (PL421)					33,279	25,000		(8,279)
5827	Toyota Kluger AWD V6 - Motor Vehicle - 1EWF500 (PL466)					31,459	28,000		(3,459)
5605	Holden VF Evoke V6 Sportswagon - Motor Vehicle - Dispose 1EOB748 (PL422)					17,639	15,000		(2,639)
5630	Holden Colorado 7 4x4 LTZ - Motor Vehicle - Dispose 1EOX941 (PL425)					26,223	20,000		(6,223)
5600	Holden Colorado 7 4x4 LTZ - Motor Vehicle - Dispose 1EOO657 (PL430)					26,223	20,000		(6,223)
5604	Toyota Camry Altise 2.5L Sedan - Motor Vehicle - Dispose 1ENM243 (PL423)					14,243	15,000	757	
5601	Holden Colorado 4x4 Crew Cab - Motor Vehicle - Dispose KWN1955 (PL424)					26,223	20,000		(6,223)
5648	Ford Ranger 4x4 PU XL - Motor Vehicle - Dispose KWN1946 (PL426)					22,112	20,000		(2,112)
5602	Holden Colorado 4 x4 Crew Cab - Motor Vehicle - Dispose KWN1953 (PL427)					26,223	20,000		(6,223)
5592	Holden Colorado 4 x4 Crew Cab Ute - Motor Vehicle - Dispose KWN1952 (PL428)					26,223	20,000		(6,223)
5043	Ford Ranger PX XL 4x4 Dual Cab - Motor Vehicle - Dispose KWN1817 (PL410)					24,105	20,000		(4,105)
5598	Holden Colorado 4x4 Crew Cab - Motor Vehicle - Dispose KWN1958 (PL433)					26,223	20,000		(6,223)
5622	Volkswagen Amarok Tdi Dual Cab - Motor Vehicle - Dispose KWN2000 (PL436)					31,590	20,000		(11,590)
Plant & Equipment									
3287	2009 Hino 14T Tip Truck - Dispose KWN1761 (PL252)					81,808	80,000		(1,808)
3481	Mitsubishi Fuso Tip Truck - Dispose KWN1779 (PL289)					31,884	25,000		(6,884)
3075	Volvo L70F Loader - Dispose KWN624 (PL223)					92,795	80,000		(12,795)
5068	Mower Toro GM7200 - Dispose 1EJI080 (PL415)					16,112	4,000		(12,112)
4591	Mower Toro Zero Turn Grandmaster Ride on - Dispose 1EDW556 (PL390)					9,501	4,000		(5,501)
5624	Kubota Tractor 33HP & Slasher - Dispose 1EPN009 (PL441)					10,885	8,000		(2,885)
4602	Hino 500 Tip Truck 4x4 Truck - Dispose KWN1915 (PL391)					103,812	95,000		(8,812)
3187	Vermeer Wood Chipper - Dispose Sale 1TKV850 (PL253)					19,011	25,000	5,989	
2434	Volvo 710 Vhp Grader - Dispose KWN623 (PL49)					74,659	60,000		(14,659)
		0	0	0	0	798,399	659,000	6,746	(146,145)
Net Profit/(Loss)					0	(139,399)			

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 9: Rating Information	YTD Actual							Budget					
	Rate in	Number of Properties	Rateable Value	Rate Revenue	Interim Rates	Back Rates	Total Revenue	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue
RATE TYPE	\$		\$	\$	\$	\$	\$		\$	\$	\$	\$	\$
Differential General Rate													
Gross Rental Value (GRV)													
Improved Residential	0.07351	12,684	221,479,968	16,223,658	57,338	16,894	16,297,889	12,635	220,699,968	16,223,658	850,000	-	17,073,658
Vacant Residential	0.15769	555	8,636,370	1,385,002	(23,133)	(1,252)	1,360,617	469	8,783,070	1,385,002	-	-	1,385,002
Improved Special Residential	0.06515	809	19,278,791	1,256,014	0	0	1,256,014	808	19,278,791	1,256,013	-	-	1,256,013
Light Industrial and Commercial	0.08719	145	23,225,553	2,025,036	0	0	2,025,036	145	23,225,553	2,025,036	-	-	2,025,036
General Industry and Service Commercial	0.08246	336	35,692,132	2,943,173	0	0	2,943,173	336	35,692,132	2,943,173	-	-	2,943,173
Large Scale General Industry and Service Commercial	0.08559	47	47,967,180	4,105,511	0	0	4,105,511	47	47,967,180	4,105,511	-	-	4,105,511
Unimproved Value (UV)													
General Industrial	0.01696	3	121,200,000	2,055,552	0	0	2,055,552	3	121,200,000	2,055,552	-	-	2,055,552
Rural	0.00471	94	97,651,000	459,936	0	0	459,936	79	97,651,000	459,936	-	-	459,936
Mining	0.00817	24	37,766,000	306,710	1,838	4,996	313,544	23	37,541,000	306,710	-	-	306,710
Urban/Urban Deferred	0.00576	140	168,888,000	868,775	104,020	37,762	1,010,557	63	150,829,000	868,775	-	-	868,775
Sub-Totals		14,837	781,784,994	31,629,367	140,063	58,400	31,827,829	14,608	762,867,694	31,629,367	850,000	-	32,479,367
Minimum Payment	Minimum \$												
Gross Rental Value (GRV)													
Improved Residential	\$971	1,697	20,389,552	1,646,816	971	0	1,647,787	1,696	20,376,522	1,646,816	-	-	1,646,816
Vacant Residential	\$971	1,071	5,384,355	985,565	9,710	(6,570)	988,705	1,015	5,339,565	985,565	-	-	985,565
Improved Special Residential	\$971	6	84,900	5,826	0	0	5,826	6	84,900	5,826	-	-	5,826
Light Industrial and Commercial	\$1,263	26	267,341	32,838	0	0	32,838	26	267,341	32,838	-	-	32,838
General Industry and Service Commercial	\$1,263	37	318,902	46,731	0	0	46,731	37	318,902	46,731	-	-	46,731
Large Scale General Industry and Service Commercial	\$1,263	0	0	0	0	0	0	0	-	-	-	-	-
Unimproved Value (UV)													
General Industrial	\$1,263	0	0	0	0	0	0	0	-	-	-	-	-
Rural	\$971	9	1,071,000	8,739	0	0	8,739	9	1,071,000	8,739	-	-	8,739
Mining	\$1,263	15	27,673	16,419	0	0	16,419	13	28,647	16,419	-	-	16,419
Urban/Urban Deferred	\$1,263	16	2,451,600	17,682	2,526	1,512	21,720	14	2,051,600	17,682	-	-	17,682
Sub-Totals		2,877	29,995,323	2,760,616	13,207	-5,058	2,768,765	2,816	29,538,477	2,760,616	-	-	2,760,616
Concession		17,714	811,780,317	34,389,983	153,270	53,341	34,596,594	17,424	792,406,171	34,389,983	850,000	-	35,239,983
Amount from General Rates							34,596,594						35,239,983
Ex-Gratia Rates							0						-
Specified Area Rates							0						-
Totals							34,596,594						35,239,983

Comments - Rating Information

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 10: Information on Borrowings

(a) Debenture Repayments

Particulars	01 Jul 2017	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Original Budget	Actual	Original Budget	Actual	Original Budget	Actual	Original Budget
		\$		\$	\$	\$	\$	\$	\$
Governance									
Loan 99 - Administration Office Renovations	845,987	0		0	84,414	761,573		0	57,237
Loan 107 - Administration / Chambers Building Refurbishment	0	0	2,897,000	0	0	2,897,000		0	0
Education & Welfare									
Loan 96 - Youth Specific Space	171,398	0		0	23,558	147,840		0	13,606
Loan 100 - Youth Specific Space	1,521,312	0		0	0	1,521,312		0	81,250
Recreation and Culture									
Loan 94 - Wellard Sports Pavilion	248,482	0		0	43,658	204,824		0	16,802
Loan 95 - Orelia Oval Pavilion	411,355	0		0	56,540	354,815		0	32,655
Loan 97 - Orelia Oval Pavilion Extension	1,871,923	0		0	186,785	1,685,138		0	126,648
Loan 102 - Library & Resource Centre	7,421,567	0		0	0	7,421,567		0	386,720
Loan 104 - Recquatic Refurbishment	3,350,000	0		0	0	3,350,000		0	135,675
Loan 105 - Bertram Community Centre	1,296,840	0		0	0	1,296,840		0	50,827
Loan 106 - Destination Park - Calista	1,609,695	0		0	93,163	1,516,532		0	49,819
Transport									
Loan 98 - Streetscape Beautification	1,142,081	0		0	113,959	1,028,122		0	77,270
Loan 101 - City Centre Redevelopment	2,500,000	0		0	0	2,500,000		0	61,750
Self Supporting Loans									
Recreation and Culture									
Loan 103B - Golf Club Refurbishment	298,494	0		0	15,645	282,849		0	11,506
	22,689,134	0	2,897,000	0	617,722	0	24,968,412	0	1,101,765

All debenture repayments were financed by general purpose revenue.

(b) New Debentures

No new debentures were raised during the reporting period.

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017






























Note 11: Trust Fund

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

Description	Opening Balance 01 Jul 2017	Amount Received	Amount Paid	Closing Balance 31 Jul 2017
	\$	\$	\$	\$
Hall Security Bonds	55,341	1,600	0	56,941
Footpath & Kerbing Security Deposits	857,177	0	0	857,177
Sports Forfeiture Security Deposits	200	0	0	200
Bus Hire Security Deposits	3,000	0	0	3,000
Demolition Security Deposits	16,334	0	(1,456)	14,878
Miscellaneous Deposits	70,351	0	0	70,351
Footpath Construction Bonds	2,000	0	0	2,000
Land Subdivision Bonds	506,810	0	0	506,810
Road Maintenance Bonds	293,234	0	0	293,234
Landscaping Subdivision Bonds	125,315	0	0	125,315
Planning Advertising Bonds	250	0	(250)	0
Mortimer Road - Community Trust	10,421	0	0	10,421
ATU Landscaping Bonds	3,168	0	0	3,168
Landscaping Development Bonds	56,822	0	0	56,822
Subdivision Handrails	15,395	0	0	15,395
APU Security Bonds	16,462	0	(940)	15,522
DCA 5 Contingency Bonds	729,967	0	0	729,967
Contiguous Local Authorities Group (CLAG)	200	0	0	200
Public Open Space Cash In Lieu	49,608	0	0	49,608
	2,812,054	1,600	(2,646)	2,811,008

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017


































Note 12: Capital Acquisitions

Assets	Account	YTD Actual			Budget		
		New/Upgrade	Renewal	Total YTD	Original Budget	YTD Budget	YTD Variance
		\$	\$	\$	\$	\$	\$
 Level of completion indicator, please see table at the end of this note for further detail.							
Buildings							
 Adventure Park - Calista Oval - Building Renewal	00012578	0	0	0	100,000	0	0
 Sloan's Cottage - conservation works	00012511	0	0	0	5,000	0	0
 Smirk's Cottage - conservation works	00012512	0	0	0	5,000	0	0
 Wheatfield Cottage - conservation works	00012513	0	0	0	15,000	0	0
 Zone Youth Centre - repaint external walls	00012514	0	0	0	20,000	0	0
 Revolving Energy Fund	00012515	0	0	0	35,000	0	0
 Sloan Reserve Toilets	00012516	0	0	0	40,000	0	0
 Youth Outdoor Space - Public Art	00012517	38	0	38	26,500	0	(38)
 Kwinana Bowling Club shed replacement	00012518	0	0	0	18,000	0	0
 CFWD Dist B - DCA 13 - Local Sporting Ground with Community Sports	00012520	0	0	0	385,350	0	0
 CWFD Dist C - DCA14 - Local Sporting Ground with pavilion extension	00012521	0	0	0	141,750	0	0
 CFWD Signage - update signage from Town to City	00012522	0	0	0	110,000	0	0
 Administration Building (existing) Building renewals	00012526	0	0	0	2,897,000	0	0
 Banksia Park - Bollard/Light replacement	00012527	0	0	0	6,400	0	0
 Banksia Park - Clubhouse kitchen - cabinet replacement	00012528	0	0	0	15,000	0	0
 Banksia Park - Clubhouse - replace wooden framed door	00012529	0	0	0	2,500	0	0
 Banksia Park - External Painting - 5 year program	00012530	0	0	0	20,000	0	0
 Business Incubator - replacement of split system air conditioners	00012531	0	0	0	15,000	0	0
 Wellard Pavilion Air Conditioning	00012519	0	0	0	11,000	0	0
 Kwinana Out of School Care - replace air conditioners	00012532	0	0	0	15,000	0	0
 Contingency (covers all unforeseen breakdowns and requests during	00012533	0	0	0	100,000	8,333	8,333
 Callistemon Court APU - new garage block	00012534	0	0	0	40,000	0	0
 Callistemon Court APU - carpet replacement	00012535	0	0	0	10,000	0	0
 Callistemon Court APU - External Painting - 5 year program	00012536	0	0	0	20,000	0	0
 CFWD Callistemon Court APU - Construction/installation of new footpath and letterboxes	00012537	0	0	0	10,000	0	0
 Out of School Care - 2 Budden Way - Renewal of fence	00012538	0	0	0	20,000	0	0
 New Operations Centre	00012539	0	0	0	100,000	0	0
 Bright Futures Family Day Care building to replace playroom, kitchenette and toy library	00012540	0	0	0	650,000	0	0
Buildings Total		38	0	38	4,833,500	8,333	8,295

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 31 July 2017

Note 12: Capital Acquisitions

Assets	Account	YTD Actual			Budget		
		New/Upgrade	Renewal	Total YTD	Original Budget	YTD Budget	YTD Variance
		\$	\$	\$	\$	\$	\$
Plant, Furniture and Equipment							
Furniture and Equipment							
 Banksia Park - replacement of furniture and equipment in the Clubrooms	00012443	0	0	0	5,000	0	0
 Banksia Park - 3 x Rinnai continual Flow HWU	00012444	0	0	0	10,500	0	0
 Banksia Park - 3 x Chef Elevated Oven Replacements	00012445	0	0	0	8,085	0	0
 Banksia Park - Park Benches	00012446	0	0	0	4,500	0	0
 Callistemon Court APU - Rinnai continual flow HWS	00012447	0	0	0	14,000	0	0
 Callistemon Court APU - Chef elevated oven replacement	00012448	0	0	0	8,085	0	0
 Darius Wells Library & Resource Centre - Furniture	00012449	0	0	0	1,000	0	0
 John Wellard Community Centre - Furniture	00012450	0	0	0	2,000	0	0
 William Bertram community Centre - Furniture	00012451	0	0	0	2,000	0	0
 Library - Data projector & screen	00012452	0	0	0	5,000	0	0
 Library - F & E Renewal	00012453	0	0	0	5,500	0	0
 Office Furniture - furniture for new staff/staff relocations	00012454	0	0	0	12,000	0	0
 Recquatic - Administration - Office Chairs	00012455	0	0	0	1,000	1,000	1,000
 Recquatic - Administration - Staffroom fridge	00012456	0	0	0	1,000	0	0
 Recquatic - Administration - Staffroom TV	00012457	0	0	0	500	0	0
 Recquatic - Aquatics - Blanket buddy	00012458	0	0	0	8,000	0	0
 Recquatic - Aquatics - Disability hoist 25 metre pool	00012459	0	0	0	6,000	0	0
 Recquatic - Aquatics - Defibrillator	00012460	0	0	0	3,000	0	0
 Recquatic - Multi Purpose room - Mirrors	00012461	0	0	0	3,000	0	0
 Recquatic - Cafe - Tables	00012462	0	0	0	2,000	0	0
 Recquatic - Health & Fitness - New program equipment cost & replacement	00012463	0	0	0	2,500	0	0
 Recquatic - Vacation Care/Crèche - Play Equipment	00012464	0	0	0	2,000	0	0
 Youth Centre - Zone - Lounge entrance renovation	00012465	0	0	0	10,000	0	0
 Defibrillators for City Facilities - Thomas Kelly. Orelia & one TBC	00012466	0	0	0	10,500	0	0
 Diesel Generator for Computer Room	00012490	0	0	0	4,000	0	0
Computing Equipment							
 iPhones	00012467	0	0	0	20,000	0	0
 Self Check Touchscreen Computer & Workstation	00012468	0	0	0	11,000	0	0
 ICT Strategic Plan Implementation	00012470	0	0	0	56,850	20,000	20,000
 Fibre Link to the Skate Park and Adventure Park	00012471	0	0	0	40,000	0	0
 AV Equipment - Projector Replacement	00012469	0	0	0	30,000	0	0
 Backup/DR Software	00012473	0	0	0	3,750	0	0
 VM Software	00012474	0	0	0	5,400	0	0
 CFWD Various ICT Equipment for Strategic Information Technology Plan	00012472	0	0	0	90,000	0	0

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 31 July 2017

Note 12: Capital Acquisitions

Assets	Account	YTD Actual			Budget		
		New/Upgrade	Renewal	Total YTD	Original Budget	YTD Budget	YTD Variance
		\$	\$	\$	\$	\$	\$
Plant and Equipment							
Depot - Minor Plant	00012475	0	0	0	25,000	0	0
Depot - Purchase of New Tip Truck - New Plant 527 - (Sale KWN1761)	00012476	0	0	0	195,000	0	0
Depot - Purchase of New Tip Truck - New Plant 528 - (Sale KWN1779)	00012477	0	0	0	85,000	0	0
Depot - Purchase of New Loader - New Plant 529 - (Sale KWN624)	00012478	0	0	0	270,000	0	0
Depot - Purchase of New Ride on Mower - New Plant 530	00012479	0	0	0	32,000	0	0
Depot - Purchase of New Ride on Mower - New Plant 532	00012480	0	0	0	32,000	0	0
Depot - Purchase of New Out-front ride on Mower - New Plant 531	00012481	0	0	0	30,000	0	0
NAMS Tools	00012485	0	0	0	5,000	0	0
Recquatic - Aquatics - Automatic pool cleaner	00012486	0	0	0	5,000	0	0
Recquatic - Aquatics - Lane Rope (10)	00012487	0	0	0	8,000	0	0
Recquatic - Aquatics - Pool Inflatable Device	00012488	0	0	0	15,000	0	0
Recquatic - Swim School - Swim Platform	00012489	0	0	0	2,400	0	0
CFWD Facilities - Soft fall tester	00012491	0	0	0	15,000	0	0
CFWD Speed Alert Mobile Trailer for Driver Speed Education	00012492	0	0	0	26,290	0	0
Computer Mounting Systems for City Assist Vehicles (KWN2061, KWN 2063, KWN2000, KWN1893)	00012493	0	0	0	9,091	0	0
CFWD Fixed Variable Community Notice Board	00012494	0	0	0	70,000	0	0
Motor Vehicles							
Director City Living - Purchase & Sale - Sale 1ENV377 PL420	00012495	0	0	0	56,000	0	0
Director Infrastructure - Purchase & Sale - Sale 1EOB725 PL421	00012496	0	0	0	56,000	0	0
Manager Marketing - Purchase & Sale - Sale 1EOB748 PL422	00012497	0	0	0	41,000	0	0
Manager Engineering - Purchase & Sale - Sale 1EOX941 PL425	00012498	0	0	0	41,000	0	0
Manager Works Depot - Purchase & Sale - Sale 1EOO657 PL430	00012499	0	0	0	41,000	0	0
Building Assets Coordinator - Purchase & Sale - Sale 1ENM243 PL423	00012500	0	0	0	38,000	0	0
Compliance Officer - Purchase & Sale - Sale KWN1955 PL424	00012501	0	0	0	41,000	0	0
Development Engineer - Purchase & Sale - Sale KWN1946 PL426	00012502	0	0	0	41,000	0	0
Engineer Designer - Purchase & Sale - Sale KWN1953 PL427	00012503	0	0	0	41,000	0	0
Project Coordinator - Purchase & Sale - Sale KWN1952 PL428	00012504	0	0	0	41,000	0	0
Parks Supervisor - Purchase & Sale - Sale KWN1817 PL410	00012505	0	0	0	41,000	0	0
Streetscape Maintenance Officer - Purchase & Sale - Sale KWN1958	00012506	0	0	0	41,000	0	0
Senior Essential Services - Purchase & Sale - Sale KWN2000 PL436	00012507	0	0	0	41,000	0	0
Chief Executive Officer - Purchase & Sale - Sale 1EWF500 P466	00012508	0	0	0	63,000	0	0
Director City Regulation Vehicle - Purchase only - New Plant 511	00012509	0	0	0	56,000	0	0
Tree Officer - Purchase only - New Plant 512	00012510	0	0	0	41,000	0	0
Plant , Furniture and Equipment Total		0	0	0	1,932,951	21,000	21,000

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 31 July 2017






















Note 12: Capital Acquisitions

Assets	Account	YTD Actual			Budget		
		New/Upgrade	Renewal	Total YTD	Original Budget	YTD Budget	YTD Variance
		\$	\$	\$	\$	\$	\$
Park and Reserves							
Annual upgrade of parks as per Parks for People strategy - Rogan Park, Bertram small scale skate park, shade sail on play equipment, Honeywood park exercise equipment	00012574	0	28,262	28,262	216,000	17,768	(10,494)
Bore - current condition 5 cubicle & pump replacement	00012575	0	0	0	75,000	0	0
Bore - Forward renewal/replacement as per annual program	00012576	0	0	0	105,000	0	0
Bowling Club Green replacement	00012577	0	0	0	220,000	0	0
Calista Oval - Fencing & Bollards replacement	00012579	0	0	0	60,000	0	0
Sanctuary Drive - Firebreak Construction - Dual Use Path - Limestone	00012580	0	0	0	15,000	0	0
Goal post renewal	00012581	0	0	0	5,000	0	0
KIA Tree Planting Program	00012582	0	0	0	130,000	0	0
Kwinana Adventure Park - Bin Enclosure	00012583	0	0	0	40,000	0	0
Kwinana Tennis Courts - Fencing	00012584	0	0	0	80,000	0	0
Park Furniture/Lights	00012585	0	0	0	6,000	0	0
Street Tree Planting Program - Bertram Stage 1 - 45	00012586	0	0	0	120,000	0	0
Wells Beach Foreshore Upgrade (Park and Boating Facility)	00012587	0	0	0	466,526	0	0
Installation of fencing in City Reserves to prevent illegal dumping	00012588	0	0	0	50,000	0	0
Mortimer Road Landscaping	00012589	0	0	0	51,500	0	0
Wellard Village Nature Play Park - BBQ	00012590	0	0	0	10,000	0	0
Medina Oval - Lighting	00012591	0	0	0	150,000	0	0
Kwinana Netball Courts - Lighting and Additions	00012592	0	0	0	155,185	0	0
CFWD Thomas Oval Netball Court Renewal	00012593	0	0	0	2,000	0	0
Playground Renewal - Gawler Way POS	00012569	0	0	0	35,000	0	0
Playground Renewal - Wells Park	00012570	0	0	0	35,000	0	0
CFWD Calista Oval Destination Park - Adventure Playground	00012571	0	0	0	42,232	42,232	42,232
CFWD Kwinana Outdoor Youth Space KOYS - Skate Park	00012572	0	0	0	40,000	40,000	40,000
Family Day Care - Playground Equipment and Landscaping behind office	00012573	0	0	0	101,569	0	0
Parks and Reserves Total		0	28,262	28,262	2,211,012	100,000	71,738

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY












For the Period Ended 31 July 2017

Note 12: Capital Acquisitions

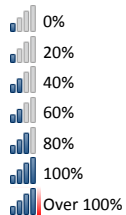
Assets	Account	YTD Actual			Budget		
		New/Upgrade	Renewal	Total YTD	Original Budget	YTD Budget	YTD Variance
		\$	\$	\$	\$	\$	\$
Roads							
Urban Road Grant Construction							
 Anketell Road (a) - 230m to 430m West of McLaughlan Road	00012541	0	0	0	93,847	0	0
 Anketell Road (b) - 200m west to 360m east of Abercrombie & west bound	00012542	0	0	0	275,283	0	0
 Anketell Road (c) - 460m to 1000m east of Abercrombie Road	00012543	0	0	0	119,157	0	0
 Anketell Road (d) - 300m west of Armstrong to 180m east of Armstrong	00012544	0	0	0	240,252	0	0
 Cockburn Road - Rockingham to 70m North West of Rockingham Road	00012545	0	0	0	75,348	0	0
 Gilmore Ave & Wellard Rd to Sloan Drive North & South Bound	00012546	0	0	0	222,008	0	0
 Ocean Street - Rockingham Road to 100 metres East - Resurfacing	00012547	0	0	0	53,820	0	0
 Sulphur Road - Roundabout at intersection of Durrant Ave	00012548	0	0	0	45,209	0	0
Roads to Recovery Grant Construction							
 Beacham Place - Road Upgrade and formalise cul de sac	00012549	0	0	0	95,000	0	0
 Cockman Way - Road Resurfacing and upgrade including kerb & footpath	00012550	0	0	0	332,000	0	0
 Dalrymple Drive - resurfacing of various Roundabouts and chicane red laterite	00012551	0	0	0	85,000	0	0
 Partridge Street - Pavement rehabilitation including cul de sac & footpath	00012552	0	0	0	190,000	0	0
Municipal Road Construction							
 Minstrell Road Bertram - Removal of Slow Point	00012560	0	0	0	20,000	0	0
 The Strand & Runnymede Gate intersection - John Wellard Community Centre	00012561	0	0	0	20,000	0	0
 Beauchamp Loop & Wellard - Installation of Traffic Calming Devices	00012562	0	0	0	35,000	0	0
 Traffic Calming Devices Repair	00012563	0	0	0	25,000	0	0
 Bingfield Road West & Tucker Street Medina - Installation of Traffic Calming Devices	00012564	0	0	0	40,000	0	0
 CFWD Bertram Road Dual Carriageway	00012565	0	0	0	81,090	0	0
 CFWD Johnson Road realignment roadworks	00012566	0	0	0	491,681	0	0
Roads Total		0	0	0	2,539,695	0	0
Street Lighting							
 Street Lighting	00012554	0	0	0	42,436	0	0
Street Lighting Total		0	0	0	42,436	0	0
Bus Shelter Construction							
 Bus Shelter Construction	00012553	422		422	51,500	0	(422)
Bus Shelter Construction Total		422	0	422	51,500	0	(422)

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 12: Capital Acquisitions

Assets	Account	YTD Actual			Budget		
		New/Upgrade	Renewal	Total YTD	Original Budget	YTD Budget	YTD Variance
		\$	\$	\$	\$	\$	\$
Footpath Construction							
 Footpath Construction - Mortimer Road	00012555	0	0	0	92,500	0	0
 Footpath Construction - Bertram Road	00012556	0	0	0	87,500	0	0
 Footpath Construction - between Adventure Park and Gilmore Avenue	00012557	0	202	202	130,000	0	(202)
 Footpath Construction Total		0	202	202	310,000	0	(202)
Drainage Construction							
 Lot 1 Challenger Ave (Nutrient Stripping Basin) - Transfer of land	00012558	0	0	0	120,000	0	0
 Outfall Drainage nets at various stormwater outlet locations in Leda	00012559	0	0	0	20,000	0	0
 Drainage Construction Total		0	0	0	140,000	0	0
Car Park Construction							
 Medina Oval - Bituminise entrance & Carpark	00012567	0	0	0	141,311	0	0
 CFWD Construction of Carpark at the Skate Park	00012568	0	0	0	30,000	0	0
 Car Park Construction Total		0	0	0	171,311	0	0
 Capital Expenditure Total		460	28,464	28,924	12,232,405	129,333	100,409

Level of Completion Indicators (Percentage YTD Actual to Annual Budget)



CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Note 13: Statement of Investments

Rating

Tier 1 - AAA rated authorised institutions
Direct Investment Maximum 100%
Per Institution Maximum Limit 45% of Total Portfolio

Compliance Indicators



Tier 1 - July 2017

Indicates the distribution of funds across Tier 1 by percentage

Tier 1 - July 2017

Millions

Indicates the distribution of funds across Tier 1 by dollar value

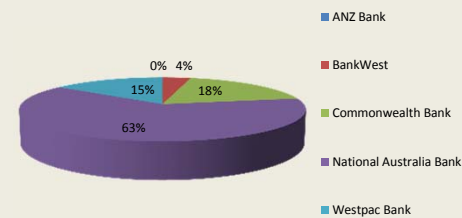
Comment: Tier 1 rates available to the City were not favourable and therefore no funds were invested in this tier.

Tier 2 - AA rated issuers that are incorporated in Australia
Direct Investment Maximum 100%
Per Institution Maximum Limit 35% of Total Portfolio

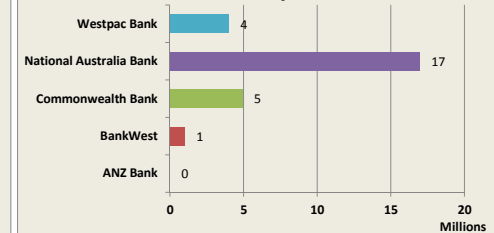


ANZ Bank	AA-	1,042		0.00%
BankWest	AA-	1,000,000		1.82%
Commonwealth Bank	AA-	4,938,899		8.97%
National Australia Bank	AA-	17,000,000		30.86%
Westpac Bank	AA-	4,000,000		7.26%
		26,939,941		48.91%

Tier 2 - July 2017



Tier 2 - July 2017



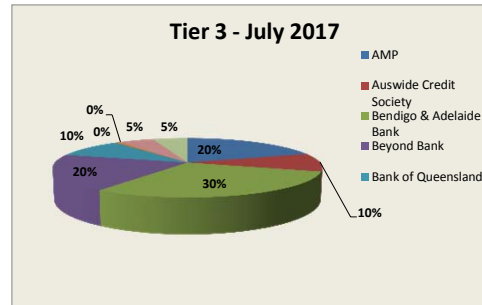
Comment: Funds were allocated in accordance with the guidelines of Investment Policy.

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

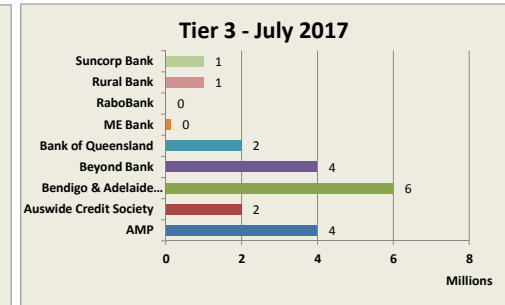
Tier 3 - other investment grade authorised institutions

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

AMP	A+	4,000,165		7.26%
Auswide Credit Society	BBB	2,000,000		3.63%
Bendigo & Adelaide Bank	A-	6,000,000		10.89%
Beyond Bank	BBB+	4,000,000		7.26%
Bank of Queensland	A-	2,000,000		3.63%
ME Bank	BBB+	138,941		0.25%
Rabobank	AA-	214		0.00%
Rural Bank	A-	1,000,000		1.82%
Suncorp Bank	A+	1,000,000		1.82%
		20,139,320		36.56%



Indicates the distribution of funds across Tier 3 by percentage



Indicates the distribution of funds across Tier 3 by dollar value

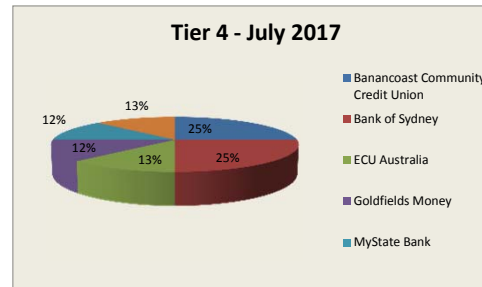
Comment: Funds were allocated in accordance with the guidelines of Investment Policy.

Tier 4 - other compliant authorised institutions

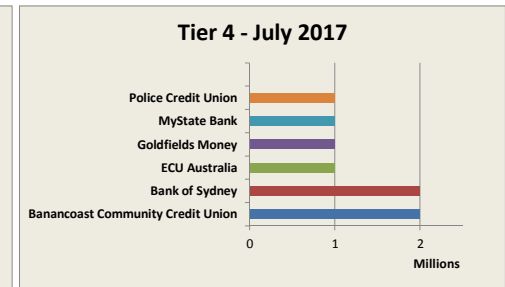
Direct Investment Maximum 30%
Per Institution Maximum Limit 5% of Total Portfolio

Term Deposits

Banancoast Community Credit Union	UR	2,000,000		3.63%
Bank of Sydney	UR	2,000,000		3.63%
ECU Australia	UR	1,000,000		1.82%
Goldfields Money	UR	1,000,000		1.82%
MyState Bank	BBB+	1,000,000		1.82%
Police Credit Union	UR	1,000,000		1.82%
		8,000,000		14.52%



Indicates the distribution of funds across Tier 4 by percentage



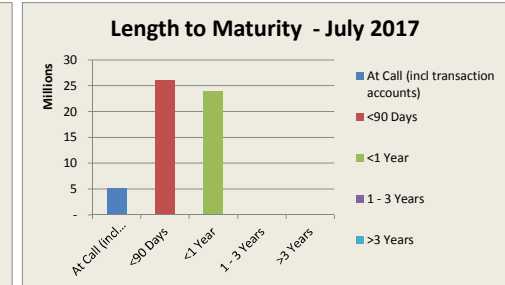
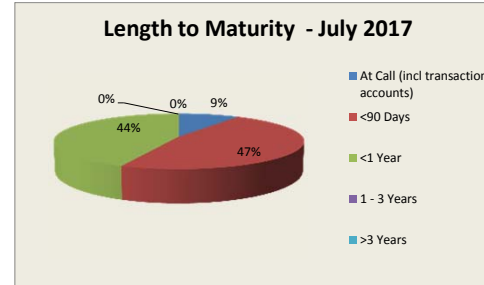
Indicates the distribution of funds across Tier 4 by dollar value

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

Total Value of Investments	55,079,261
----------------------------	-------------------

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

At Call (incl transaction accounts)	5,079,261	9.22%
<90 Days	26,000,000	47.20%
<1 Year	24,000,000	43.57%
1 - 3 Years	-	0.00%
>3 Years	-	0.00%
	55,079,261	100.00%



Portfolio Term to Maturity Limits

At Call investment

Compliance Indicator

Funds invested for 90 days or less
100% (with 10% minimum) of Total Portfolio
Compliance Indicator

Funds invested for between 90 days and up to 1 year
100% (with 40% minimum) of Total Portfolio
Compliance Indicator

Funds invested for between 1 and 3 years
60% (Bonds Only) of Total Portfolio
Compliance Indicator

P

At Call	<90 Days	<1 Year
\$ 5,079,260.90 9.22% ✓	\$ 26,000,000.00 47.20% ✓	\$ 24,000,000.00 43.57% ✓

Comment: Portfolio compliant with Investment Policy.

CITY OF KWINANA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 July 2017

Portfolio Credit Framework

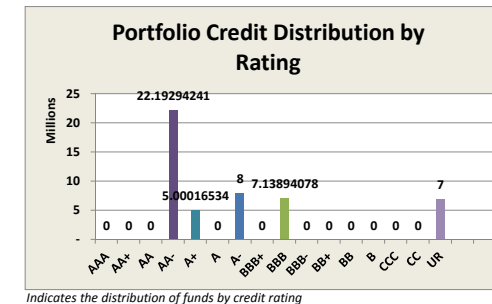
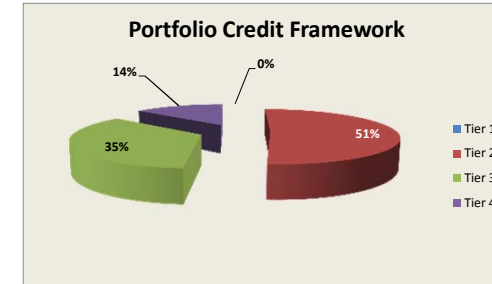
Direct Investment Maximum 100%
Per Institution Maximum Limit 45% of Total Portfolio

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

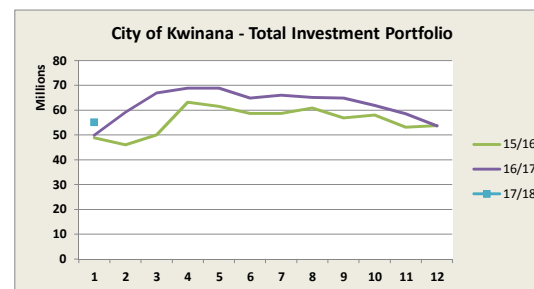
Direct Investment Maximum 40%
Per Institution Maximum Limit 20% of Total Portfolio

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

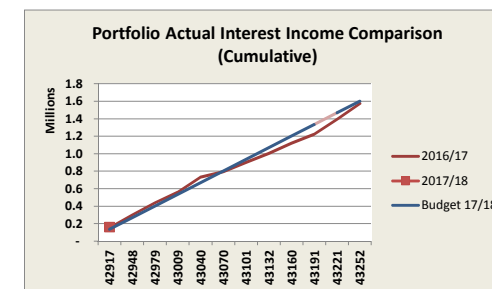
Tier 1	Tier 2	Tier 3	Tier 4
0.00% ✓			
	48.91% ✓		
		36.56% ✓	
			14.52% ✓



Comment: Portfolio compliant with the Investment 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 Budget Variations

SUMMARY:

To amend the 2017/2018 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 Council approves the required budget variations to the Adopted Budget for 2017/2018 as outlined in the report.

NOTE: AN ABSOLUTE MAJORITY OF COUNCIL IS REQUIRED

DISCUSSION:

ITEM #	LEDGER ACCOUNT	DESCRIPTION	CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
1	600007.1563	Capital Expense –Drainage Rollings Crescent	Nil	(155,000)	(155,000)
	600007.1563	Capital Expense –Drainage Challenger Avenue	(120,000)	120,000	Nil
	600007.1561	Capital Expense – Roadworks Minstrell Road	(20,000)	9,000	(11,000)
	600007.1561	Capital Expense – Roadworks Beauchamp Loop	(35,000)	18,000	(17,000)
	600007.1561	Capital Expense –Drainage Challenger Avenue	(40,000)	8,000	(32,000)
	Reason:	<i>Transport Development – Challenger Avenue drainage will be completed by developer so project budget and additional amounts from various infrastructure capital projects (detailed above) to be transferred to Rollings Crescent for drainage upgrade which is the next drainage project priority.</i>			
2	600013.1000	Capital Expense – Plant Equipment New Tip Truck	(85,000)	(27,000)	(112,000)
	700005.1006	Transfer From Reserve – Asset Replacement	60,000	27,000	87,000
	Reason:	<i>Depot Operating Overheads – To replace the existing tip truck like for like, the budget amount is required to be increased. This is proposed to be funded from the Asset Replacement Reserve.</i>			
3	400494.1600	Operating Expense - Facilities Management Depot	(48,500)	(14,000)	(62,500)
	600015.1002	Capital Expense –Building Construction Contingency	(100,000)	14,000	(86,000)
	Reason:	<i>Other Property and Services Facility – being transfer from Building Construction capital contingency to Depot operational expenses for hire of transportable for the provision of temporary office space for the relocation of the Building Maintenance team to the Operations Depot.</i>			

16.4 BUDGET VARIATIONS**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:

The financial implications are detailed in this report.

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:

This proposal will support the achievement of the following objectives and strategies detailed in the Strategic Community Plan and/or Corporate Business Plan.

Plan	Objective	Strategy
Corporate Business Plan	6.1 Ensure the financial sustainability of the City of Kwinana into the future.	6.1.2 Implement sound revenue and expenditure policies, seek additional revenue sources and optimise financial management systems.

COMMUNITY ENGAGEMENT:

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

16.4 BUDGET VARIATIONS

RISK IMPLICATIONS:

Risk Event	The City does not manage it's finances adequately and allows budget expenditure to exceed allocation and the City then finds itself unable to fund it's services that have been approved through the budget process
Risk Theme	Failure to fulfil statutory regulations or compliance Providing inaccurate advice/information
Risk Effect/Impact	Financial Reputation Compliance
Risk Assessment Context	Operational
Consequence	Moderate
Likelihood	Rare
Rating (before treatment)	Low
Risk Treatment in place	Reduce (mitigate risk)
Response to risk treatment required/in place	Submit budget variation requests to Council as they arise, identifying financial implications and ensuring there is nil effect on the budget adopted
Rating (after treatment)	Low

COUNCIL DECISION

598

MOVED CR W COOPER**SECONDED CR S LEE**

That Council approves the required budget variations to the Adopted Budget for 2017/2018 as outlined in the report.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

8/0

16.5 Shared Licence Agreement between the Minister for Education and the City of Kwinana, over a Portion of Reserves 24595 and 30742

SUMMARY:

The City of Kwinana has been granted approval by the Minister for Planning, Lands and Heritage for the shared licence agreement between the Minister for Education and the City of Kwinana, over the Gilmore College School site (located on Reserves 24595 and 30742). A copy of the approval is detailed in Attachment B. Approval has been given on the condition that the licence agreement approved by Council is on the same terms as the licence agreement detailed in Attachment A.

This report seeks Council approval to authorise the Chief Executive Officer and Mayor to execute the licence agreement, between the Minister for Education and the City of Kwinana for the Gilmore School College site, located on Reserves 24595 and 30742, as detailed in Attachment A. Executing the licence agreement will formalise the existing arrangements that are in place.

OFFICER RECOMMENDATION:

That Council:

1. Note that the City of Kwinana, in accordance with Regulation 30 of the Local Government (Functions and General) Regulations 1996, is not required to advertise the disposal of Local Government Property by way of agreement as the tenant is an agency/department of the State.
2. Authorise the Chief Executive Officer and Mayor to execute the licence agreement and make any modifications where the intent of the agreement does not change, in relation to a portion of Reserves 24595 and 30742, between the City of Kwinana and Minister for Education.
3. Appoint the positions of Director Infrastructure and Director City Engagement to the Management Committee that is outlined in clause 15 of the licence agreement.

DISCUSSION:

City Officers and the Minister for Education have agreed that the licence agreement for the shared use of facilities on Gilmore College, as outlined in Attachment A, is satisfactory to be presented to Council for approval.

The shared use facilities include: covered courts, hard courts, change rooms, first aid area, Department of Education nets, storerooms, hockey store, soccer/hockey area, senior oval, cricket wickets, Orelia oval and pavilion and goalposts.

This report seeks Council approval to authorise the Chief Executive Officer and Mayor to execute the licence agreement, between the Minister for Education and the City of Kwinana.

16.5 SHARED LICENCE AGREEMENT BETWEEN THE MINISTER FOR EDUCATION AND THE CITY OF KWINANA, OVER A PORTION OF RESERVES 24595 AND 30742

LEGAL/POLICY IMPLICATIONS:

Local Government Act 1995

3.58. *Disposing of property*

(1) *In this section —*

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not; **property** includes the whole or any part of the interest of a local government in property, but does not include money.

(2) *Except as stated in this section, a local government can only dispose of property to —*

- (a) *the highest bidder at public auction; or*
- (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*

(3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

(a) *it gives local public notice of the proposed disposition —*

- (i) *describing the property concerned; and*
- (ii) *giving details of the proposed disposition; and*
- (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*

and

- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

(4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*

- (a) *the names of all other parties concerned; and*
- (b) *the consideration to be received by the local government for the disposition; and*
- (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

(5) *This section does not apply to —*

- (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
- (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
- (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
- (d) *any other disposition that is excluded by regulations from the application of this section.*

16.5 SHARED LICENCE AGREEMENT BETWEEN THE MINISTER FOR EDUCATION AND THE CITY OF KWINANA, OVER A PORTION OF RESERVES 24595 AND 30742

Local Government (Functions and General) Regulations 1996

30. Dispositions of property excluded from Act s. 3.58

- (1) *A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.*
- (2) *A disposition of land is an exempt disposition if —*
 - (a) *the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and —*
 - (i) *its market value is less than \$5 000; and*
 - (ii) *the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;*
 - or*
 - (b) *the land is disposed of to a body, whether incorporated or not —*
 - (i) *the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
 - (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*
 - or*
 - (c) *the land is disposed of to —*
 - (i) *the Crown in right of the State or the Commonwealth; or*
 - (ii) *a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or*
 - (iii) *another local government or a regional local government;*
 - or*
 - (d) *it is the leasing of land to an employee of the local government for use as the employee's residence; or*
 - (e) *it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or*
 - (f) *it is the leasing of land to a person registered under the Health Practitioner Regulation National Law (Western Australia) in the medical profession to be used for carrying on his or her medical practice; or*
 - (g) *it is the leasing of residential property to a person.*

Section 46(3b) of the Land Administration Act 1997 (LAA) Care, control and management of reserves

- (3b) *The Minister's approval under section 18 is not required for the exercise of a power conferred under subsection (3)(a) unless —*
 - (a) *the person on whom the power is conferred is —*
 - (i) *a body corporate that is constituted for a public purpose under an enactment and is an agency of the Crown in right of the State; or*
 - (ii) *a person referred to in subsection (10)(b), and the order provides that the Minister's approval under section 18 is required;*
 - or*
 - (b) *the person on whom the power is conferred is a person other than a person referred to in paragraph (a).*

16.5 SHARED LICENCE AGREEMENT BETWEEN THE MINISTER FOR EDUCATION AND THE CITY OF KWINANA, OVER A PORTION OF RESERVES 24595 AND 30742

FINANCIAL/BUDGET IMPLICATIONS:

The City and the Minister for Education will share the operating costs outlined in Item 10 of the Schedule, in the licence agreement. These operating costs have been included in the annual budget.

ASSET MANAGEMENT IMPLICATIONS:

The City's facilities located on the subject site have asset management implications that have been included in the City's asset management plan.

ENVIRONMENTAL IMPLICATIONS:

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

STRATEGIC/SOCIAL IMPLICATIONS:

Plan	Objective	Strategy
Corporate Business Plan	6.3 Maximise the value of the City's property assets	6.3.1 Develop the City's Land Asset Management Plan and acquire, manage and dispose of Council land assets on the basis of the adopted recommendations

RISK IMPLICATIONS:

The risk implications in relation to this proposal are as follows:

Risk Event	That Council does not authorise the Chief Executive Officer and Mayor to sign the licence agreement in relation to a portion of Reserves 24595 and 30742, between the City of Kwinana and Minister for Education.
Risk Theme	Ineffective management of facilities/venues/events
Risk Effect/Impact	Financial/Reputational
Risk Assessment Context	Operational
Consequence	Moderate
Likelihood	Almost certain
Rating (before treatment)	High
Risk Treatment in place	Avoid
Response to risk treatment required/in place	This report is in relation to the Chief Executive Officer and Mayor executing the licence agreement between the City of Kwinana and Minister for Education.
Rating (after treatment)	Low

16.5 SHARED LICENCE AGREEMENT BETWEEN THE MINISTER FOR EDUCATION AND THE CITY OF KWINANA, OVER A PORTION OF RESERVES 24595 AND 30742

COUNCIL DECISION

599

MOVED CR S LEE

SECONDED CR B THOMPSON

That Council:

- 1. Note that the City of Kwinana, in accordance with Regulation 30 of the Local Government (Functions and General) Regulations 1996, is not required to advertise the disposal of Local Government Property by way of agreement as the tenant is an agency/department of the State.**
- 2. Authorise the Chief Executive Officer and Mayor to execute the licence agreement and make any modifications where the intent of the agreement does not change, in relation to a portion of Reserves 24595 and 30742, between the City of Kwinana and Minister for Education.**
- 3. Appoint the positions of Director City Infrastructure and Director City Engagement to the Management Committee that is outlined in clause 15 of the licence agreement.**

**CARRIED
8/0**

NOTE – That the Officer Recommendation has been amended at point 3, to include the word ‘City’ in the Director City Infrastructure position.

2016

MINISTER FOR EDUCATION

AND

CITY OF KWINANA

**LICENCE AGREEMENT SHARED FACILITIES
GILMORE COLLEGE**

**STATE SOLICITOR'S OFFICE
COMMERCIAL AND CONVEYANCING
PERTH**

TELEPHONE : (08) 9264 1176

SSO : 2338-06 MC1

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THIS AGREEMENT is made the day of 201

BETWEEN:

CITY OF KWINANA a local government and body corporate under the Local Government Act 1995 of Gilmore Avenue Kwinana in the said State (**the Local Government**)

AND

MINISTER FOR EDUCATION a body corporate pursuant to the provisions of the School Education Act 1999 of 151 Royal Street, East Perth in the State of Western Australia (**the Minister**).

RECITALS

- A. The Minister's Facilities are situated on the Minister's Land.
- B. Care control and management of the Minister's Land is placed with the Minister.
- C. The Minister has agreed to grant to the Local Government a licence to use the Minister's Facilities on the terms and conditions contained in this Agreement.
- D. The Local Government's Facilities are situated on the Local Government's Land.
- E. Care control and management of the Local Government's Land is placed with the Local Government.
- F. The Local Government has agreed to grant to the Minister a licence to use the Local Government's Facilities on the terms and conditions contained in this Agreement.

OPERATIVE PART

IT IS HEREBY AGREED:

1. Definitions and Interpretation

1.1 In this Agreement unless the contrary intention appears:

Authority means any entity, person or group of persons empowered by Statute or otherwise to perform and carry out public regulatory administrative or executive functions of Commonwealth State or local government.

Bores means the bores specified in items 2.11 and 4.5 of the Schedule.

CEO means the Local Government's chief executive officer.

Change rooms means the change rooms specified in item 2.6 of the Schedule.

Commencement Date means the date specified in item 7 of the Schedule.

Cost Sharing Arrangement means the arrangement reached between the Parties set out in clause 6 by which each Party has agreed to contribute to costs in accordance with the list set out in item 10 of the Schedule.

Courts means the Undercover Courts and Outdoor Courts forming part of the Shared Facilities.

Cricket Nets means the cricket practice nets specified in items 2.5 and 4.3 of the Schedule.

Damage means the accidental harm or injury to the Shared Facilities resulting in loss of value or the impairment of usefulness.

Department means the Department of Education.

First Aid Room means the first aid room specified in item 2.8 of the Schedule.

Goal Posts means the goal posts specified in items 2.12 and 4.6 of the Schedule.

Group means a committee formed by the Local Government known as the Orelia District Sporting Facility Management Group.

GST has the same meaning and usage as that contained in A New Tax System (Goods and Services Tax) Act 1999.

GST Act means A New Tax System (Goods and Services Tax) Act 1999.

Gym means the gymnasium to be constructed as part of the Pavilion.

Hockey Cages means the hockey storage cages specified in item 2.9 of the Schedule.

Input Tax Credit has the meaning given in section 195-1 of the GST Act.

Licence means the licence referred to in Clause 2.

Local Governments' Authorised Times of Use means the times the Local Government is allowed to use the Shared Facilities specified in item 9 of the Schedule.

Local Government's Facilities means the facilities specified in item 4 of the Schedule.

Local Government's Land means the land specified in item 3 of the Schedule.

Local Government's Visitors means all officers, employees, agents, contractors, licensees, invitees or representatives of the Local Government.

Loss means loss, damage, liability, lawsuit, action, writ, proceeding, cost or expense.

Management Committee means the management committee created pursuant to clause 15.

Minister's Authorised Times of Use means the times the Minister is allowed to use the Shared Facilities specified in item 8 of the Schedule.

Minister's Facilities means the facilities specified in item 2 of the Schedule.

Minister's Land means the land specified in item 1 of the Schedule.

Minister's Visitors means all officers, employees, agents, contractors, licensees, invitees or representatives of the School or the Minister.

New Facilities means any paths, lights, furniture, exercise or recreational equipment, goal posts, dugouts, playground equipment, scoreboards or any

other structures, improvements or equipment which are constructed after the Commencement Date.

Operating Costs means the costs incurred in operating and maintaining the Facilities as are specified in item 10 of the Schedule.

Outdoor Courts means the outdoor courts specified in item 2.1 of the Schedule.

Orelia Oval means the oval specified in item 4.2 of the Schedule.

Ovals means the Senior Oval, Orelia Oval and the Rectangular Oval.

Party depending on the context means the Local Government or the Minister and

Parties means both of them.

Path means the path specified in item 2.10 of the Schedule.

Pavilion means the pavilion specified in items 2.14 and 4.4 of the Schedule.

Permitted Use means the permitted use of the Shared Facilities described in item 12 of the Schedule.

Plan means the plan annexed to this Agreement.

Primary Payment means any payment by the Minister to the Local Government under this Agreement.

Principal means the principal or acting principal of either of the Schools.

Rectangular Oval means the oval specified in item 2.3 of the Schedule.

Schedule means the schedule annexed to this Agreement.

School means the schools specified in item 5 of the Schedule.

School days means all days on which students are required to attend the School for instruction in accordance with the provisions of the School Education Act 1999.

Senior Oval means the oval specified in items 2.2 and 4.1 of the Schedule.

Shared Facilities means the Minister's Facilities and the Local Government's Facilities.

State means the Crown in right of the State of Western Australia and any government department, agency and instrumentality thereof.

Statute includes all Statutes (State and Federal) for the time being enacted or modifying any Statutes and all regulations, bylaws and other statutory orders and instruments made under any Statute.

Storage rooms means the storage rooms specified in item 2.7 of the Schedule.

Taxable Supply has the meaning given in section 195-1 of the GST Act.

Tax Invoice has the meaning given in section 195-1 of the GST Act and in the A New Tax System (Goods and Services Tax) Regulations 1999.

Term means the term specified in item 6 of the Schedule.

Undercover Courts means the under cover courts specified in item 2.4 of the Schedule.

Vandalism means when a person willingly and maliciously causes significant physical damage or defacement to the Shared Facilities or their contents.

1.2 In this Agreement unless a contrary intention appears:

- (a) references to a person include that person's legal personal representatives, assigns and successors;
- (b) an obligation on the part of two or more parties shall bind them jointly and severally and a right in favour of two or more parties shall be enforceable by them jointly and severally;
- (c) references to this Agreement include its schedules and annexures;
- (d) references to a person which has ceased to exist or has been amalgamated, reconstituted or merged or the functions of which have become exercisable by any other person or body in its place, shall be taken to refer to the person or body established or constituted in its place or by which its functions have become exercisable;
- (e) words importing any gender include the other genders;
- (f) headings shall be ignored in the construction of this Agreement;
- (g) reference to any thing is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them;
- (h) where time is to be calculated from a day or event, such day or the day of such event shall be excluded;
- (i) words importing the singular include the plural and vice versa;
- (j) references to writing include any mode of representing or reproducing words in tangible and permanently visible form, and includes telex and facsimile transmission;
- (k) references to persons include corporations and vice versa;
- (l) references to time are to local time in Perth, Western Australia;
- (m) references to this Agreement or any other document include the document as varied, extended, renewed or replaced, and notwithstanding any change in the identity of the parties thereto;
- (n) references to a statute whether by name or otherwise includes the amendments to the statute for the time being in force and also any statute passed in substitution for it or in lieu of it and all subsidiary or subordinate legislation for the time being in force under it;

- (o) if a word or phrase is defined, cognate words and phrases have corresponding definitions;
- (p) reference to a clause means a clause of this Agreement;
- (q) no rules of construction apply to disadvantage a Party on the basis of that Party being responsible for the preparation of this Agreement or any part of it;
- (r) reference to -
 - (i) the Minister using the Local Government's Facilities means and includes use of the Local Government's Facilities by the Minister or any of its employees agents contractors licensees invitees or students of the School;
 - (ii) the Local Government using the Minister's Facilities means and includes the use of the Minister's Facilities by the Local Government or any of its employees agents contractors licensees or invitees.

2. **Grant of Licence**

- 2.1 Subject to the Minister for Lands consent, the Local Government hereby grants to the Minister a licence to use the Local Government's Facilities for the Permitted Use during the Minister's Authorised Times of Use for the Term or until such time as the Minister divests itself or is divested of its rights over or in the School (whichever occurs sooner) or until such time as the Local Government divests itself or is divested of its rights over or in the Local Government's Land (whichever occurs sooner). Nothing expressed or implied in this Agreement shall confer a right of exclusive occupation of the Local Government's Facilities to the Minister and the Local Government may at any time and at all times and from time to time exercise all of its rights in respect of the Local Government's Facilities including the rights to use and possess and enjoy the whole or any part of the Local Government's Facilities save only in so far as such rights shall:
- (a) prevent the operation of the Licence granted in respect of the Local Government's Facilities and rights with respect to the Local Government's Facilities granted pursuant to this Agreement; or
 - (b) be inconsistent with the express provisions of this Agreement.
- 2.2 The Minister hereby grants to the Local Government a licence to use the Minister's Facilities for the Permitted Use during the Local Government's Authorised Times of Use for the Term or until such time as the Minister divests itself or is divested of its rights over or in the School (whichever occurs sooner) or until such time as the Local Government divests itself or is divested of its rights over or in the Local Government's Land (whichever occurs sooner).

Nothing expressed or implied in this Agreement shall confer a right of exclusive occupation of the Minister's Facilities to the Local Government and the Minister may at any time and at all times and from time to time exercise all of its rights in respect of the Minister's Facilities including the rights to use and possess and enjoy the whole or any part of the Minister's Facilities save only in so far as such rights shall:

- (a) prevent the operation of the Licence granted in respect of the Minister's Facilities and rights with respect to the Minister's Facilities granted pursuant to this Agreement; or
- (b) be inconsistent with the express provisions of this Agreement.

3. Installation of New Facilities

- 3.1 The Minister will obtain the consent of the Local Government prior to installing any New Facilities on the Local Government's Land. Unless otherwise agreed in writing, installation of any such New Facilities shall be at the Minister's own cost and shall be carried out in a timely proper and professional manner and to a high standard using quality materials and good construction techniques and strictly in accordance with plans and specifications that have first been approved by the Local Government. The Local Government will not unreasonably delay or withhold that approval.
- 3.2 The Local Government will liaise with the Minister prior to installing any New Facilities on the Local Government's Land to ensure minimal impact on School activities and obtain mutual agreement on the location of those New Facilities.
- 3.3 The Local Government will gain the consent of the Minister prior to installing any New Facilities on the Minister's Land. Unless otherwise agreed in writing, installation of any such New Facilities shall be at the Local Government's own cost and shall be carried out in a timely proper and professional manner and to a high standard using quality materials and good construction techniques and strictly in accordance with plans and specifications that have first been approved by the Minister. The Minister will not unreasonably delay or withhold that approval.
- 3.4 The Minister will liaise with the Local Government prior to installing any New Facilities on the Minister's Land to ensure minimal impact on community activities and obtain mutual agreement on the location of those New Facilities.
- 3.5 Once constructed the New Facilities will form part of the Shared Facilities and the Parties must agree in writing to the cost sharing proportions in respect of the New Facilities.

4. Maintenance of Shared Facilities

- 4.1 The Local Government shall at all times during the Term in all things keep and maintain -
 - (a) the Ovals well cleansed and drained and in good sanitary condition;

- (b) all buildings fences gates and other improvements now or hereafter comprising the Local Government's Facilities and the Hockey Cages in good tenantable repair order and condition; and
 - (c) all grassed areas on the Ovals so that a uniform coverage of grass is obtained.
- 4.2 Without limiting clause 4.1, the Local Government shall carry out mowing, fertilising, weed control, Bores maintenance and irrigation maintenance and renovations on the Ovals.
- 4.3 The Local Government will ensure that all its employees, agents, workmen and contractors contact the Principal prior to carrying out any maintenance to the Ovals during the Minister's Authorised Time of Use.
- 4.4 The Local Government will not carry out any pest or weed control treatment on the Ovals during the Minister's Authorised Times of Use. The Principal will be given at least a week's written notice of any proposed weed control treatment to be undertaken.
- 4.5 The Minister shall at all times during the Term in all things keep and maintain all buildings fences gates and other improvements (excluding the Hockey Cages, Path and the Ovals) now or hereafter comprising the Minister's Facilities in good tenantable repair order and condition.
- 4.6 Upon expiration of a period of use of the Shared Facilities or any part thereof by a Party or any of that Party's employees agents or invitees (whichever the case may be) that Party shall leave the Shared Facilities in a clean sanitary and tidy condition free from litter waste and rubbish and ready for immediate use by the other Party and other persons duly permitted to use the Shared Facilities.
- 4.7 The Minister shall at its cost install rubbish bins on the Minister's Facilities in positions which are accessible by all users of those facilities and shall maintain and regularly empty those rubbish bins.
- 4.8 The Local Government shall at its cost install rubbish bins on the Local Government's Facilities in positions which are accessible by all users of those facilities and shall maintain and regularly empty those rubbish bins.
- 5. Costs**
- 5.1 The Local Government shall pay:
 - (a) its own legal costs in connection with the negotiation and preparation of this Agreement; and
 - (b) 100% of all costs charges and expenses for which the Minister shall become liable in consequence of or in connection with any default by the Local Government in performing or observing any covenants conditions or stipulations herein contained or implied and on the part of the Local Government to be performed or observed.

- 5.2 The Minister shall pay:
- (a) its own legal costs in connection with the negotiation and preparation of this Agreement;
 - (b) 100% of all costs charges and expenses for which the Local Government shall become liable in consequence of or in connection with any default by the Minister in performing or observing any covenants conditions or stipulations herein contained or implied and on the part of the Minister to be performed or observed; and
 - (c) 100% of the reasonable cost of any major works to the Senior Oval or the Rectangular Oval required because of the presence of limestone in the ground below the Senior Oval or the Rectangular Oval (including reconstruction, reticulation upgrades, earthworks or limestone removal), should those major works be required to improve usability and safety of the Senior Oval or the Rectangular Oval in the reasonable opinion of the Local Government and the Minister.
- 5.3 The Local Government shall not carry out any major works referred to in clause 5.2(c) without first:
- (a) providing the Minister's representative, the Department's Director Facilities Program Delivery, with details in writing of the reasons for and the scope and cost of such major works; and
 - (b) obtaining the prior written consent of the said Minister's representative to those major works being carried out.

6. Cost Sharing Arrangement

The Parties shall share those Operating Costs incurred in respect of the Shared Facilities as are set out in item 10 of the Schedule in accordance with the percentages specified in table 1 and table 2 of item 10 of the Schedule. Each Party shall invoice the other Party for the other Party's share of the Operating Costs incurred by the first mentioned Party six monthly in arrears commencing on the six month anniversary of the Commencement Date.

All invoices to the Minister will be addressed to:

Strategic Asset Planning
Department of Education
151 Royal Street
EAST PERTH WA 6004

All invoices to the Local Government will be addressed to:

Chief Executive Officer
City of Kwinana
P O Box 21
KWINANA WA 6966

7. GST

- 7.1 Words used in this clause which have a defined meaning in the GST Act have the same meaning as in the GST Act unless the context indicates otherwise.
- 7.2 If a party is a member of a GST group, references to GST for which the Party is liable and to input tax credits to which the party is entitled include GST which the representative member of the GST group is liable and input tax credits to which the representative member is entitled.
- 7.3 References to GST extend to any notional liability of any Party for GST and to any amount which is treated as GST under the GST Act, and references to an input tax credit extend to any notional input tax credit to which any Party is entitled.
- 7.4 Unless expressly included, the consideration for any supply under or in connection with this Agreement does not include GST.
- 7.5 To the extent that any supply made under or in connection with this Agreement is a taxable supply for which the supplier is liable for GST, the recipient must pay, in addition to the consideration provided under this Agreement for that supply (unless it expressly includes GST) an amount (**additional amount**) equal to the amount of that consideration multiplied by the rate at which GST is imposed in respect of the supply. If the consideration for the supply is not expressed as an amount of money, the recipient must pay the additional amount equal to the GST exclusive market value of that consideration multiplied by the GST rate.
- 7.6 The additional amount is payable by the recipient to the supplier at the same time as the consideration (or any part of it) for the supply is payable or is to be provided. However, the additional amount need not be paid until the supplier gives the recipient a tax invoice.
- 7.7 If an adjustment event arises in respect of a taxable supply made by the supplier under this Agreement, the additional amount will be recalculated to reflect the adjustment event and a payment will be made by the recipient to the supplier or by the supplier to the recipient as the case requires. The supplier must provide an adjustment note at the same time the adjustment occurs.
- 7.8 If a Party is entitled under this Agreement to be reimbursed or indemnified by the other Party for a cost or expense incurred in connection with this Agreement, the reimbursement or indemnity payment must first be reduced by an amount equal to the GST component included in the cost or expense to the extent that an input tax credit may be claimed by the Party entitled to be reimbursed or indemnified, or by its representative member and then, if the amount of the payment is consideration or part consideration for a taxable supply, it must be increased on account of GST in accordance with clause 7.5.

8. Booking of Facilities

- 8.1 The Local Government shall arrange for one of its officers to manage bookings for the Shared Facilities during the Local Governments' Authorised Times of Use, as part of his or her normal duties.
- 8.2 The Minister shall provide the Local Government with at least 10 sets of keys and access or security codes for all locks and security systems on the Minister's Facilities and acknowledges that the Local Government will make these available to people who hire or use the Minister's Facilities during the Local Government's Authorised Times of Use.
- 8.3 If any keys referred to in clause 8.2 are lost by the Local Government, then the Local Government will need to pay for the Minister to provide replacement keys.

9. Insurance

- 9.1 Each Party must at its own expense during the Term effect, maintain and keep current the following insurances with its self insurance fund or an insurer authorised by the Australian Prudential Regulation Authority to conduct insurance business in Australia to the reasonable satisfaction of the other party:
 - (a) public liability insurance in an amount of not less than TEN MILLION DOLLARS (\$10,000,000.00) in respect of any one occurrence, unlimited in the aggregate or such amount as shall be determined at the reasonable discretion of the other Party from time to time to reflect prudent commercial practices;
 - (b) property insurance covering loss of or damage to any equipment that a Party provides for use on the Shared Facilities for its full replacement value; and
 - (c) workers compensation insurance in accordance with the provisions of the Workers' Compensation and Injury Management Act 1981 including cover for common law liability for an amount of not less than FIFTY MILLION DOLLARS (\$50,000,000.00) for any one event in respect of that Party's workers.
- 9.2 As and when requested either Party must give to the other Party sufficient evidence of the existence of the insurances set out in clause 9.1 or provide certificates of currency in respect of those insurances.

10. Indemnity

- 10.1 Each Party shall indemnify and keep indemnified the other Party (including its officers, employees, agents, contractors, licensees, invitees or representatives) and the Minister for Lands from and against all Loss incurred or suffered by or brought against any of those indemnified to the extent that the same was caused or contributed to by any tortious or other unlawful act or omission (including breach of a contractual term, condition or warranty) by the first mentioned Party or any of its officers, employees, agents, contractors, licensees, invitees or representatives.

- 10.2 Nothing in this clause shall require a Party to indemnify the other Party or that other Party's officers, servants or agents against any Loss arising out of a negligent or wrongful act or omission of that other Party, or that other Party's servants, agents, contractors or invitees.
- 10.3 In clause 10.1 **Loss** means loss, damage, liability, lawsuit, action, writ, claim, demand, proceeding, cost or expense arising from or in connection with:
- (a) any aspect of this Agreement (including the Licence and the Shared Facilities); or
 - (b) any damage to the Shared Facilities or other property of any person whosoever; or
 - (c) the death of, or injury or illness to, any person whosoever.
- 10.4 For the purposes of clause 10.1, neither the Local Government nor any of the Local Government's Visitors is, or shall be considered or deemed to be, a licensee or invitee of the Minister.
- 10.5 For the purposes of clause 10.1, neither the Minister nor any of the Minister's Visitors is, or shall be considered or deemed to be, a licensee or invitee of the Local Government.
- 10.6 The indemnity contained in this clause 10 is a continuing obligation and remains in force and effect notwithstanding the expiry of the Term or the early termination of this Agreement irrespective of how it is terminated or who terminated it.

11. Assignment

- 11.1 The Local Government shall not without the prior written consent of the Minister (which consent may be arbitrarily withheld) and the Minister for Lands assign, transfer, encumber or otherwise dispose of the Minister's Facilities or any part thereof or the rights, liberties or authorities granted to the Local Government under this Agreement.
- 11.2 The Minister shall not without the prior written consent of the Local Government (which consent may be arbitrarily withheld) and the Minister for Lands assign, transfer, encumber or otherwise dispose of the Local Government's Facilities or any part thereof or the rights, liberties or authorities granted to the Minister under this Agreement.

12. Termination

- 12.1 If the Local Government:
- (a) breaches or fails to comply with any term of this Agreement; and
 - (b) after having been served with a written notice:
 - (i) specifying the breach or failure; and

- (ii) requiring that breach or failure to be rectified within a reasonable period specified in the notice (being not less than 14 days)

fails or refuses to so rectify that breach or failure within that period,
then the Minister shall be entitled to terminate this Agreement and such termination shall take effect immediately upon the Local Government being served with notice of termination.

12.2 If the Minister:

- (a) breaches or fails to comply with any term of this Agreement; and
- (b) after having been served with a written notice:
 - (i) specifying the breach or failure; and
 - (ii) requiring that breach or failure to be rectified within a reasonable period specified in the notice (being not less than 14 days)

fails or refuses to so rectify that breach or failure within that period,
then the Local Government shall be entitled to terminate this Agreement and such termination shall take effect immediately upon the Minister being served with notice of termination.

13. Waiver

- 13.1 No right of any Party under this Agreement shall be deemed to be waived except where such a waiver is in writing signed by or on behalf of that Party.
- 13.2 A waiver by a Party shall not prejudice the rights of that Party in respect of any subsequent or other breach of the Agreement by the other Party.
- 13.3 A failure by a Party to enforce any provision of this Agreement or any forbearance, delay or indulgence granted by a Party to the other shall not be construed as a waiver of the first mentioned Party's rights under this Agreement.

14. Variation

This Agreement may only be varied by agreement signed in writing by both Parties.

15. Management Committee

- 15.1 The care and management of the Courts shall be undertaken by the Management Committee. Membership of the Management Committee shall consist of 4 members (or such other number as the Parties may from time to time agree) who, subject to this Agreement and any direction from the Parties, shall:
 - (a) monitor, review and evaluate use of the Courts by the Parties; and
 - (b) exercise the functions set out in Annexure A.

Membership of the Management Committee comprises the following members:

2 Local Government representatives;

2 Minister representatives;

- 15.2 The presiding member of the Management Committee shall be selected by the members of the Management Committee from the members of the Management Committee.
- 15.3 A member may resign from the Management Committee by written notice to that effect delivered to the presiding member.
- 15.4 Each Party may in regard to its appointees on the Management Committee at any time and from time to time:
- (a) remove any appointee and appoint another person in that appointee's place;
 - (b) appoint a person to act temporarily during the absence of an appointee and a person while so acting shall be deemed to be a member; and
 - (c) appoint another person to act as a member in place of a member who resigns under clause 15.3.

16. Management of Ovals

- 16.1 Care and management of the Ovals shall be undertaken the Group who shall monitor, review and evaluate use of the Ovals by the Parties.
- 16.2 The Local Government undertakes that a nominated representative of the Minister will always be appointed as a member of the Group.
- 16.3 The Minister may at any time:
- (a) remove its said representative and replace that person with another person;
 - (b) appoint a person to act temporarily during the absence of the said representative and a person while so acting shall be deemed to be a member of the Group; and
 - (c) appoint another person to act as its representative if the said representative resigns as a member of the Group.
- 16.4 The Group cannot bind either the Minister or the Local Government to any monetary or procedural obligation without the prior approval of both Parties or the particular Party in the case of a specific monetary or procedural matter.

17. Local Government to Promote Community Awareness

The Local Government shall, at its own cost and expense, be responsible for advertising the Shared Facilities and otherwise promoting community awareness of and interest in the same from time to time.

18. Not to obstruct or cause nuisance

18.1 The Local Government shall not do or leave undone or allow or suffer to be done or left undone any act matter or thing whereby a nuisance or anything in the nature of or which may be deemed to be a nuisance by any Authority or within the meaning of any Statute (State or Federal) now or hereafter in force may exist arise or continue upon or in connection with the Shared Facilities or any business carried on upon the same or the use thereof and forthwith to abate any such nuisance or alleged nuisance and to carry out and comply with all the provisions of every such Statute and of every requisition and order of any Authority in reference thereto.

18.2 The Minister shall not do or leave undone or allow or suffer to be done or left undone any act matter or thing whereby a nuisance or anything in the nature of or which may be deemed to be a nuisance by any Authority or within the meaning of any Statute (State or Federal) now or hereafter in force may exist arise or continue upon or in connection with the Shared Facilities or any business carried on upon the same or the use thereof and forthwith to abate any such nuisance or alleged nuisance and to carry out and comply with all the provisions of every such Statute and of every requisition and order of any Authority in reference thereto.

19. Comply with Statutes

19.1 The Local Government shall ensure that its employees agents contractors licensees and invitees shall at all times duly and punctually comply with observe and carry out and conform with the provisions of any Statute now or hereafter in force and all requirements and orders of any Authority which affect the Minister's Facilities or the use thereof provided that the Minister has advised the Local Government in writing of those requirements and orders.

19.2 The Minister shall ensure that its employees agents contractors licensees and invitees shall at all times duly and punctually comply with observe and carry out and conform with the provisions of any Statute now or hereafter in force and all requirements and orders of any Authority which affect the Local Government's Facilities or the use thereof provided that the Local Government has advised the Minister in writing of those requirements and orders.

20. Report Damage etc

20.1 The Local Government shall promptly report any theft of, damage to, deficiency in, destruction of, or other fault in relation to the Minister's Facilities to the Minister upon becoming aware of such and do all things and take all steps that are reasonable so as to minimise and mitigate any loss caused or occasioned thereby.

20.2 The Minister shall promptly report any theft of, damage to, deficiency in, destruction of, or other fault in relation to the Local Government's Facilities to the Local Government upon becoming aware of such and do all things and take

all steps that are reasonable so as to minimise and mitigate any loss caused or occasioned thereby.

21. Signs

21.1 The Local Government shall not affix or cause or permit to be affixed or exhibited anywhere in or on the Minister's Facilities any poster signboard neon sign or advertisement except as shall be first approved in writing by the Minister.

21.2 The Minister shall not affix or cause or permit to be affixed or exhibited anywhere in or on the Local Government's Facilities any poster signboard neon sign or advertisement except as shall be first approved in writing by the Local Government.

22. Not to affect

Nothing in this Agreement shall affect or be deemed to affect any right power authority or duty conferred or imposed upon the Minister or any agent or employee of the Department under the School Education Act 1999.

23. Records and Audited Accounts

23.1 The Local Government shall keep true, accurate and up-to-date records of its receipts and expenditure in respect of the Shared Facilities and shall allow the Minister to inspect and/or take copies of those records at any time and from time to time provided that reasonable notice is first given by the Minister on each occasion. The Local Government shall, at intervals of no greater than twelve (12) months during the currency of this Agreement, provide the Minister with a report showing receipts and expenditure in respect of the Shared Facilities. The Local Government shall provide the Minister with further proof or details of the receipts and expenditure if requested to do so by the Minister.

23.2 The Minister shall keep true, accurate and up-to-date records of its receipts and expenditure in respect of the Shared Facilities and shall allow the Local Government to inspect and/or take copies of those records at any time and from time to time provided that reasonable notice is first given by the Local Government on each occasion. The Minister shall, at intervals of no greater than twelve (12) months during the currency of this Agreement, provide the Local Government with a report showing receipts and expenditure in respect of the Shared Facilities. The Minister shall provide the Local Government with further proof or details of the receipts and expenditure if requested to do so by the Local Government.

24. Debts

If under this Agreement a Party (**Creditor**) is claiming monies owing as a debt from the other Party (**Debtor**), the Creditor will provide the Debtor with true copies of all documentation in support of that debt at the same time the Creditor gives the Debtor the relevant invoice calling for the payment of the debt.

25. Notices

25.1 Notices that may or must be sent under or in connection with this Agreement shall be in writing, signed by the Party or representative of the Party giving notice, and may be delivered by pre-paid post, by hand or by facsimile transmission to the other Party at the relevant address or facsimile number set out in item 11 of the Schedule.

25.2 Notices shall be deemed to be received:

- (a) (in the case of delivery by pre-paid post) two days after deposit in the mail;
- (b) immediately upon delivery by hand; or
- (c) immediately upon an apparently successful facsimile transmission being noted in document form by the sender's facsimile transmitter.

26. School part of Minister

The Parties acknowledge and agree that the School is a part of, and an agent for, the Minister for the purposes of this Agreement.

27. Early Termination

Notwithstanding anything expressed or implied in this Agreement to the contrary, either Party may, by giving 12 months notice in writing to the other Party, terminate this Agreement for any reason whatsoever and upon the expiration of that 12 month period, this Agreement shall terminate but any rights of action or claims which accrued or arose to either Party prior to such termination are hereby preserved.

28. Insurance

Each Party will provide contents insurance for any equipment that it provides for use on the Shared Facilities.

29. Responsibilities

- (a) The Local Government will be responsible for any Loss incurred or suffered by the Minister or any officer, employee, agent, contractor, licensee, student, invitee or representative of the Minister during the Minister's Authorised Times of Use of the Shared Facilities as set out in this Agreement caused or contributed to by the Local Government not carrying out any necessary repairs to or maintenance of the Shared Facilities that the Local Government is required to carry out under this Agreement except to the extent that such Loss was caused by or contributed to by a negligent or wrongful act or omission of the Minister or its servants, agents, contractors or invitees.
- (b) The Minister will be responsible for any Loss incurred or suffered by the Local Government or any officer, employee, agent, contractor, licensee, invitee or representative of the Local Government during the Local Government's Authorised Times of Use of the Shared Facilities

as set out in this Agreement caused or contributed to by the Minister not carrying out any necessary repairs to or maintenance of the Shared Facilities that the Minister is required to carry out under this Agreement except to the extent that such Loss was caused by or contributed to by a negligent or wrongful act or omission of the Local Government or its servants, agents, contractors or invitees.

30. Alcohol

- (a) Except as provided under the provisions of the School Education Act 1999 and in accordance with the provisions of the Liquor Licensing Act 1988 and the Liquor Licensing Regulations 1989, the Local Government shall not permit the consumption of alcoholic beverages on the Shared Facilities (except the Pavilion) during the Local Government's Authorised Times of Use unless it has written authorisation from the Principal.
- (b) Subject to the Local Government complying with the provisions of the Liquor Licensing Act 1988 and the Liquor Licensing Regulations 1989, the Parties agree that consumption of alcoholic beverages in the Pavilion is permitted.

31. Miscellaneous

- (a) Whenever the consent of the Minister is required under this Agreement:
 - (i) that consent may be given or withheld by the Minister in the Minister's absolute discretion and may be given subject to such conditions as the Minister may determine;
 - (ii) the Minister is not required to provide a reason or reasons for giving or refusing its consent; and
 - (iii) the Local Government agrees that any failure by it to comply with or perform a condition imposed under clause 31(a)(i) will constitute a breach of a condition by the Local Government under this Agreement.
- (b) Whenever the consent of the Local Government is required under this Agreement:
 - (i) that consent may be given or withheld by the Local Government in the Local Government's absolute discretion and may be given subject to such conditions as the Local Government may determine;
 - (ii) the Local Government is not required to provide a reason or reasons for giving or refusing its consent; and

- (iii) the Minister agrees that any failure by it to comply with or perform a condition imposed under clause 30(b)(i) will constitute a breach of a condition by the Minister under this Agreement.
- (c) The Minister and the Local Government must do everything reasonably necessary, including signing further documents, to give full effect to this Agreement.
- (d)
 - (i) The Local Government is an independent contractor, and nothing in this Agreement may be construed to make the Local Government a partner, agent, employee or joint venturer of the Minister.
 - (ii) The Local Government must not represent that the Local Government or any of its personnel are the employees, agents, partners or joint venturers of the Minister.
- (e)
 - (i) The Minister is an independent contractor, and nothing in this Agreement may be construed to make the Minister a partner, agent, employee or joint venturer of the Local Government.
 - (ii) The Minister must not represent that the Minister or any of its personnel are the employees, agents, partners or joint venturers of the Local Government.
- (f) The rights, powers and remedies in this Agreement are in addition to, and not exclusive of, the rights, powers and remedies existing at law or in equity.
- (g) This Agreement supersedes all prior negotiations, understandings and Agreements between the Minister and the Local Government relating to the matters covered by this Agreement and constitutes the full and complete Agreement between the Minister and the Local Government relating to the matters covered by this Agreement.
- (h) This Agreement may only be varied in writing executed by the Minister and the Local Government.
- (i)
 - (i) Any waiver by the Minister or the Local Government must be in writing and signed by the party waiving the right.
 - (ii) Any waiver by the Minister or the Local Government does not affect its rights in respect of any other breach of this Agreement by another party.
 - (iii) Subject to clause 31(i)(i), any failure by the Minister or the Local Government to enforce any right under this Agreement will not be construed as a waiver of their respective rights under this Agreement.

- (j) This Agreement is governed by the laws of the State of Western Australia. The Minister and the Local Government irrevocably submit to the non-exclusive jurisdiction of the courts of Western Australia.

SCHEDULE

Item 1 (Clause 1.1) Minister's Land

Lot 504 on Deposited Plan 66459 and being the whole of the land in Certificate of Crown Land Title Volume 3159 Folio 767 also known as part of Reserve 24595

Item 2 (Clause 1.1) Minister's Facilities

- 2.1 The outdoor courts constructed by the Minister on that portion of the Minister's Land as is delineated and marked in red and labelled "Hard courts" on the Plan;
- 2.2 The part of the senior sized oval constructed by the Minister on that portion of the Minister's Land as is delineated, outlined in red and labelled "Senior Oval" on the Plan;
- 2.3 The rectangular oval constructed by the Minister on that part of the Minister's Land as is delineated, outlined in red and labelled "Soccer/Hockey" on the Plan;
- 2.4 The under cover courts constructed on that part of the Minister's Land as is delineated and labelled "Covered Courts" on the Plan;
- 2.5 The cricket practice nets constructed on that part of the Minister's Land as is delineated and labelled "Nets DET" on the Plan;
- 2.6 The change rooms constructed on that part of the Minister's Land as is delineated and labelled "Change Rooms" on the Plan;
- 2.7 The storage areas constructed on that part of the Minister's Land as is labelled "Storerooms" on the Plan;
- 2.8 The first aid room constructed on that part of the Minister's Land as is labelled "First Aid" on the Plan;
- 2.9 The hockey storage cages to be constructed by the Local Government on that part of the Minister's Land as is labelled "Hockey Store" on the Plan; and
- 2.10 The path to be constructed by the Local Government on that part of the Minister's Land as is delineated and marked with black dashes on the Plan (Covered Courts to new pavilion).
- 2.11 The bore constructed by the Minister on the Minister's Land in approximately the position marked "Bore DET" on the Plan and used to water the Senior Oval and the Rectangular Oval;
- 2.12 The fixed goal posts installed by the Minister on the Senior Oval and the Rectangular Oval in the position coloured blue and marked "Goalposts" on the Plan.
- 2.13 The cricket wicket installed by the Minister on that part of the Senior Oval delineated and labelled "Cricket Wicket" on the Plan.
- 2.14 That part of the pavilion constructed on that part of the Minister's Land as is delineated and marked "Orelia Pavilion" on the Plan.

Item 3 (Clause 1.1) Local Government's Land

Lot 501 on Deposited Plan 62328 and being the whole of the land in Qualified Certificate of Crown Land Title Volume 3156 Folio 776 also known as Reserve 30742

Item 4 (Clause 1.1) Local Government's Facilities

- 4.1 The part of the senior sized oval constructed by the Minister on that portion of the Local Government's Land as is delineated, hatched in yellow and labelled "Senior Oval" on the Plan;
- 4.2 The oval constructed on that part of the Local Government's Land as is delineated, bordered yellow and labelled "Orelia Oval" on the Plan;
- 4.3 The cricket practice nets constructed on that part of the Local Government's Land as is delineated and labelled "Nets TOK" on the Plan; and
- 4.4 That part of the pavilion constructed on that part of the Local Government's Land as is delineated and marked "Orelia Pavilion" on the Plan.
- 4.5 The bore constructed by the Local Government on the Local Government's Land in approximately the position as is delineated and marked "Bore ToK" on the Plan and used to water Orelia Oval;
- 4.6 The fixed goal posts installed by the Local Government on Orelia Oval in the position coloured blue and marked "Goalposts" on the Plan.
- 4.7 The cricket wicket installed by the Local Government on that part of Orelia Oval delineated and labelled "Cricket Wicket" on the Plan.

Item 5 (Clause 1.1) Schools

Gilmore College and Orelia Primary School

Item 6 (Clause 1.1) Term

For the period commencing on the Commencement Date and expiring on 30 June 2031

Item 7 (Clause 1.1) Commencement Date

The date the Minister for Lands endorses its approval on this Agreement

Item 8 (Clause 1.1) Minister's Authorised Times of Use of the Shared Facilities

- 8.1 The Minister shall be entitled to use the portions of the Shared Facilities set out below during the times set out below:

Portion of Shared Facilities	Day	Start Time	End Time
Ovals	Monday to Friday	8.00 am	4.00 pm

Portion of Shared Facilities	Day	Start Time	End Time
Change rooms	Monday to Friday	8.00 am	4.00 pm
First Aid Room	Monday to Friday	8.00 am	4.00 pm
Cricket Nets	Monday to Friday	8.00 am	4.00 pm
Undercover Courts	Monday to Friday	8.00 am	4.00 pm
Outdoor Courts	Monday to Friday	8.00 am	4.00 pm

8.2 The Minister may use the Shared Facilities (excluding the Pavilion) or any part thereof at any other time by making a booking with the Local Government provided that they are not already booked for use by another user free of charge

8.3 The Minister may use the Pavilion at any time, by making a booking with the Local Government provided that it is not already booked for use by another user but will be charged for such use in accordance with the Local Government's fees and charges policy

Item 9 (Clause 1.1) Local Government's Authorised Times of Use of the Shared Facilities

9.1 The Local Government shall be entitled to use the portions of the Shared Facilities set out below during the times set out below:

Portion of Shared Facilities	Day	Start Time	End Time
Ovals	Monday to Friday	4.00 pm	9.30 pm
Ovals	Saturday & Sunday	6.00 am	11.59 pm
Undercover Courts	Monday to Friday	4.00 pm	9.30 pm
Undercover Courts	Saturday & Sunday	6.00 am	11.59 pm
Cricket Nets	Monday to Friday	4.00 pm	9.30 pm
Cricket Nets	Saturday & Sunday	6.00 am	11.59 pm
Change rooms	Monday to Friday	4.00 pm	9.30 pm
Change rooms	Saturday & Sunday	6.00 am	11.59 pm
Outdoor Courts	Monday to Friday	4.00 pm	9.30 pm
Outdoor Courts	Saturday & Sunday	6.00 am	11.59 pm

Portion of Shared Facilities	Day	Start Time	End Time
First Aid Room	Monday to Friday	4.00 pm	9.30 pm
First Aid Room	Saturday & Sunday	6.00 am	11.59 pm
Storage Rooms	All Times		
Hockey Cages	All Times		
Pavilion	All Times		

9.2 The Local Government may use the Shared Facilities or any part thereof at any other time by making a booking with the Minister provided that they are not already going to be used by the Minister.

9.3 Notwithstanding the above, the Parties agree that the Local Government will be able to use the Shared Facilities or any part thereof at all times on non-school days, unless the Minister has specifically booked the use of such facility in advance

Item 10 – (clause 5) - Shared Operating Costs in respect of the Shared Facilities

Table 1

Unless the Agreement provides otherwise, costs in respect of the Minister's Facilities are to be shared as follows:

	Minister	Local Government
Mowing (1)	50%	50%
Vertimowing and Draining	50%	50%
Turf works (4)	50%	50%
Tree works	50%	50%
Vandalism (6)	100%	0%
Bores and Reticulation	50%	50%
Practice Cricket nets	50%	50%
Central Cricket Pitch (All Seasons)	50%	50%
Undercover Courts	50%	50%
Outdoor Courts (5)	50%	50%
Change rooms and Toilets	50%	50%
First Aid Room	50%	50%

	Minister	Local Government
Goal Posts constructed on Minister's Oval	50%	50%
Storage (3)	50%	50%
Administration Charge	10% of total maintenance charge to Local Government	
Line marking (2)	Each pays own	

- (1) Mowing will be done weekly
- (2)
 - (a) The cost incurred for line marking will be paid by the Party who carries out the line marking;
 - (b) The Minister will notify the Local Government of the marking it is going to carry out on the Ovals prior to doing so;
 - (c) The Local Government will notify the Minister of the marking it is going to carry out on the Ovals prior to doing so;
 - (d) The Parties will only use water based paint for line marking; and
 - (e) The Parties will ensure that they will use each reasonable endeavours to ensure that any line marking will be done in a manner that causes the least impact on other users of the Ovals. The Local Government will ensure that any community users who carry out line marking will follow any rules set by the Local Government in respect thereof.
- (3) Any modifications to the Local Government's storage in Building E must be first agreed to by the Minister and will be done at the Local Government's cost.
- (4) Turf works will include mowing, fertilising, topdressing, clipping removal, aeration and weed spraying (notice of which is to be given to the School and preferably carried out in school holidays) and will be carried out in accordance with:
 - (a) Department of Health Regulations 1995;
 - (b) All relevant Health and Poisons Acts; and
 - (c) Guidelines for Pesticide Use in Schools and school grounds.
- (5) In relation to the Outdoor Courts, an hourly rate to cover electricity costs may be charged by the Minister.
- (6)
 - (a) Unless such repair is otherwise the responsibility of the Minister under the express provisions of this Agreement, the Local Government will be responsible for 100% of the cost of repairing any Damage caused to the Minister's Facilities during the Local Government's Authorised Times of Use.

- (b) The Minister will be responsible for the cost of repairing any Vandalism caused to the Minister's Facilities at any time.

Table 2

Unless the Agreement provides otherwise, costs in respect of the Local Government's Facilities are to be shared as follows:

	Minister	Local Government
Mowing (1)	50%	50%
Vertimowing and Draining	50%	50%
Turf works (3)	50%	50%
Tree works	50%	50%
Vandalism (4)	0%	100%
Bores and Reticulation	50%	50%
Cricket nets	0%	100%
Pavilion		100%
Hockey Cages		100%
Central Cricket Wickets (All Seasons)		100%
Goal Posts	50%	50%
Administration charge	10% of total maintenance charge to Minister	
Line marking (2)	Each pays own	

- (1) Mowing will be done weekly.
- (2) (a) The cost incurred for line marking will be paid by the Party who carries out the line marking;
- (b) The Minister will notify the Local Government of the marking it is going to carry out on the Ovals prior to doing so;
- (c) The Local Government will notify the Minister of the marking it is going to carry out on the Ovals prior to doing so; and
- (d) The Parties will only use water based paint for line marking.
- (e) The Parties will ensure that they will use each reasonable endeavours to ensure that any line marking will be done in a manner that causes the least impact on other users of the Ovals. The Local Government will ensure that any community users who carry out line marking will follow any rules set by the Local Government in respect thereof.

- (3) The turf works will include mowing, fertilising, topdressing, clipping removal, aeration and weed spraying (notice of which is to be given to the School and preferably carried out in school holidays) and will be carried out in accordance with:
- (a) Department of Health Regulations 1995;
 - (b) All relevant Health and Poisons Acts; and
 - (c) Guidelines for Pesticide Use in Schools and school grounds.
- (4) (a) Unless such repair is otherwise the responsibility of the Local Government under the express provisions of this Agreement, the Minister will be responsible for 100% of the cost of repairing any Damage caused to the Local Government's Facilities during the Minister's Authorised Times of Use.
- (b) The Local Government will be responsible for the cost of repairing any Vandalism caused to the Local Government's Facilities at any time.

Item 11 (Clause 14.1) Notices

Minister: Facilities Program Delivery,
Department of Education
151 Royal Street
EAST PERTH WA 6004

Local Government: CEO
City of Kwinana
P O Box 21
KWINANA WA 6966
FAX: 9439 0222

Item 12 (Clause 1.1) Permitted Use

Sporting and recreational use

EXECUTED by the Parties.

SIGNED for and on behalf of the)
MINISTER FOR EDUCATION by)
JENNIFER ANN MCGRATH)
(Print Full Name))
the Deputy Director General of the)
Department of Education,)
the officer delegated this authority)
pursuant to sections 224 and 225 of the)
School Education Act 1999 (WA))
in the presence of:)

(Signature)

(Date)

JOANNE ELIZABETH BALANAS
Witness Full Name (Please print)

(Signature)

1 - DOE 151 ROYAL ST EAST PERTH
Witness Address (Please print)

EXECUTIVE ASSISTANT
Witness Occupation (Please print)

THE COMMON SEAL of the)
CITY OF KWINANA was hereunto)
affixed in the presence of)

MAYOR

CHIEF EXECUTIVE OFFICER

ANNEXURE A MANAGEMENT COMMITTEE RULES

1

Functions

Subject to direction of the Minister and the Local Government and subject to the provisions of the Licence and of these Rules, the functions of the Management Committee are:

- 1.1 To advise on the management and control of the Undercover Courts and Outdoor Courts forming part of the Shared Facilities ("Courts") by the Parties according to the terms of the Agreement.
- 1.2 To develop community awareness of the potential of the Courts.
- 1.3 To promote communication between the Minister, the Local Government and users of the Courts, including booking guidelines and procedures.
- 1.4 To make recommendations to the Local Government and the Minister on:
 - (a) the conditions of hire;
 - (b) hire charges;
 - (c) staffing and maintenance requirements;
 - (d) the settlement of disputes involving management procedures; and
 - (e) the standard of the Courts.

2

Standing Orders

- 2.1 The Management Committee shall elect a Presiding Member from the Management Committee members who shall preside at all meetings of the Management Committee.
- 2.2 The Management Committee shall elect a Secretary where necessary from the Committee members who will be responsible for taking and distributing minutes, preparing and distributing meeting agendas and keeping appropriate records.
- 2.3 The quorum necessary for the transaction of the business of the Management Committee shall be 4, and shall include at least 1 representative of the Minister and 1 representative of the Local Government.
- 2.4 Each member has 1 vote. In the case of a voting deadlock the matter shall be referred to the Local Government and the Minister for consideration and direction.
- 2.5 The Management Committee shall meet at least once per school semester.

- 2.6 The Management Committee may prescribe its own procedure for the day to day running of its affairs but such procedure shall not contravene these Rules, any legislation or other law, or the policies bylaws or regulations of the Minister or any right power authority or duty conferred or imposed on the Local Government and the Minister or any person acting under the authority of including (without limiting the generality of the foregoing) the Principal.
- 2.7 The Management Committee shall not handle any cash. All receipts and payments relating to the operation of the Facilities shall be processed as appropriate by the existing accounting systems of either the Department or the Local Government.
- 2.8 The Management Committee cannot bind either the Department or the Local Government to any monetary or procedural obligation without the prior approval of both Parties or the particular Party in the case of a specific monetary or procedural matter.

3.

Definitions

Unless the context otherwise requires, in these Rules all words and phrases shall have the same meanings as those ascribed to them in the Agreement.





Regional and Metropolitan Services

Our ref: 02914-1955 & 03614-1969 Job: 161790
Enquiries: Jamie-lee King Ph: 6552 4584
Fax: 6552 4417
Email: Jamie-lee.king@lands.wa.gov.au

2 May 2016

Senior Managing Law Clerk
State Solicitors Office
GPO Box B83
PERTH WA 6838

Attention: Ms Gayle Ferguson

Dear Gayle

Section 18 Ministerial consent – Shared Licence Agreement between Minister for Education and City of Kwinana over portion of Reserves 24595 and 30742.

Thank you for your recent correspondence regarding permission to licence portion of Reserve 24595 and portion of Reserve 30742.

Reserve 24595 is set aside for the purpose of "For the purpose of the School Education Act 1997" and managed by the Minister for Education with power to lease for any term not exceeding 42 years.

Reserve 30742 is set aside for the purpose of "Recreation" and managed by the City of Kwinana with power to lease for any term not exceeding 21 years subject to the consent of the Minister for Lands.

In accordance with section 18 of the *Land Administration Act 1997* (LAA) the Minister for Lands approval is granted to the proposed Licence provided to the Department of Lands (DoL) by written correspondence dated 18 April 2016 on the condition that the Licence is on the same terms as that provided to DoL with that correspondence and subject to the amendment of Item 1 (Clause 1.1) in the schedule to reflect the correct Crown Land Title Volume number being 3159 (in lieu of 31596).

Please note that this approval is for the purposes of section 18 LAA only and does not constitute an endorsement as to the terms and effect of the document. DoL cannot provide any advice in respect of the Licence and recommends that each party obtain their own independent advice as to their rights and obligations under the Lease.

Should you have any enquiries please don't hesitate to contact me on any of the above details.

Yours faithfully



Jamie-lee King
Senior State Land Officer
Delivery

16.6 Review of documents – Code of Conduct and Council Policy – Risk Management

SUMMARY:

One of the functions of the Audit Committee includes reviewing the effectiveness of the local government's systems in regard to risk management, internal control and legislative compliance of the local government. This is achieved in part by the development of a number of documents to guide the local government in its processes and procedures.

Council has adopted a number of these documents including the Code of Conduct and a Policy –Risk Management. These documents have been reviewed and are provided to the Audit Committee with a view to present to Council for adoption. The reviewed documents are at Attachment A with the current documents at Attachment B.

OFFICER RECOMMENDATION:

That the Audit Committee recommend that Council adopt the reviewed documents at Attachment A as follows:

- Code of Conduct
- Council Policy – Risk Management

AUDIT COMMITTEE RECOMMENDATION:

That Council adopt the reviewed documents at as follows:

- Code of Conduct
- Council Policy – Risk Management

As detailed at Attachment A with the following amendments:

- Clause 2.7 Harassment and discrimination to include in the title Bullying and insert a subsection that states:

(iv) Bullying is repeated unreasonable or inappropriate behaviour that is directed towards an elected members, employees, or group of employees, that creates a risk to health and safety. Bullying is any behaviour that is repeated, systematic and directed towards an elected member or employee or group of elected member or employees. Workplace bullying is behaviours that can intimidate, threaten, offend, degrade, victimise, undermine or humiliate an elected member or employee and often creates a risk to health and/or safety. Bullying differs from harassment and discrimination in that the focus is not necessarily on gender, race or disability. The focus is often on competence, or rather the alleged lack of competence of the Elected Member or employee. Refer to the City of Kwinana HR Policies for more information on Harassment, Discrimination and Bullying.
- Replace the title of Personal Benefit for section 4 to Gifts
- Replace entire clause of 4.1 with:

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT

Explanation of 'Notifiable Gifts' and 'Prohibited Gifts'

"notifiable gift", in relation to a person who is an elected member or employee, means —

- (a) a gift worth between \$50 and \$300; or*
- (b) a gift that is one of 2 or more gifts given to the elected member or employee by the same person within a period of 6 months that are in total worth between \$50 and \$300; from a person who is undertaking or seeking to undertake or who it is reasonable to believe is intending to undertake an activity involving a local government discretion.*

"gift" has the meaning given to that term in section 5.82(4) except that it does not include —

- (a) a gift from a relative as defined in section 5.74(1); or*
- (b) a gift that must be disclosed under regulation 30B of the Local Government (Elections) Regulations 1997; or*
- (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training; or*
- (d) a gift from WALGA, the Australian Local Government Association Limited (ABN 31 008 613 876) or the Local Government Managers Australia WA Division Incorporated (ABN 91 208 607 072).*

"relative" means, in relation to a relevant person, means any of the following —

- (a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the relevant person or of the relevant person's spouse or de facto partner;*
- (b) the relevant person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a), whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law.*

"activity involving a local government discretion" means an activity —

- (a) that cannot be undertaken without an authorisation from the local government; or*
- (b) by way of a commercial dealing with the local government.*

"prohibited gift" in relation to a person who is an elected member or employee, means —

- (a) a gift worth \$300 or more; or*
- (b) a gift that is one of two or more gifts given to the elected member or employee by the same person within a period of six months that are in total worth \$300 or more; from a person who is undertaking or seeking to undertake or who it is reasonable to believe is intending to undertake an activity involving a local government discretion.*

If an elected member or employee are offered a prohibited gift, it must not be accepted.

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT

Explanation and examples of a 'Gift' and 'Contribution to Travel'

Section 5.82 of the Act defines a gift as:

gift means a disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel.

A "contribution to travel" includes a financial contribution or a non-monetary contribution including the provision of flights or accommodation incidental to a journey. Food or drink provided to a relevant person in the course of travel are to be disclosed (where required) as a gift rather than a contribution to travel.

A gift or contribution to travel may be made by a natural person or a corporate person, such as a public body, company, association or body of persons, corporate or unincorporated

Section 5.82(3) of the Act states for the purposes of this section, the amount of a gift comprising property, other than money, or the conferral of a financial benefit is to be treated as being an amount equal to the value of the property or the financial benefit at the time the gift was given.

Gifts may take many forms and be received in various ways that may not be readily recognized as falling into the category of a gift, particularly if it is received in a private capacity. Examples of gifts provided by the Department of Local Government and Communities include the following:

- 1. Hospitality – You regularly frequent a business as part of your duties and the business provides you with a free meal and the value of the meals over one year exceeds \$200*
- 2. Loan of goods – An Elected member is moving house on the weekend and posted on Facebook if someone could loan her a trailer, saving the Elected member some \$300.*
- 3. Partial contributions - A cash discount when buying an item when the person who you purchased it off recognized you as an elected member or an employee of the City. E.g., buying a new refrigerator and the salesperson recognises or knows you.*
- 4. Birthday gifts – A designated elected member or an employee received the following gifts for his birthday:*
 - a. a new watch from his wife;*
 - b. a new Blue-ray player from his nephew; and*
 - c. a \$250 voucher from a group of friends for him and his wife to attend a wine tasting and lunch.*

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT

Neither the new watch from his wife or the Blue-ray player from his nephew need be disclosed as those persons are within the definition of a relative in section 5.74 of the Act. However, the \$250 voucher from friends, even though it is both for himself and his wife, must be disclosed, not just his 'share' of the gift.

5. *Free tickets - A local government, who provides sponsorship to a football club, receives four free tickets to the end of season awards ceremony. Tickets are worth \$125 each as the awards ceremony includes entertainment and a 3 course meal. The council resolves to send the Mayor and one elected member, and their partners, to attend the awards evening.*

As part of the evening, the Mayor participates in the award ceremony, and presents a number of trophies to players on the team.

As the elected member received two tickets (one for himself and one for his partner) the value of the gift to the elected member is the sum of both tickets. This means the Elected member must disclose both his, and his partner's ticket (worth \$250), to the CEO within 10 days of receipt in the Register of Gifts and Contributions to Travel by Elected members and Designated Employees.

Although it is acknowledged that the Mayor is performing a ceremonial duty by participating in the award ceremony, she too must also disclose both her, and her partner's ticket. Regardless of her performing an official duty at the ceremony, there is still a conferral of financial benefit without full consideration in return. However, should the local government pay the cost of her tickets to attend, no disclosure is required.

6. *Private capacity – Presenting at a conference - A manager of finance has been invited to present at a conference on the subject of Good Governance and Financial Sustainability. In return for presenting, the manager receives free registration tickets for the conference worth \$500.*

Under the Act, a gift is defined as any disposition of property, or the conferral of any other financial benefit, without consideration in money or money's worth passing from the recipient to the donor.

In this instance, it may be possible for the manager to argue that 'consideration in money's worth' is passing from the recipient (the manager) to the donor (conference organiser) in the form of his services in presenting to the conference. To work out the value of his services, it could be argued that the cost to the conference provider to procure another person to present is an indication of the current market value of presenting at the conference. For example, if all conference presenters are given free registration tickets to the conference, the cost to replace the manager with another presenter is \$500 in registration fees. Therefore, the value of the manager's presentation to the conference (\$500) is the same value as the benefit received (\$500 in registration fees), and full consideration has been passed from the recipient to the donor. In these circumstances, no disclosure is required.

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT

However, if, in addition to the free registration fees, the manager received benefits or property that no other presenter was entitled to, or was above the market rate for presenting at the conference, then this would be considered a gift. If the value of the property or financial benefit was in excess of \$200, then this would need to be disclosed in the new on-line register.

Disclosures

1. *There are two required disclosures that relate to gifts and one required disclosure that relates to contribution to travel as summarised below:*
 - a. *Disclosure of Notifiable Gifts is required where an elected member or employee receives a gift worth between \$50 - \$300 (or more than one gift from the same person worth between \$50 - \$300 within a period of six months) from a person undertaking or seeking to undertake an activity involving local government discretion or where it is reasonable to believe is intending to undertake an activity involving a local government discretion. The disclosure will be made available upon request in the Register of Notifiable Gifts.*
 - b. *Disclosure of Gifts is required for any elected member or Designated Employee who receives a gift greater than \$200 in value (or more than one gift from the same person during a year, which together are greater than \$200 in value) and the donor was not a relative. This disclosure will be made available on-line in the Register of Gifts and Contribution to Travel by Elected members and Designated Employees.*
 - c. *Disclosure of Contributions to Travel is required for any elected member or Designated Employee who receives a contribution to travel, which is greater than \$200 in value (or more than one contribution from the same person during a year, which together are greater than \$200 in value) and the donor was not a relative, the contribution is not from Commonwealth, State or local government funds, made in the ordinary course of occupation of the person which is not related to his or her duty as a elected member or employee. This disclosure will be made available on-line in the Register of Gifts and Contribution to Travel by elected members and Designated Employees.*

There may be circumstances where you are required to disclose a gift in both the Notifiable Gift Register and the Gifts and Contribution to Travel by Elected members and Designated Employees.
2. *Not all employees are required to disclose gifts or contributions to travel for the purposes of sections 5.82 and 5.83 of the Act. Only relevant persons as defined by section 5.74 of the Act are required to do so. A relevant person is either an elected member or a designated employee. A designated employee is defined in section 5.74 of the Act and means:*

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT

- (a) a CEO; and
 - (b) an employee, other than the CEO, to whom any power or duty has been delegated under Division 4 of the Act; and
 - (c) an employee who is a member of a committee comprising council members and employees; and
 - (d) an employee nominated by the local government to be a designated employee.
3. When a relevant person receives a 'gift', as defined in section 5.82 of the Act, or has received a contribution toward travel as defined in section 5.83 of the Act, the relevant person is required to disclose the details in writing to the Chief Executive Officer, within 10 days of receipt.
 4. This disclosure is to be made in accordance with the City's reporting processes. The disclosure is to include a description of the gift, the name and address of the person who made the gift, the date on which the gift was received, the estimated value of the gift at the time it was made and the nature of the relationship between the relevant person and the person who made the gift.
 5. It is an offence to fail to comply with the requirements of sections 5.82 and 5.83 in relation to the disclosure of gifts and contributions to travel, to which a penalty of a fine of \$10,000 or imprisonment for 2 years applies.

Receiving a gift that was received by another employee or elected member

- (a) The person receiving the gift must declare the gift if it is a gift that needs to be disclosed.
 - (b) If the person who received the gift in (a) forwards this gift to another designated employee or in the case where the elected member forwards onto another elected member, then the gift needs to be declared by that person receiving the gift with the donor being the designated employee or elected member in (a) not the original donor. Note: City employees cannot provide gifts to elected members.
 - (c) The elected member who received the gift forwards this gift to another elected member then the gift needs to be declared by the person receiving the gift and the donor would be listed as the elected member. Note: Elected members can forward gifts to other elected members but cannot forward any gifts to City employees.
- Renumber clause 3.4 to 4.2 with the following addition to be inserted after point (vi):
If an Elected member is a candidate for a State or Federal election, any donations received as part of the election campaign should be disclosed and must follow the requirements outlined in the Code of Conduct.

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- Renumber clause 4.2 to 4.3
- Clause 6.2 Travel and sustenance expenses to replace the reference of “*Council Policy*” with “*Elected members Allowances, Expenses and Gifts Council Policy*”. This provides the name of the Council Policy that the travel and sustenance expenses section of the Code of Conduct refers to in relation to local government matters.
- Clause 9.5 Procedure for dealing with complaints and allegations and insert the following:
 - (iv) *The Public Interest Disclosure Act 2003 (PID Act) applies to disclosures of public interest information.*

Public interest information means information that –

 - a) *relates to the performance of a public function by a public authority, public officer or public sector contractor (either before or after the commencement of the PID Act); and*
 - b) *shows or tends to show that a public authority, a public officer, or a public sector contractor is, has been or proposes to be involved in;*
 - *improper conduct; or*
 - *an act or omission that constitutes an offence under a written (State) law; or*
 - *substantial unauthorised or irregular use of, or substantial mismanagement of, public resources or;*
 - *an act done or omission that involves a substantial and specific risk of -*
 - *injury to public health; or*
 - *prejudice to public safety; or*
 - *harm to the environment; or*
 - *a matter of administration that can be investigated under section 14 of the Parliamentary Commissioner Act 1971 by the Parliamentary Commissioner (Ombudsman Western Australia).*

Information will be made available to the City’s contractors and the community about the public interest disclosure process and relevant documents on the City’s website.

DISCUSSION:

Review of documents

A copy of the documents as recommended for review are detailed in Attachment A with the current document that contains amendments contained within Attachment B. A summary of changes recommended to the documents are included below.

Code of Conduct

An ongoing review of employee related processes had identified minor textural amendments and some amendments that affect the City’s Code of Conduct and are recommended for adoption, including:

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT

Sub-clause - 1.5.1 – Objectivity

Inclusion of additional text in relation to the approval of applications.

Clause 2.1 - General Conduct

Inclusion of paragraph (v) that discusses the avoidance of committing or indicating a decision on a matter prior to the matter going before Council.

Clause 2.6 – Performance of duties

An inclusion to encourage employees to identify and improve areas of non-compliance.

Clause 2.7 – Harassment and discrimination

Include 'bullying' in the clause heading and include an additional sub-section (iv) outlining what bullying may comprise of in the workplace.

Clause 2.8 – Development decisions

Renaming of clause to 'Decisions of Council' and removing references in the text to 'development'. This clause should refer to all decisions, not just decisions related to development.

Sub-clause 2.9.4 - Tendering

Along with elected members, to include the Chief Executive Officer and other employees as persons who are not permitted to be lobbied by tenderers.

Clause 3.4 – Disclosure of election campaign donations

Clause renumbered as Clause 4.2 and additional text referring to disclosure relevant to State or Federal elections included.

Clause 4 – Personal Benefit

Replace the clause title 'Personal Benefit' with 'Gifts'

Clause 4.1

Replace entire sub-clause with new text that explains the circumstances for which gifts and contribution to travel may need to be disclosed.

Clause 4.2 – Regulatory requirements

Renumbered as Clause 4.3.

Clause 3.2 – Financial interest

Inclusion of reference to 'committee members' that was omitted in the text

Clause 3.3 – Disclosure of interest

Inclusion of reference to 'committee members' that was omitted in the text

Clause 5.2 – Inappropriate interactions

In sub-clause (iii), included wording to better explain the situations in which employees should not approach elected members.

Clause 6.2 – Travelling and sustenance expenses

Change to reference to Council Policy – Elected Members Allowances, Expenses and Gifts

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT

Clause 9.5 – Procedure for dealing with complaints and allegations

Inclusion of subclause (iv) referencing the Public Disclosure Act 2003 and the purpose of that Act.

Clause 9.8 - References

Reformatting of this clause and inclusion of further references to the Code of Conduct, in particular internal references.

Council Policy – Risk Management

Two changes are recommended to this policy, including:

Monitor and Review

Amendment to the review period to biennially to coincide with the review of the other documents within this report, following local government elections.

Appendix B – Risk Assessment and Acceptance Criteria

Amend the 'Financial Impact' risk criteria to include either a set \$ value, or as a discretionary value expressed as a percentage of the Total Operating Expenditure (TOE).

LEGAL/POLICY IMPLICATIONS:

Local Government Act 1995

2.7. Role of council

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

5.103. Codes of conduct

- (1) *Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.*

5.104. Other regulations about conduct of council members

- (1) *Regulations may prescribe rules, to be known as the rules of conduct for council members, that council members are required to observe.*
- (6) *The rules of conduct do not limit what a code of conduct under section 5.103 may contain.*

LOCAL GOVERNMENT (AUDIT) REGULATIONS 1996 - REG 16

16. Audit committee, functions of

An audit committee —

- (a) *is to provide guidance and assistance to the local government —*
- (i) *as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act.*

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT

17. **CEO to review certain systems and procedures**

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*
 - (a) *risk management; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

FINANCIAL/BUDGET IMPLICATIONS:

There are no specific financial or budget implications as a result of this report.

ASSET MANAGEMENT IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

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

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following objectives and strategies detailed in the Strategic Community Plan and/or Corporate Business Plan (D16/3339).

Plan	Objective	Strategy
e.g. Corporate Business Plan 2016 - 2021	5.1 An active and engaged Local Government, focussed on achieving the community's vision	5.1.1 Ensure that the City's strategic direction, policies, plans, services and programs are aligned with the community's vision

COMMUNITY ENGAGEMENT:

There is no community engagement required as a result of this report.

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT

RISK IMPLICATIONS:

The risk implications in relation to this proposal are as follows:

Risk Event	Poor decision making due to inadequate policies
Risk Theme	Failure to fulfil statutory regs or compliance requirements
Risk Effect/Impact	Reputation
Risk Assessment Context	Strategic
Consequence	Minor
Likelihood	Possible
Rating (before treatment)	Moderate
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Ensure that adequate policies are in place and reviewed regularly.
Rating (after treatment)	Low

COUNCIL DECISION

600

MOVED CR B THOMPSON

SECONDED CR P FEASEY

That Council adopt the reviewed documents as follows:

- Code of Conduct
- Council Policy – Risk Management

As detailed at Attachment A with the following amendments:

- Clause 2.7 Harassment and discrimination to include in the title Bullying and insert a subsection that states:

(iv) Bullying is repeated unreasonable or inappropriate behaviour that is directed towards an elected members, employees, or group of employees, that creates a risk to health and safety. Bullying is any behaviour that is repeated, systematic and directed towards an elected member or employee or group of elected member or employees. Workplace bullying is behaviours that can intimidate, threaten, offend, degrade, victimise, undermine or humiliate an elected member or employee and often creates a risk to health and/or safety. Bullying differs from harassment and discrimination in that the focus is not necessarily on gender, race or disability. The focus is often on competence, or rather the alleged lack of competence of the Elected member or employee.

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT

Refer to the City of Kwinana HR Policies for more information on Harassment, Discrimination and Bullying.

- **Insert in clause 3.3 the following disclosure requirements relating to interest:**

Interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

In accordance with regulation 34C(2) of the Local Government (Administration) Regulations 1996 and regulation 11 of the Local Government (Rules of Conduct) Regulations 2007 it is a requirement that a person who is an employee or Elected Member and who has an interest in any matter to be discussed at a council or committee meeting attended by the person disclose the nature of the interest —

- (a) in a written notice given to the CEO before the meeting; or***
- (b) at the meeting immediately before the matter is discussed.***

A direct or indirect financial interest or proximity interest must be maintained in a separate register in accordance with section 5.60 of the Local Government Act 1995.

In accordance with regulation 34C(5) of the Local Government (Administration) Regulations 1996 and regulation 11(4) of the Local Government (Rules of Conduct) Regulations 2007, a person is excused from a requirement made under the relevant sub regulations to disclose the nature of an interest if —

- (a) the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or***
- (b) the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the nature of the interest as soon as possible after the discussion began.***

- **Replace the title of Personal Benefit for section 4 to Gifts**
- **Replace entire clause of 4.1 with:**

Explanation of 'Notifiable Gifts' and 'Prohibited Gifts'

"notifiable gift", in relation to a person who is an elected member or employee, means —

- (a) a gift worth between \$50 and \$300; or***
- (b) a gift that is one of 2 or more gifts given to the elected member or employee by the same person within a period of 6 months that are in total worth between \$50 and \$300; from a person who is undertaking or seeking to undertake or who it is reasonable to believe is intending to undertake an activity involving a local government discretion.***

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“gift” has the meaning given to that term in section 5.82(4) except that it does not include —

- (a) a gift from a relative as defined in section 5.74(1); or***
- (b) a gift that must be disclosed under regulation 30B of the Local Government (Elections) Regulations 1997; or***
- (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training; or***
- (d) a gift from WALGA, the Australian Local Government Association Limited (ABN 31 008 613 876) or the Local Government Managers Australia WA Division Incorporated (ABN 91 208 607 072).***

“relative” means, in relation to a relevant person, means any of the following —

- (a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the relevant person or of the relevant person’s spouse or de facto partner;***
- (b) the relevant person’s spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a), whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person’s birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law.***

“activity involving a local government discretion” means an activity —

- (a) that cannot be undertaken without an authorisation from the local government; or***
- (b) by way of a commercial dealing with the local government.***

“prohibited gift” in relation to a person who is an elected member or employee, means —

- (a) a gift worth \$300 or more; or***
- (b) a gift that is one of two or more gifts given to the elected member or employee by the same person within a period of six months that are in total worth \$300 or more; from a person who is undertaking or seeking to undertake or who it is reasonable to believe is intending to undertake an activity involving a local government discretion.***

If an elected member or employee are offered a prohibited gift, it must not be accepted.

Explanation and examples of a ‘Gift’ and ‘Contribution to Travel’

Section 5.82 of the Act defines a gift as:

gift means a disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money’s worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel.

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A “contribution to travel” includes a financial contribution or a non-monetary contribution including the provision of flights or accommodation incidental to a journey. Food or drink provided to a relevant person in the course of travel are to be disclosed (where required) as a gift rather than a contribution to travel.

A gift or contribution to travel may be made by a natural person or a corporate person, such as a public body, company, association or body of persons, corporate or unincorporated

Section 5.82(3) of the Act states for the purposes of this section, the amount of a gift comprising property, other than money, or the conferral of a financial benefit is to be treated as being an amount equal to the value of the property or the financial benefit at the time the gift was given.

Gifts may take many forms and be received in various ways that may not be readily recognized as falling into the category of a gift, particularly if it is received in a private capacity. Examples of gifts provided by the Department of Local Government and Communities include the following:

- 1. Hospitality – You regularly frequent a business as part of your duties and the business provides you with a free meal and the value of the meals over one year exceeds \$200**
- 2. Loan of goods – An Elected member is moving house on the weekend and posted on Facebook if someone could loan her a trailer, saving the Elected member some \$300.**
- 3. Partial contributions - A cash discount when buying an item when the person who you purchased it off recognized you as an elected member or an employee of the City. E.g., buying a new refrigerator and the salesperson recognises or knows you.**
- 4. Birthday gifts – A designated elected member or an employee received the following gifts for his birthday:**
 - (a) a new watch from his wife;**
 - (b) a new Blue-ray player from his nephew; and**
 - (c) a \$250 voucher from a group of friends for him and his wife to attend a wine tasting and lunch.**

Neither the new watch from his wife or the Blue-ray player from his nephew need be disclosed as those persons are within the definition of a relative in section 5.74 of the Act. However, the \$250 voucher from friends, even though it is both for himself and his wife, must be disclosed, not just his ‘share’ of the gift.

- 5. Free tickets - A local government, who provides sponsorship to a football club, receives four free tickets to the end of season awards ceremony. Tickets are worth \$125 each as the awards ceremony includes entertainment and a 3 course meal. The council resolves to send the Mayor and one elected member, and their partners, to attend the awards evening.**

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT

As part of the evening, the Mayor participates in the award ceremony, and presents a number of trophies to players on the team.

As the elected member received two tickets (one for himself and one for his partner) the value of the gift to the elected member is the sum of both tickets. This means the Elected member must disclose both his,

and his partner's ticket (worth \$250), to the CEO within 10 days of receipt in the Register of Gifts and Contributions to Travel by Elected members and Designated Employees.

Although it is acknowledged that the Mayor is performing a ceremonial duty by participating in the award ceremony, she too must also disclose both her, and her partner's ticket. Regardless of her performing an official duty at the ceremony, there is still a conferral of financial benefit without full consideration in return. However, should the local government pay the cost of her tickets to attend, no disclosure is required.

- 6. *Private capacity – Presenting at a conference - A manager of finance has been invited to present at a conference on the subject of Good Governance and Financial Sustainability. In return for presenting, the manager receives free registration tickets for the conference worth \$500.***

Under the Act, a gift is defined as any disposition of property, or the conferral of any other financial benefit, without consideration in money or money's worth passing from the recipient to the donor.

In this instance, it may be possible for the manager to argue that 'consideration in money's worth' is passing from the recipient (the manager) to the donor (conference organiser) in the form of his services in presenting to the conference. To work out the value of his services, it could be argued that the cost to the conference provider to procure another person to present is an indication of the current market value of presenting at the conference. For example, if all conference presenters are given free registration tickets to the conference, the cost to replace the manager with another presenter is \$500 in registration fees. Therefore, the value of the manager's presentation to the conference (\$500) is the same value as the benefit received (\$500 in registration fees), and full consideration has been passed from the recipient to the donor. In these circumstances, no disclosure is required.

However, if, in addition to the free registration fees, the manager received benefits or property that no other presenter was entitled to, or was above the market rate for presenting at the conference, then this would be considered a gift. If the value of the property or financial benefit was in excess of \$200, then this would need to be disclosed in the new on-line register.

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT**Disclosures**

- 1. There are two required disclosures that relate to gifts and one required disclosure that relates to contribution to travel as summarised below:**
 - (a) Disclosure of Notifiable Gifts is required where an elected member or employee receives a gift worth between \$50 - \$300 (or more than one gift from the same person worth between \$50 - \$300 within a period of six months) from a person undertaking or seeking to undertake an activity involving local government discretion or where it is reasonable to believe is intending to undertake an activity involving a local government discretion. The disclosure will be made available upon request in the Register of Notifiable Gifts.**
 - (b) Disclosure of Gifts is required for any elected member or Designated Employee who receives a gift greater than \$200 in value (or more than one gift from the same person during a year, which together are greater than \$200 in value) and the donor was not a relative. This disclosure will be made available on-line in the Register of Gifts and Contribution to Travel by Elected members and Designated Employees.**
 - (c) Disclosure of Contributions to Travel is required for any elected member or Designated Employee who receives a contribution to travel, which is greater than \$200 in value (or more than one contribution from the same person during a year, which together are greater than \$200 in value) and the donor was not a relative, the contribution is not from Commonwealth, State or local government funds, made in the ordinary course of occupation of the person which is not related to his or her duty as a elected member or employee. This disclosure will be made available on-line in the Register of Gifts and Contribution to Travel by elected members and Designated Employees.**
 - (d) There may be circumstances where you are required to disclose a gift in both the Notifiable Gift Register and the Gifts and Contribution to Travel by Elected members and Designated Employees.**
- 2. Not all employees are required to disclose gifts or contributions to travel for the purposes of sections 5.82 and 5.83 of the Act. Only relevant persons as defined by section 5.74 of the Act are required to do so. A relevant person is either an elected member or a designated employee. A designated employee is defined in section 5.74 of the Act and means:**
 - (a) a CEO; and**
 - (b) an employee, other than the CEO, to whom any power or duty has been delegated under Division 4 of the Act; and**
 - (c) an employee who is a member of a committee comprising council members and employees; and**
 - (d) an employee nominated by the local government to be a designated employee.**
- 3. When a relevant person receives a 'gift', as defined in section 5.82 of the Act, or has received a contribution toward travel as defined in section 5.83 of the Act, the relevant person is required to disclose the**

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT

details in writing to the Chief Executive Officer, within 10 days of receipt.

- 4. This disclosure is to be made in accordance with the City's reporting processes. The disclosure is to include a description of the gift, the name and address of the person who made the gift, the date on which the gift was received, the estimated value of the gift at the time it was made and the nature of the relationship between the relevant person and the person who made the gift.***
- 5. It is an offence to fail to comply with the requirements of sections 5.82 and 5.83 in relation to the disclosure of gifts and contributions to travel, to which a penalty of a fine of \$10,000 or imprisonment for 2 years applies.***

Receiving a gift that was received by another employee or elected member

- (a) The person receiving the gift must declare the gift if it is a gift that needs to be disclosed.***
 - (b) If the person who received the gift in (a) forwards this gift to another designated employee or in the case where the elected member forwards onto another elected member, then the gift needs to be declared by that person receiving the gift with the donor being the designated employee or elected member in (a) not the original donor. Note: City employees cannot provide gifts to elected members.***
 - (c) The elected member who received the gift forwards this gift to another elected member then the gift needs to be declared by the person receiving the gift and the donor would be listed as the elected member. Note: Elected members can forward gifts to other elected members but cannot forward any gifts to City employees.***
- **Renumber clause 3.4 to 4.2 with the following addition to be inserted after point (vi):**

If an Elected member is a candidate for a State or Federal election, any donations received as part of the election campaign should be disclosed and must follow the requirements outlined in the Code of Conduct.
 - **Delete clause 4.3 Regulatory Requirements**
 - **Renumber clause 4.2 to 4.3**
 - **Clause 6.2 Travel and sustenance expenses to replace the reference of "Council Policy" with "Elected Members Allowances, Expenses and Gifts Council Policy". This provides the name of the Council Policy that the travel and sustenance expenses section of the Code of Conduct refers to in relation to local government matters and replace second paragraph with:**

Elected members and employees shall be diligent in ensuring that the expenses relate to their functions as an elected member or employee and are appropriately acquitted in accordance with Elected Members

16.6 REVIEW OF DOCUMENTS – CODE OF CONDUCT AND COUNCIL POLICY – RISK MANAGEMENT

Allowances, Expenses and Gifts Council Policy and for employees the Learning and Development HR Policy.

- **Clause 9.5 Procedure for dealing with complaints and allegations and insert the following:**

(iv) The Public Interest Disclosure Act 2003 (PID Act) applies to disclosures of public interest information.

Public interest information means information that –

- (a) relates to the performance of a public function by a public authority, public officer or public sector contractor (either before or after the commencement of the PID Act); and***
- (b) shows or tends to show that a public authority, a public officer, or a public sector contractor is, has been or proposes to be involved in;***
 - improper conduct; or***
 - an act or omission that constitutes an offence under a written (State) law; or***
 - substantial unauthorised or irregular use of, or substantial mismanagement of, public resources or;***
 - an act done or omission that involves a substantial and specific risk of -***
 - injury to public health; or***
 - prejudice to public safety; or***
 - harm to the environment; or***
 - a matter of administration that can be investigated under section 14 of the Parliamentary Commissioner Act 1971 by the Parliamentary Commissioner (Ombudsman Western Australia).***

Information will be made available to the City's contractors and the community about the public interest disclosure process and relevant documents on the City's website.

**CARRIED
8/0**

NOTE – That the Audit Committee Recommendation has been amended for the Code of Conduct to insert clause 3.3 disclosures relating to interest, deleting clause 4.3 Regulatory Requirements and amending the second paragraph in clause 6.2 to reflect that employees are to adhere to the Learning and Development HR Policy in relation to travel and sustenance expenses.

Code of Conduct 2017



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CODE OF CONDUCT

1. INTRODUCTION

1.1 *Preamble*

The Council of the City of Kwinana is the elected body responsible for the leadership of the City in the best interest of its residents. Council is committed to providing open, responsive and accountable government. It must do that in accordance with the applicable legislation.

The *Local Government Act 1995* confers considerable power on Council. As a result of this, elected members, committee members and employees must actively seek to achieve and retain public trust if they are to deserve the responsibilities entrusted to them.

1.2 *Requirement for a Code of Conduct and its application*

- (i) The *Local Government Act 1995* requires every Council to adopt a Code of Conduct to be observed by elected members, committee members and employees.
- (ii) Elected members, committee members and employees of the City must comply with the applicable provisions of the City's Code of Conduct.
- (ii) The Code of Conduct applies to all elected members committee members and employees of the City of Kwinana.
- (iv) It is a requirement of this Code that elected members observe the Local Government (*Rules of Conduct*) *Regulations 2007* and the general principles referred to in Regulation 3(1).

Footnote:

Regulation 3(1) of the Local Government (Rules of Conduct) Regulations 2007 provides as follows:

- (a) act with reasonable care and diligence; and
 - (b) act with honesty and integrity; and
 - (c) act lawfully; and
 - (d) avoid damage to the reputation of the local government; and
 - (e) be open and accountable to the public; and
 - (f) base decisions on relevant and factually correct information; and
 - (g) treat others with respect and fairness; and
 - (h) not be impaired by mind affecting substances.
- (v) This Code comes into operation when it is adopted by Council.

1.3 Definitions

In this Code, unless the text requires otherwise;

Act means the *Local Government Act 1995*;

Chief Executive Officer means the Chief Executive Officer of the City;

Committee means a committee established by Council under the Act;

committee member has the meaning as defined in section 5.9(1) of the Local Government Act 1995 and includes 'other person', i.e., is not an Elected member or an employee

Council means the Council of the City;

elected member means a person who holds the office of Mayor or Councillor on the Council;

employee means a person employed by the City;

local law means any local law adopted by Council;

City means City of Kwinana;

Regulations means any regulations made under the *Local Government Act 1995*;

Rules of Conduct Regulations means the *Local Government (Rules of Conduct) Regulations 2007*.

1.4 Purpose of the Code of Conduct

- (i) The Code of Conduct provides elected members, committee members and employees of the City of Kwinana with clear guidelines for the standard of professional conduct and behaviour expected of them in carrying out their functions and responsibilities. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability. It encourages a commitment to ethical and professional behaviour and outlines principles on which individual and collective local government responsibilities may be based.

The Code of Conduct is complementary to the principles adopted in the Local Government Act 1995, Regulations and local laws which incorporate four fundamental aims:

- (1) better decision making by local governments;
 - (2) greater community participation in the decisions and affairs of local governments;
 - (3) greater accountability of local government to their communities; and
 - (4) more efficient and effective local government.
- (ii) The Code of Conduct has been developed to assist elected members, committee members and employees to;
- understand the standard of conduct that is expected of them;

- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of due care and diligence; and
- act in ways that enhance public confidence in the integrity of local government.

1.5 **Key principles**

This Code of Conduct is based on the following key principles:

1.5.1 **Integrity**

Elected members, committee members and employees must not place themselves under any financial or other obligation to any individual or organisation that might reasonably be thought to influence them in the performance of their duties.

1.5.2 **Leadership**

Elected members, committee members and employees have a duty to promote and support the key principles of ~~by~~ leading by example and to maintain and strengthen the public's trust and confidence in the integrity of the City. (*This means promoting public duty to others in the City and community, by their own ethical behaviour*).

1.5.3 **Selflessness**

Elected members, committee members and employees have a duty to make decisions solely in the public interest (*this means making decisions because they benefit the public, not because they benefit the decision maker*). Elected members, committee members and employees must not act in order to gain financial or other benefits for themselves, their family, friends or business interests.

1.5.4 **Objectivity**

Elected members, committee members and employees must make decisions solely on merit and in accordance with their statutory obligations when carrying out public business. This includes the making of appointments, awarding of contracts, [approving applications of matters that affect a third party](#) or recommending individuals for rewards or benefits. (*This means fairness to all; impartial assessment; merit selection in recruitment and in purchase and sale of the City resources; considering only relevant matters*).

1.5.5 **Accountability**

Elected members, committee members and employees are accountable to the public for their decisions and actions and must consider issues on their merits, taking into account the views of others (*This means recording reasons for decisions; submitting to scrutiny; keeping proper records; establishing audit trails*).

1.5.6 **Openness**

Elected members, committee members and employees have a duty to be as open as possible about their decisions and actions, giving reasons for decisions and restricting information only when the wider public interest

clearly demands. (*This means recording, giving and revealing reasons for decisions; revealing other avenues available to the client or business; when authorised, offering all information; communicating clearly*).

1.5.7 Honesty

Elected members, committee members and employees have a duty to act honestly. They must declare any private interests relating to their public duties and take steps to resolve any conflicts arising in such a way that protects the public interest (*This means obeying the law; adhering to Council Policies and City of Kwinana procedures; observing the Code of Conduct; fully disclosing actual or potential conflict of interests and exercising any conferred power strictly for the purpose for which the power was conferred*).

1.5.8 Respect

Elected members, committee members and employees must treat others with respect at all times. (*This means not using derogatory terms towards others, observing the rights of other people, treating people with courtesy and recognising the different roles others play within local government decision making*).

This standard requires that they treat other people as individuals with rights to be honoured and defended, and also to assist these people to claim their rights if they are unable to do it for themselves. The City encourages honest relationships by being truthful and sincere when dealing with others.

1.5.9 Justice

Elected members, committee members and employees must treat people fairly, without discrimination, and with rules that apply equally to all. (*This means they must ensure that opportunities and social benefits are shared equally among individuals, including equitable outcomes for disadvantaged people. They must uphold the laws of the City of Kwinana and comply with relevant State and Federal legislation*).

1.5.10 Beneficence

Elected members, committee members and employees must do for others what they would like done for themselves – that they do good, and not harm, to others. They must be aware that the strong have a duty of care to the weak, dependant and vulnerable and to uphold the rights of those who are unable to do so. They shall contribute to the well-being of individuals and society by exercising due diligence and duty of care to others.

1.6 Role of Council, Mayor, Elected members and the Chief Executive Officer

The role of Council, Mayor, elected members and Chief Executive Officer is prescribed by the *Local Government Act 1995*.

As an elected leader of the community, the Mayor shall demonstrate the highest level of civic conscience, impartiality and personal conduct.

An elected member's primary role is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the local government. This will be the focus of the elected member's public life.

An elected member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives.

In fulfilling their various roles, elected member's activities will focus on;

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- achieving sound financial management and accountability in relation to the City's finances;
- ensuring that appropriate mechanisms are in place to enable the prompt management of residents' concerns;
- working with other governments and organisations to achieve benefits for the community at both a local and regional level; and
- being aware of the statutory obligations imposed on elected members and on local governments.

2. GENERAL CONDUCT OBLIGATIONS

2.1 *General conduct*

- (i) Elected members, committee members and employees must avoid behaviour and conduct that:
 - contravenes the *Local Government Act 1995*, associated regulations and the City's relevant administrative requirements;
 - is improper or unethical;
 - is an abuse of power or otherwise amounts to misconduct;
 - causes, compromises or involves creating or escalating any avoidable risks within property owned by the City, (including vehicles) that compromise the health, well being or safety of any members of the City or public. Potential risks or hazards to employees or public are to be reported according to existing procedures.
 - causes, compromises or involves intimidation, harassment, or verbal, physical or psychological abuse.
 - causes, compromises or involves discrimination, disadvantage or adverse treatment in relation to employment; or
 - causes, compromises or involves prejudice in the provision of a service to the community.
 - causes property belonging to another, (including City owned property) to be removed or taken without consent.
- (ii) Elected members, committee members and employees will respect the title of elected office, referring to the Mayor and elected members and committee members by their formal title whilst in the public arena, and thereafter as circumstances dictate.
- (iii) as part of their representative role elected members and employees are often asked to represent the City on external organisations. It is important that elected members and employees apply the following:
 - Clearly understand the basis of their appointment;

- Provide regular reports on the activities of the organisation; and
 - Always represent the decision/views of the City, whether the person agrees with the decision/view or not.
- (iv) Elected members, committee members and employees will promote courtesy, trust and respect in an environment that is free from bullying.
- (v) Elected members, committee members and employees must avoid conduct that commits, or indicates their vote/decision on a matter prior to the matter being presented to Council for a decision. Elected members, committee members and employees should remain non-committal and report any communications that have occurred outside of any formal Council meetings from a person or organisation that has a matter that will be considered by Council.

2.2 Honesty and integrity

Elected members, committee members and employees will:

- (i) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (ii) bring to the notice of the Chief Executive Officer any suspected dishonesty on the part of any elected members, committee members or employee.

Any presumed dishonesty on the part of the Chief Executive Officer is to be brought to the attention of the Mayor, and any suspected dishonesty on the part of the Mayor is to be brought to the attention of the Chief Executive Officer;
- (iii) be frank and honest in their official dealing with each other; and
- (iv) treat all members of the community honestly and fairly.

2.3 Fairness and equity

Elected members, committee members and employees

- (i) have an obligation to consider issues consistently, promptly and fairly. This involves dealing with matters in accordance with established procedures, in a non-discriminatory manner.
- (ii) must take all relevant facts known to them, or that they should be reasonably aware of, into consideration and have regard to the particular merits of each case. They must not take irrelevant matters or circumstances into consideration when making decisions.
- (iii) Elected members, committee members and employees will ensure that the Council has its own proposals, for entrepreneurial activities, impartially and properly assessed, consistent with the scope and standard of the normal assessment applied to outside parties requiring Council approval (including subdivisions, development, buildings and tenders).

2.4 Improper and undue influence

Elected members, committee members and employees must not take advantage of:

- (i) their position to improperly influence other City officials in the performance of their public or professional duties to secure a private benefit for themselves or for somebody else; and
- (ii) or seek to take advantage of, their status or position with, or functions

performed for the City, in order to obtain unauthorised or unfair benefit for themselves or for any other person or body.

2.5 *Personal behaviour*

Elected members, committee members and employees shall:

- (i) perform their duties impartially and in the best interest of the City uninfluenced by fear or favour;
- (ii) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the City and the community;
- (iii) subject to section 8, when dealing with any person or organisation who has, or may have, dealings with the City, or any ratepayers or residents, explain whether they are representing the City, or whether they are acting on an individual basis. If acting as an individual, elected members, committee members and employees cannot speak on behalf of the City or offer Council's support for a position;
- (iv) not make any allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment;
- (v) ensure that any comments they make when acting in an official capacity are pertinent to the business of the local government and are not made maliciously or without regard as to whether they represent the truth;
- (vi) always act in accordance with their obligation of fidelity to the City;
- (vii) refrain from carrying out their official duties or responsibilities whilst affected by alcohol, illicit drugs or mind affecting substances;
- (viii) act at all times when representing the City (which includes while wearing City branded clothing) in a manner that will not adversely reflect on Council or bring the City of Kwinana into disrepute;
- (ix) whilst conducting City business, adhere at all times to a standard of dress and personal hygiene which is neat, responsible and consistent with community expectations and normal business practices; and
- (x) not denigrate or cast aspersions on a elected members', committee members' or employee's commitment, contribution or competence.

2.6 *Performance of duties*

Employees

- (i) While on duty, employees will give their whole time and attention to the local government's business and ensure that their work is carried out efficiently, economically and effectively in accordance with their position description responsibilities and duties, Council Policies and corporate objectives, and that their standard of work reflects favourably both on them and on the City;
- (ii) Employees shall demonstrate loyalty and commit to the unconditional acceptance and support of all Council decisions and lawful instructions from the Chief Executive Officer;
- (iii) Employees shall at all times ensure that their standard of work and conduct reflects favourably both on them and the City, and is in accordance with the City's Customer Service Charter and Customer Service Standards;
- (iv) Employees will comply with the Local Government (Functions and General)

Regulations 1996 in respect to tenders for goods and services in any instance where they are involved in any manner with tendering for a City contract;

- (v) Employees shall comply with neat and responsible dress standards whilst at work and shall acknowledge that management reserves the right to raise the issue of dress with individual employees;
- (vi) Employees are encouraged to develop networks with the local government industry, to encourage and assist their peers and promote goodwill between local governments; ~~and~~
- (vii) Employees are expected to question, review and revise work practices and procedures to account for the organisation's statutory compliance. Regardless of 'instruction', statutory requirements are the principal power.;
and
- (viii) Employees are encouraged to self-report legislative non-compliance when identified to improve the level of compliance and assist in minimising reoccurrences.

Elected members

- (i) Will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits;
- (ii) Be as informed as much as possible about the functions of Council and be familiar with all agenda reports and associated documents, prior to the meeting at which the items will be considered;
- (iii) Attend all meetings of Council, committees, forums, working and advisory groups, to which they are appointed, unless they have previously been granted leave of absence by resolution of Council, or for reasons of illness or offers an apology for being unavailable for other reasons. In the event of a delegate being unable to attend any committee or Council responsibility, they shall inform the deputy delegate in time to attend; and
- (iv) Acknowledge there is an expectation that elected members will remain until the completion of Council meetings, committees, forums, working and advisory group meetings unless there is an overriding valid reason for leaving.

Committee members

- (i) Will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits;
- (ii) Be as informed as much as possible about the functions of the committee of which they are part, and be familiar with all agenda reports and associated documents, prior to the meeting at which the items will be considered;
- (iii) Attend all meetings of the committee, to which they are appointed, unless for reasons of illness or offers an apology for being unavailable for other reasons. In the event of a committee member being unable to attend any committee meeting, they shall endeavour to inform the City prior to the scheduled meeting time; and
- (iv) Acknowledge there is an expectation that committee members will remain until the completion of the committee meeting unless there is an overriding valid reason for leaving.

2.6.1 Compliance with lawful orders

Elected members, committee members and employees will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer. In the case of elected members the matter can be taken up with the Chief Executive Officer and/or the Mayor if the circumstances require it.

However this must not be seen to prevent elected members, committee members or employees in a private capacity from lobbying to change the policies of the local government.

2.6.2 Administration and management

- (i) Elected members and employees will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.
- (ii) Elected members and employees shall at all times be mindful of their responsibility to maintain full and accurate records in the performance of their duties.
- (iii) In particular, employees shall ensure that file notes are drafted and placed on record immediately, or as soon as practicable, following discussions on issues of substance. Such issues shall include matters impacting on Council or the City and matters affecting public interest.

2.7 Harassment and discrimination

- (i) Elected members, committee members and employees must not harass, discriminate against, or support others who harass and discriminate against colleagues or members of the public. This includes, but is not limited to harassment and discrimination, on the grounds of sex, pregnancy, age, race (including their colour, nationality, descent, ethnic or religious background), political affiliation, marital status, disability, homosexuality or transgender.
- (ii) The City will ensure compliance with the principles and provisions of the Equal Opportunity Act 1984 (WA). This commitment extends to ensuring that recruitment and selection, promotion and advancement will be solely on the basis of equity and fairness and that appointment will be based on merit.
- (iii) All people have a right to work in an environment that is free from sexual harassment. Sexual harassment will not be tolerated in the City of Kwinana. Any elected members or employee found to be committing sexual harassment will be subject to discipline and/or termination proceedings.

2.8 ~~Development decisions~~ Decisions of Council

- (i) Elected members have a duty to ensure that ~~development~~ decisions are properly made and that parties involved in the ~~development~~ process are dealt with fairly. Elected members must avoid impropriety and must also avoid any occasion for reasonable suspicion and any appearance or improper conduct.
- (ii) In determining ~~development~~ applications, it is essential that elected members are highly conscious of the potential for even the slightest impropriety to lead to reasonable suspicion of misconduct. This means elected members must ensure that no action, statement or communication between themselves and applicants or objectors conveys any suggestion of willingness to provide

concessions or preferential treatment.

2.9 Lobbying

2.9.1 Introduction

“Lobbying” is used to cover those types of communication between local government elected members and the community such as representations to elected members by special interest groups, by individuals with a direct interest in a council decision and by advocates acting on behalf of others.

Lobbying is common in local government. The most common form occurs when a group or individual makes direct contact with elected members in an attempt to influence a Council decision.

Appropriate lobbying of elected members is considered normal. In many cases lobbying is part of the democratic process and is an acceptable feature of the relationship between citizens and their elected representatives.

2.9.2 Inappropriate lobbying

It is in the public interest that lobbying is fair and does not undermine public confidence in impartial decision-making. Lobbying is a two-way process between elected members and lobbyists.

Elected members should take care that their duty to consider issues fairly and properly is not compromised by participating in lobbying practices that are outside the bounds of appropriate or lawful behaviour.

It is not possible to define every type of activity that could constitute inappropriate or unlawful lobbying. Generally, however, inappropriate or unlawful conduct on the part of someone lobbying an elected member usually involves an attempt to obtain preferential consideration or treatment based on factors other than the merits of the matter. Examples include:

- (i) accepting undisclosed payments or benefits while making a decision that affects the gift giver’s interests;
- (ii) accepting a political donation in return for the favourable exercise of discretion during decision making;
- (iii) granting access to a particular individual or group while *unreasonably* denying similar access requested by another party;
- (iv) fettering discretion by giving undertakings to an interested party prior to considering all the information relevant to a decision;
- (v) acting in a manner that exceeds the role of an elected member as defined in section 2.8, 2.9 or 2.10 of the Local Government Act 1995;
- (vi) disclosing confidential information while being lobbied; and
- (vii) being unduly influenced by factors that are irrelevant to the merits of the matter under consideration.

2.9.3 Transparency

Elected members should exercise judgement when deciding whether to be involved in private meetings with people seeking to influence a Council decision. Suspicions of inappropriate lobbying can occur when lobbying is not

open to public scrutiny. Regardless of whether such suspicions are justified, they still have the potential to undermine public confidence in Council decision-making and adversely affect an elected member's reputation.

Transparency is the means of governing accountability and perceptions of fairness in lobbying processes. There are a number of ways elected members can help ensure transparency whilst being lobbied. These include:

- documenting meetings with proponents;
- generally conducting meetings in official locations, such as City premises;
- having other people present during meetings;
- inviting applicants who have approached them for a meeting to discuss significant developments, to write to the City seeking a meeting with all elected members and employees;
- providing copies of information presented during lobbying meetings to City employees for consideration and assessment (if required), distribution to other elected members and filing as part of the City records;
- asking people who have requested a meeting to put their arguments in writing; and
- making a declaration at a Council meeting about lobbying activities they have been engaged in that are not part of Council's formal processes.

2.9.4 Tendering

The lobbying of elected members, [the Chief Executive Officer or other employees](#) by tenderers about the outcome of a tender process is not permissible.

(Reference; clause 2.9 Independent Commission Against Corruption – Lobbying Local Government Councillors” – August 2006.)

3. CONFLICT OF INTERESTS

3.1 Conflict of interest

- (i) Elected members, committee members and employees will ensure that there is no actual or perceived conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (ii) Employees will notify the City's Human Resources Department of any secondary employment and will not engage in private work with or for any person or body with an interest in a proposed or current business dealing with the local government, without first making disclosure to the Chief Executive Officer, or in the case of the Chief Executive Officer, to the Mayor. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance or duties must be scrupulously avoided.
- (iii) Employees will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

An individual's rights to maintain their own political convictions are not

impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discriminatory legislation.

- (iv) Employees who exercise a recruitment, regulatory, inspectorial or other discretionary function must make disclosure before dealing with closely associated persons, close relatives or close friends and, whenever possible, or in doubt, should disqualify themselves from dealing with those persons. This disclosure must be made in writing to their Director and/or Chief Executive Officer. In the case of the Chief Executive Officer, disclosure to the Mayor is required.
- (v) Elected members, committee members and employees need to consider any close personal or private interests that may conflict, or be perceived to conflict with their public duty.
- (vi) It is almost inevitable elected members, committee members and employees will have a conflict of interest at some point. These conflicts of interest must be recognised and dealt with accordingly to avoid any conflict or perceived conflict of interest, particularly when decision making is required.

3.2 Financial interest

Elected members, [committee members](#) and employees will adopt the principles of financial interest as contained within the *Local Government Act 1995*. (Sections 5.59 to 5.90. Subdivision 2, Division 6.)

3.3 Disclosure of interest

Elected members, [committee members](#) and employees will adopt the principles of disclosure of interest (impartiality) as contained within the *Local Government (Administration) Regulations 1996* - Regulation 34C.

- (i) In addition to disclosure of financial interests, elected members, [committee members](#) and employees, including persons under a contract for services-
 - Attending a Council or committee Meeting; or
 - Giving advice to an elected member, Council or Committee meeting;are required to disclose any interest they have in a matter to be discussed at the meeting that could give rise to a reasonable belief that the impartiality of the person having the interest would be affected.
- (ii) Where an interest must be disclosed under (i) above, the disclosure is to be made at the meeting immediately before the matter is discussed or in a written note given to the Chief Executive Officer before the meeting, and is to be recorded in the minutes of the meeting.
- (iii) The disclosure of an interest in (i) above does not affect the ability of the elected member or employee to discuss or vote on the matter.

This is not limited to, but may include, situations where Council decisions affect the person's close relatives (not already defined as a "*closely associated*" financial interest), a close friend or a sporting or community association of which the person is a committee member or office bearer.

3.4 **Disclosure of election campaign donations**

In the interests of uncompromised decision making, the City of Kwinana requires all electoral candidates to comply with the *Local Government Act 1995* and its associated regulations in disclosing electoral donations. A candidate is to disclose information about any electoral related gift with a value of \$200 or more that may be received within the six month period prior to the relevant election day.

- (i) A “gift” includes a gift of money, a gift which is non-monetary but of value, a gift in kind or an inadequate financial consideration or the receipt of a discount (where the difference or the discount is more than \$200 worth), financial or other contribution to travel, the provision of a service for no consideration or for inadequate consideration, and a firm promise or agreement to give a gift at some future time.

A gift does not include a gift by will; a gift by a relative; a gift that the candidate would have received notwithstanding his or her candidature; or the provision of volunteer labour.
- (ii) The disclosure of a gift is to be made to the Chief Executive Officer in the manner prescribed by Regulation and in doing so identify specified information.
- (iii) Details about each gift are to be disclosed on the prescribed form and submitted within three days of receiving the gift. Information to be supplied includes the name of the candidate, the name and address of the donor, the date the gift was promised or received, the value of the gift and a description of the gift.
- (iv) The disclosure period commences six months prior to the relevant election and finishes three days after the election day for unsuccessful candidates and on the start day for financial interest returns for successful candidates.
- (v) The Chief Executive Officer is to establish and maintain an Electoral Gift Register. Disclosure forms are to be placed in the Electoral Gift Register upon receipt by the Chief Executive Officer in a manner that clearly identifies and distinguishes the candidates. The Electoral Gift Register is to be kept available for public inspection.
- (vi) In accordance with the Local Government (Elections) Regulations 1999, a maximum penalty of \$5,000 may be imposed on a candidate who fails to comply with the disclosure requirements.

4. **PERSONAL BENEFIT**

For the purposes of this section, a reference to a gift or benefit does not include a political donation or contribution to an election fund that is subject to the provisions of the relevant legislation.

4.1 **Definitions**

In this Code, unless the contrary appears;

“activity involving a local government discretion” means an activity –

- (a) that cannot be undertaken without an authorisation from the local government; or
- (b) by way of a commercial dealing with the local government;

“**gift**” has the meaning given to that term in section 5.82(4) of the Act:

any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel.

except that it does not include -

- (a) a gift from a relative as defined in section 5.74(1) or the Act; or
- (b) a gift that must be disclosed under regulation 30B of the *Local Government (Elections) Regulations 1997*; or
- (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training.

“**notifiable gift**” in relation to a person who is an elected member or Employee, means –

- (a) a gift worth between \$50 and \$300; or
- (b) a gift that is one of two or more gifts given to the elected member or employee by the same person within a period of six months that are in total worth between \$50 and \$300.

“**prohibited gift**” in relation to a person who is an elected member or Employee, means -

- (a) a gift worth \$300 or more; or
- (b) a gift that is one of two or more gifts given to the or employee by the same person within a period of six months that are in total worth \$300 or more.

4.2 Regulatory requirements

In accordance with regulation 34B(2) of the Local Government (Administration) Regulations 1996 a person who is an employee refrain from accepting a **prohibited gift** from a person who —

- (a) is undertaking or seeking to undertake an **activity involving a local government discretion**; or
- (b) it is reasonable to believe is intending to undertake an activity involving local government discretion.

In accordance with regulation 34B(3) of the Local Government (Administration) Regulations 1996 a person who is an employee and who accepts a **notifiable gift** from a person who —

- (a) is undertaking or seeking to undertake an **activity involving a local government discretion**; or
- (b) it is reasonable to believe is intending to undertake an **activity involving a local government discretion**, notify the CEO, in accordance with regulation 34B(4) of the Local Government (Administration) Regulations 1996 and within 10 days of accepting the **gift**, of the acceptance.

In accordance with regulation 34B(4) of the Local Government (Administration) Regulations 1996 notification of the acceptance of a **notifiable gift** be in writing and include —

- (a) the name of the person who gave the **gift**; and
- (b) the date on which the **gift** was accepted; and
- (c) a description, and the estimated value, of the **gift**; and
- (d) the nature of the relationship between the person who is an employee and the person who gave the **gift**; and
- (e) if the **gift** is a **notifiable gift** under paragraph (b) of the definition of **notifiable gift** in regulation 34B(1) of the Local Government (Administration) Regulations 1996 (whether or not it is also a **notifiable gift** under paragraph (a) of that definition) —
 - (i) a description; and
 - (ii) the estimated value; and
 - (iii) the date of acceptance,

of each other **gift** accepted within the 6 month period.

In accordance with regulation 34B(5) of the Local Government (Administration) Regulations 1996 the CEO maintain a register of **notifiable gifts** and record in it details of notifications given to comply with a requirements outlined in the Local Government (Administration) Regulations 1996

Interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

In accordance with regulation 34C(2) of the Local Government (Administration) Regulations 1996 it is a requirement that a person who is an employee and who has an **interest** in any matter to be discussed at a council or committee meeting attended by the person disclose the nature of the interest —

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

In accordance with regulation 34C(3) of the Local Government (Administration) Regulations 1996 it is a requirement that a person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person disclose the nature of any interest the person has in the matter —

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the time the advice is given.

A direct or indirect financial interest or proximity interest must be maintained in a separate register in accordance with section 5.60 of the Local Government Act 1995.

In accordance with regulation 34C(5) of the Local Government (Administration) Regulations 1996 a person is excused from a requirement made under subregulation (2) or (3) to disclose the nature of an **interest** if —

- (a) the person's failure to disclose occurs because the person did not know he or she had an **interest** in the matter; or
- (b) the person's failure to disclose occurs because the person did not know the matter in which he or she had an **interest** would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.

To comply with a requirement made under regulation 34C(2) or (3) of the Local Government (Administration) Regulations 1996, a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting then —

- (a) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.

If —

- (a) to comply with a requirement made under regulation 34C(2) of the Local Government (Administration) Regulations 1996, the nature of a person's **interest** in a matter is disclosed at a meeting; or
- (b) a disclosure is made as described in regulation 34C(5)(b) of the Local Government (Administration) Regulations 1996 at a meeting; or
- (c) to comply with a requirement made under regulation 34C(6)(b) of the Local Government (Administration) Regulations 1996, a notice disclosing the nature of a person's **interest** in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.

5. WORKING RELATIONSHIPS

5.1 *Working relationships between elected members and employees*

- (i) Elected members will work as part of the Council team with the Chief Executive Officer and employees. That teamwork will only occur if elected members and employees have a mutual respect and co-operate with each other to achieve Council's corporate goals and implement the Council's strategies. To achieve that position elected members need to:
 - (a) accept that their role is a leadership, not a management or an administrative one;
 - (b) acknowledge that they have no capacity to individually direct employees to carry out particular functions;
 - (c) refrain from publicly criticising employees (including whether in a Council meeting or via the media) in a way that casts aspersions on their professional reputation, character, ability, integrity, competence or credibility; and
 - (d) ensure that no restrictions or undue influence is placed on the ability of employees to give professional advice to Council.
- (ii) At the same time, Employees will recognise that elected members views and opinions often reflect valid community viewpoints that should be considered in conjunction with professional opinion. Employees will therefore make every effort to assist elected members in the performance of their role, and to achieve the satisfactory resolution of issues that they may raise in the performance of their official role.
- (iii) Elected members have the right to raise various issues and requests with the Chief Executive Officer, in accordance with the Council's Policy/protocols which include:
 - (a) The Mayor and elected members are to refer their requests to the

- Chief Executive Officer, or if appropriate, the relevant Director.
- (b) Requests/complaints are to be forwarded (in writing) direct to the Council Administration Officer for entering into the Register of elected member's Requests.
 - (c) Elected member requests will be actioned within ten working days and a written response will be provided to the elected member advising of the action taken.
 - (d) Where an elected member Request requires a diversion of considerable employee resources (eg more than one days research) or where the matter has not been included in the City's current budget, the Chief Executive Officer or relevant Director will discuss the request with the elected member.
- (iv) The Chief Executive Officer is responsible to Council for the performance and direction of all employees and delegates/contractors and the use of resources, in the day-to-day management of the City.
- (v) Elected members and employees should endeavour to resolve serious conflict through initial discussion facilitated by either the Mayor or the Chief Executive Officer. In any case involving the Mayor and Chief Executive Officer, by the Deputy Mayor or other appropriate person, jointly agreed by both.
- (vi) Employees have an obligation to:
- Give their attention to the business of the City while on duty;
 - Ensure that their work is carried out efficiently, economically and effectively;
 - Carry out lawful directions given by any person having authority to give such directions; and
 - Give effect to the lawful policies, decisions and practices of Council, whether or not the employee agrees with or approves of them.

5.2 *Inappropriate interactions*

- (i) The following interactions are inappropriate and therefore elected members shall not approach employees:
- (a) other than the Chief Executive Officer or Directors for information on sensitive or controversial matters; or
 - (b) other than where authorised by the Chief Executive Officer, outside the employee's place of work, or outside hours of work to discuss council business;
- (ii) Elected members must:
- (a) refrain from directing City employees other than by way of a Council or committee resolution;
 - (b) refrain from, in any public or private forum, directing or influencing, or attempting to direct or influence, any other employee of the City or a delegate of Council in the exercise of the functions of the employee or delegate;
 - (c) refrain from contacting an employee unless in accordance with procedures governing the interaction of elected members and employees that have been authorised by the Chief Executive Officer;
 - (d) not contact or issue instructions to any of the City's contractors or tenderers, including the City's legal advisors;

- (e) not be overbearing or threatening to employees;
 - (f) not direct or pressure (or attempt to) employees in the performance of their work, or recommendations they should make;
 - (g) not approach employee organisations; for example unions and associations; in relation to employee matters that relate to individual Employees rather than broader industrial policy issues;
 - (h) not attend on-site inspection meetings with lawyers and/or consultants engaged by the City associated with current or proposed legal proceedings (other than those where approval has been granted to participate).
- (iii) Employees shall not:
- (a) approach elected members directly on individual employee matters [that are subject to provisions for which the City has internal Human Resources policies or procedures](#);
 - (b) refuse to give information which is available to other elected members to a particular elected member because of the Employee or elected member's political views;
 - (c) provide ad hoc advice to elected members (i.e. other than where it is procedural or of a minor nature) without recording or documenting the interaction as they would if the advice was provided to a member of the community;
 - (d) meet with developers alone and outside standard office hours to discuss development applications or proposals, unless properly authorised to do so.

5.3 Dealings with elected members and employees

- (i) All commercial/business dealings (including the awarding of contracts) with the City by elected members and employees (and their closely associated persons) shall at all times be open, transparent and accountable.
- (ii) All elected members and employees (and their closely associated persons) wishing to carry out any business activities with the City shall only do so in strict accordance with the Council Policy and procedures.

5.4 Land dealings and personal development applications

- (i) Elected members and employees will lodge written notice with the Chief Executive Officer, or in the case of the Chief Executive Officer, to the Mayor, describing an intention to undertake a dealing in land within the City or which may otherwise be in conflict with Council's functions (other than purchasing their principal place of residence, or a site for such a purpose).
- (ii) Elected members who have lodged a development application with the City shall only discuss the matter with employees at formal meetings, made in relation to the development application.

6. DEALINGS WITH CITY RESOURCES

6.1 *Use of local government resources*

Elected members, committee members and employees will:

- (i) be honest in their use of the local government's resources and shall not misuse them or permit the misuse (or the appearance of misuse) by any other person or body;
- (ii) use the local government resources entrusted to them effectively, economically and lawfully in the course of their duties;
- (iii) not use the local government's facilities, materials, funds, equipment or resources (including the services of employees) for private purposes (other than in the case of employees, when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer);
- (iv) use City resources ethically, effectively, efficiently and carefully in the course of their public or professional duties, and must not use them for private purposes unless this use is lawfully authorised and proper payment is made where appropriate;
- (v) be scrupulous in the use of City property, including intellectual property, official services and facilities and should not permit their misuse by any other person or body;
- (vi) avoid any action or situation which could create the impression that City property, official services or public facilities are being improperly used for your own or any other person or body's private benefit or gain;
- (vii) not convert any property of the City to their own use unless properly authorised; and
- (viii) not use the City's computer or telecommunications resources to excess or to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.

6.2 *Travelling and sustenance expenses*

Elected members and employees will only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the local government in accordance with local government policy and the provision of the *Local Government Act 1995*.

Elected members and employees shall be diligent in ensuring that the expenses claimed in accordance with Council policy relate to their functions as an elected member or employee, and are appropriately acquitted.

6.3 *Use of City property for election purposes*

The interest of an elected member in their re-election is considered to be a personal interest and as such under no circumstances is any reimbursement to be made in connection with costs incurred.

Equipment, consumables, facilities, entitlements, travel expenses, services or anything (including City logo and letterhead) associated with the City in any way is only to be used in performing the Civic functions of an elected member and are not to be used in any way in association with campaigning for re-election as an elected member.

7. ACCESS TO INFORMATION

7.1 Access to information

- (i) In accordance with the *Local Government Act 1995*, elected members are to be given access to all information for them to properly perform their functions and comply with their responsibilities as elected members.
- (ii) Elected members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.
- (iii) The City must provide access to the documents available under section 5.92 of the *Local Government Act 1995* to all members of the public, and to elected members. The City must also provide elected members with information sufficient to enable them to carry out their civic functions.
- (iv) Elected members and committee members who have a personal (as distinct from a civic) interest in a document of the City have the same rights of access as any member of the public.
- (v) Employees have an obligation to provide full and timely information to elected members about matters that they are dealing with, in accordance with City procedures.
- (vi) Elected members and committee members have an obligation to properly examine all the information provided to them relating to matters that they are dealing with to enable them to make a decision on the matter.

7.2 Use and security of information

Elected members, committee members and employees:

- (i) will not use confidential information to gain improper advantage for themselves or for any other person or body, or in ways which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organisation;
- (ii) must only access information needed for official business;
- (iii) must protect confidential information;
- (iv) must not use confidential information for personal purposes or for any non-official purpose;
- (v) must only release confidential information if they have authority to do so; and
- (vi) must only use confidential information for the purpose it is intended to be used.

7.3 Request for information – personal interest

An elected member or employee

- (i) making an enquiry on a matter being considered by the City's administration or Council in which that elected member or employee has a personal/financial interest shall seek the information only from the Chief Executive Officer and that when required by the Chief Executive, the request shall be in writing; and
- (ii) must not use confidential information gained through their official position for the purpose of securing a private benefit for themselves or for any other person.

7.4 Refusal of access to documents

The Chief Executive Officer must act in deciding whether a document sought by elected members should be made available under section 5.92 of the *Local Government Act 1995* or because it is relevant to the performance of the elected member or committee member's civic duty. The Chief Executive Officer must state the reasons for the decision if access is refused.

8. COMMUNICATION AND PUBLIC RELATIONS

8.1 Communication

- (i) Employees shall promptly respond to written, electronic and verbal enquiries in accordance with the City's Customer Service Charter and Customer Service Standards.
- (ii) Unless on approved leave of absence or unavailable for other reasons, elected members shall respond to all written, electronic and verbal enquiries as soon as practicable.

An adequate response includes a request to the Council Administration Officer who will delegate to the relevant City's employee for comment, response and action directly to the enquirer.

- (iii) All aspects of communication by elected members and employees (including verbal, written or personal), involving the City's activities should reflect the status and objectives of Council. Communications should be accurate, polite and professional.

8.2 Mayor to speak on behalf of Council

In accordance with the Local Government Act 1995, the spokespersons for Council is the Mayor and with the Mayor's authorisation, the Chief Executive Officer, either of whom may make a statement on behalf of Council and the City.

The Mayor or Chief Executive Officer will only express the view or position of Council, where Council has formally determined a view or position. Where Council has not determined the matter or has no clear view/position, the Mayor or Chief Executive Officer may express a personal view, providing they clearly preface such remarks as being their own personal view and not those of Council.

8.3 Corporate obligations

As representatives of the community, elected members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of Council. In doing so elected members should acknowledge that:

- (a) as a member of Council there is respect for the decision making processes of Council, which are based on a decision of the majority of Council;
- (b) information relating to decisions of Council on approvals, permits and so on ought to be communicated in an official capacity by a designated employee of the City;
- (c) information concerning adopted policies, procedures and decisions of Council is conveyed accurately; and
- (d) information of a confidential nature shall not be communicated until it is no longer treated as confidential.

8.4 Expression of personal views

Elected members and employees are free to make their own personal position known about any matter, which is pertinent to the business of the City, including Council decisions, provided that it cannot be construed to be a statement on behalf of Council.

- (a) Elected members and employees will refrain from making personal statements to the media without clearly prefacing such remarks that they are personal views and not those of Council;
- (b) Elected members and employees will not adversely reflect on a Council decision; and
- (c) This shall not prejudice an individual member's right to express a personal opinion on issues of public interest.

8.5 Comment during public consultation period

- (i) Elected members, committee members and employees:
 - (a) will refrain from making public comment expressing a personal opinion or prejudge a matter whilst the matter is being advertised for public comment and/or is yet to be considered and determined by Council;
 - (b) will clearly preface any of their remarks as being their own personal views and not those of Council or possibly be construed to be on behalf of Council; and
 - (c) will encourage members of the public to make a submission to the City.
- (ii) The Mayor and/or Chief Executive Officer may take appropriate action (including issuing a statement to the media) to correct any misinformation or erroneous information which is in the public arena.

8.6 Defamation

Elected members should acknowledge that:

- (a) Comments by elected members at meetings of Council and/or committees, forums, working or advisory groups of the City are not covered from defamation action by absolute privilege.
- (b) Elected members should ensure that comments made are pertinent to the business of local government and they are not made maliciously or without due regard to whether they represent the truth.

9 IMPLEMENTATION, REVIEW AND COMPLIANCE

9.1 Implementation and review

- (a) The original Code of Conduct for the City of Kwinana was first adopted on 28 November 1990 and reviewed and is amended as required by the *Local Government Act 1995*.
- (b) Council ~~will~~ **currently** review the Code of Conduct after each ordinary election (i.e. every two years) and any amendments to the Code of Conduct will be

subsequently communicated to elected members, committee members, employees and the community.

9.2 Matters not dealt with by this Code

(i) Rules of Conduct Regulations

Elected members are required to observe the rules of conduct prescribed in the Local Government (Rules of Conduct) Regulations 2007 (and those rules do not form part of this Code), namely –

- *General principles to guide the behaviour of council members;*
- *Contravention of certain local laws;*
- *Use of information;*
- *Securing personal advantage or disadvantaging others;*
- *Misuse of local government resources;*
- *Prohibition against involvement in administration;*
- *Relations with local government employees;*
- *Disclosure of interest; and*
- *Gifts.*

(ii) The Act

Certain conduct and actions by elected members, committee members and employees may constitute offences under the Local Government Act 1995 and may not be not dealt with by this Code of Conduct.

9.3 Adherence to the Code

- (i) Elected members are required to make a declaration to comply with Council's Code of Conduct upon being sworn in.
- (ii) All employees, on induction, are required to make a declaration to comply with Council's Code of Conduct.
- (iii) Any elected member, committee members or employee having concerns with regard to an actual, perceived, potential, intended or unintended breach of either the specific provisions or the spirit of the Code of Conduct, or any provisions of the Local Government Act 1995, Regulations or local laws, should discuss those concerns with the Chief Executive Officer where such matters relate to elected members, committee members or employees, or the Mayor in the case of matters involving the Chief Executive Officer.
- (iv) In all matters, the subject of the complaint shall be treated in the strictest confidence until such time as an appropriate investigation has been undertaken.
- (v) Any actions taken as a result of a breach will be made in accordance with the provisions of any applicable legislative requirement and the City's responsibilities as an employer.
- (vi) Serious and/or repeated breaches of the Code of Conduct will be reported to the Council or appropriate authority or relevant person for consideration and appropriate action, where necessary.

9.4 Dealing with complaints and allegations

- (i) If a person has any complaint concerning the performance, ability, character or integrity of any elected members, committee members or employee, or of any act or omission of an elected member, committee member or employee,

he or she shall make the complaint in the prescribed form and notify the Chief Executive Officer or the Mayor, if the complaint is in relation to the Chief Executive Officer.

- (ii) Any serious complaint or one which alleges misconduct or corruption must be verified by a Statutory Declaration, as prescribed by the *Oaths, Affidavits and Statutory Declarations Act 2005*.
- (iii) The complaint must be given in confidence and shall;
 - (a) identify the complainant and the person against whom the complaint is made;
 - (b) set out the details of the complaint, alleged breach of the Code of Conduct and/or legislation; and
 - (c) be in writing, or in the prescribed form and preferably verified by a Statutory Declaration, as prescribed by the *Oaths, Affidavits and Statutory Declarations Act 2005*.
- (iv) Any person who has lodged a complaint, or any elected members, committee members or employee, against whom a complaint has been made, must keep confidential the complaint, until the complaint has been determined or finalised.
- (v) Employees:
 - (a) Any complaint about an employee (other than a complaint about the Chief Executive Officer) shall be reported to and dealt with administratively by the Chief Executive Officer.
 - (b) Any complaint about the Chief Executive Officer shall be addressed to the Mayor, and will be dealt with by Council.
- (vi) Elected members and committee members:
 - (a) Any complaint about an elected member or committee member shall be reported to the Chief Executive Officer.

9.5 Procedure for dealing with complaints and allegations

All complaints and allegations will;

- (i) be treated as confidential and will ensure that the principles of “natural justice” and “procedural fairness” are followed at all times;
- (ii) for employees, be dealt with in accordance with any City policies and/or procedures; and
- (iii) for elected members and committee members, be dealt with in accordance with the Act, and Regulations or where applicable any City policies and/or procedures.

9.6 Protection of persons reporting unacceptable or illegal behaviour

The Chief Executive Officer is to ensure that elected members, committee members and employees who report unacceptable or illegal behaviour of elected members or employees (that is, whistleblowers) are not in any way disadvantaged or victimised because of their actions. The Chief Executive Officer’s action is limited to matters for which he/she has responsibility and/or jurisdiction to act.

9.7 ***Corruption, Crime and Misconduct Act 2003***

Elected members, committee members and employees must be aware of the Corruption, Crime and Misconduct Act 2003 which requires the Principal Officer of an organisation (ie: the Chief Executive Officer) to report possible misconduct or corruption to the Commission.

Victimisation

A person must not —

- (a) threaten to prejudice the safety or career of any person;
- or
- (b) intimidate or harass, or threaten to intimidate or harass, any person; or
- (c) do an act that is, or is likely to be, to the detriment of any person,

because the person mentioned in paragraph (a), (b) or (c), or someone else, gave evidence to, or helped, the Commission, the Public Sector Commissioner or the Parliamentary Inspector in the performance of functions under this Act.

Definitions

The Corruption and Crime Commission has produced the following information:

“Misconduct” essentially occurs if a public officer (which includes local government elected members, committee members and employees):

- corruptly acts or corruptly fails to act in the performance of the functions of the public officer’s office or employment; or
- corruptly takes advantage of the public officer’s office or employment as a public officer to obtain a benefit for himself or herself or for another person or to cause a detriment to any person; or
- whilst acting or purporting to act in his or her official capacity, commits an offence punishable by 2 or more years’ imprisonment;

or

A public officer engages in conduct that:

- adversely affects, or could adversely affect, directly or indirectly, the honest or impartial performance of the functions of a public authority or public officer whether or not the public officer was acting in their public officer capacity at the time of engaging in the conduct; or
- constitutes or involves the performance of his or her functions in a manner that is not honest or impartial; or
- constitutes or involves a breach of the trust placed in the public officer by reason of his or her office or employment as a public officer; or
- involves the misuse of information or material that the public officer has acquired in connection with his or her functions as a public officer, whether

the misuse is for the benefit of the public officer or the benefit or detriment of another person,

AND constitutes or could constitute:

- a disciplinary offence providing reasonable grounds for the termination of a person's office or employment as a public service officer under the Public Sector Management Act 1994 (whether or not the public officer to whom the allegation relates is a public service officer or is a person whose office or employment could be terminated on the grounds of such conduct).

What Does Corruptly Mean?

The term is not defined under the Act. Corruption usually involves calculated, often continuing, covert and wrongful exercise of public duty or function. The Criminal Code also provides guidance by defining the offence of corruption at section 83, in the following terms:

“Corruption

Any public officer who, without lawful authority or a reasonable excuse —

- (a) acts upon any knowledge or information obtained by reason of his office or employment; or*
- (b) acts in any matter, in the performance or discharge of the functions of his office or employment, in relation to which he has, directly or indirectly, any pecuniary interest; or*
- (c) acts corruptly in the performance or discharge of the functions of his office or employment,*

so as to gain a benefit, whether pecuniary or otherwise, for any person, or so as to cause a detriment, whether pecuniary or otherwise, to any person, is guilty of a crime”

REFERENCES AND FURTHER READING

~~Independent Commission Against Corruption — “Lobbying Local Government Councillors” August 2006.~~

~~Department of Local Government (NSW) “The model Code of Conduct for Local Government in NSW” March 2013.~~

~~Department of Local Government and Regional Development “Council Members Relationship with Developers” Operational Guidelines No 12 — April 2006.~~

~~Public Sector Commission Conduct Guide~~

~~WALGA Model Code of Conduct~~

~~Public Sector Management Act 1994~~

9.8 References

Name of Document	Code of Conduct
Date of Adoption and resolution No	12/11/1990 – Item 10.1
Review dates and resolution No #	28/11/1990 #301 11/11/1998 #325 27/10/1999 #253 25/10/2000 #701 12/09/2001 #144 28/08/2002 #124 08/10/2003 #197 24/11/2004 #697 22/04/2006 #318 10/03/2010 #80 11/07/2012 #163 25/10/2014 #195 16/12/2015 #083 27/04/2016 #179
New review date	October 2017
Legal Authority	Local Government Act 1995 s5.103 Codes of Conduct
Directorate	City Strategy
Department	Governance and Civic Services
Related documents	<p>Acts/Regulations Local Government Act 1995</p> <p>Public Sector Management Act 1994</p> <p>Public Interest Disclosure Act 2003</p> <p>Plans/Strategies Corporate Business Plan 2016 – 2021</p> <p>Policies D17/11605 – HR Policy – Conduct and Compliance – Conflict of Interest</p> <p>D14/23446[v2] – HR Policy – Secondary Employment</p> <p>D11/7785[v5] – HR Policy – Workplace Behaviour – Harassment, Discrimination and Bullying</p> <p>D09/30432[v5] – HR Policy – Grievance Management</p> <p>Work Instructions D17/6757[v2] – Procedure for declaring a conflict of interest under the Code of Conduct</p>

	<p>Other documents</p> <p>D09/45347[v3] – Public Interest Disclosure – Employee Guidelines</p> <p>D09/45338[v3] – Public Interest Disclosure – Employee Information</p> <p>D16/66684[v2] – Form – GCS – Declaration of conflict of interest under the Code of Conduct.</p> <p>D14/49538[v2] – Form – GCS – Complaint of Minor Breach – Code of Conduct</p> <p>D14/49537[v2] – Details of Complaint Form – Code of Conduct</p> <p>Independent Commission Against Corruption – <i>“Lobbying Local Government Councillors”</i> August 2006.</p> <p>Department of Local Government (NSW) <i>“The model Code of Conduct for Local Government in NSW”</i> March 2013.</p> <p>Department of Local Government and Regional Development <i>“Council Members Relationship with Developers”</i> Operational Guidelines No 12 – April 2006.</p> <p>Public Sector Commission Conduct Guide</p> <p>WALGA Model Code of Conduct</p>
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Note: Changes to References may be made without the need to take the Policy to Council for review.

Council Policy

Risk Management



Council Policy

Risk Management

D15/57852[v3]

1. **Title**
Risk Management
2. **Purpose**
The City of Kwinana Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the City's strategies, goals or objectives.
3. **Scope**
Define what the scope and boundaries are.
4. **Definitions (from AS/NZS ISO 31000:2009)**

Risk: Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).

Risk Management: Coordinated activities to direct and control an organisation with regard to risk.

Risk Management Process: Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

5. Policy Statement

Risk Management Objectives

- Optimise the achievement of our vision, strategies, objectives and actions.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Improve stakeholder trust and confidence.
- Embed appropriate and effective controls to mitigate risk which will reduce unexpected and costly surprises.
- Enhance risk versus return within our risk appetite, enabling a balance between opportunity and risk.
- More effective and efficient allocation of resources through operational, project and strategic activities.
- Enhance organisational resilience and identify and provide for the continuity of critical operations.

Risk Appetite

The Risk Appetite Statement (Appendix A) and the Risk Assessment and Acceptance Criteria (Appendix B) are subject to review in line with this Policy unless circumstances warrant an earlier review. As components of this Policy they are subject to adoption by Council.

All organisational risks to be reported at a corporate level are to be assessed according to the City's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. Assessments must also include a statement detailing how they compare to the City's Risk Appetite.

For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these should not exceed the organisation's appetite and are to be noted within the individual risk assessment.

Roles, Responsibilities and Accountabilities

The Chief Executive Officer is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

Monitor and Review

The City will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

Part 7 – Audit of the *Local Government Act 1995* and Regulation 17 *Local Government (Audit) Regulations 1996* requires the Audit Committee to review the results of the appropriateness and effectiveness of the risk management systems and procedures at least once every two calendar years

This Policy ~~will be~~ **is currently** kept under review by the City's Executive Management Team and its employees. It will be formally reviewed **biennially through the Audit Committee annually**.

6. Financial/Budget Implications

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

7. Asset Management Implications

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

8. Environmental Implications

There are no specific environmental implications associated with this Policy.

9. Strategic/Social Implications

Insert the relevant objective(s) and strategy from the Community Strategic Plan along with any specific social implications associated with this Policy.

10. Occupational Safety and Health Implications

There are no specific OSH implications associated with this Policy.

11. Risk Assessment

A risk assessment must be performed as part of the Council Policy review and the information as detailed in the Council report. Risk events and risk ratings will change and it is the responsibility of the relevant Directorate to ensure risk is reviewed regularly.

12. References

Name of Policy	Risk Management
Date of Adoption and resolution No	21/01/2015 #369
Review dates and resolution No #	08/04/2015 #428 28/10/2015 #011
New review date	28/10/2017
Legal Authority	Local Government Act 1995 Section 2.7 – Role of Council Local Government Act 1995 Part 7 – Audit Local Government (Audit) Regulations 1996, Regulation 17 – CEO to review certain systems and procedures
Directorate	City Strategy
Department	Human Resources
Related documents	<p>Acts/Regulations Local Government Act 1995 Section 2.7 – Role of Council Local Government Act 1995 Part 7 – Audit Local Government (Audit) Regulations 1996, Regulation 17 – CEO to review certain systems and procedures</p> <p>Plans/Strategies Insert any Plans/Strategies referred to in this document.</p> <p>Policies Nil</p> <p>Work Instructions Nil.</p> <p>Other documents Code of Conduct</p>

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

Appendix A – Risk Appetite Statement

The City seeks to manage risk carefully. Risk appetite is the amount of risk an organisation is prepared to be exposed to before it judges action to be necessary. The City's overall risk appetite is 'risk adverse'. Risk appetite will be defined using various terms describing the acceptable tolerances such as;

- No tolerance
- Low
- Moderate
- High

The City should accept the taking of calculated risks, the use of innovative approaches and the development of new opportunities to improve service delivery and achieve its objectives provided that the risks are properly identified, evaluated and managed to ensure that exposures are acceptable.

The following sections describe the City's risk appetite over the main areas of consequence:

People

Due to the nature and diversity of works completed by employees and contractors of the City, it is accepted that minor injuries may occur from time to time, however the City has a low appetite for these. Safe working practices are continually being refined and improved, and there is no tolerance for employees not following due process where their or other's safety is at risk. The safety management system is designed to proactively identify and control workplace hazards and there is a low appetite for the non-effective use of this process. Where injuries (or near misses) do occur they must be reported as soon as practically possible so that appropriate welfare considerations can be implemented or investigations commenced to reduce the opportunity for reoccurrence.

There is also a low appetite for issues and incidents that may affect public safety. Routine inspections of public areas are designed to identify potential hazards, with mitigation works prioritised against the potential risk. Where the City is notified of potential hazards, these are similarly prioritised and scheduled against any potential risk to public safety.

The City seeks opportunities to develop employees to increase individual's own skills and knowledge as well as provide for a multi skilled workforce. Whilst these opportunities are considered positive aspects, the City has no appetite for employees performing duties for which they are not suitably qualified where the work requires a specific ticket or qualification and harm could be caused to themselves and others. In all cases, direct supervision and oversight of activities and outcomes must be in place. Where formal qualifications are not required to perform certain duties, the City has a moderate appetite; however there is the expectation that training programs are in place with regular management reviews to ensure associated risks are mitigated.

Financial

There is a low appetite for activities that threaten the long term financial stability of the City. It is recognised however that achieving financial sustainability will require investigation into additional income streams and there is a need to have a moderate to high appetite for discrete activities that may provide these additional income streams or enhance economic diversity. Opportunities of this nature are expected to be carefully considered with appropriate controls implemented.

The City's Investment Policy stipulates the current appetite for investment risk, which is in line with Local Government legislative requirements. Focus is on maintaining liquidity, for which there is a low appetite to risk, however will expand to a moderate appetite where a business case has been carried out and has been presented to Council for consideration.

Effective project management is considered paramount by the City and consequently there is no appetite for projects being considered or completed outside of the City's project methodology. This methodology sets out the specific reporting and monitoring activities which drives a low appetite for cost or time overruns exceeding 10% on complex projects.

Service Delivery

The City has no appetite for service disruptions greater than one day to core services that provide for public health and safety (e.g. Waste Collection, Ranger Services). There is a very low appetite for disruption to other core services past one day that provide direct customer contact or child care support (i.e. Counter / Telephony) and is further relaxed to moderate for other supplementary services. Contingency based plan(s) must be maintained for all core activities.

The City has a moderate appetite for the risks associated with identifying and implementing service based efficiencies; conditional on changes having the ability to be reversed with limited impact in the case of failure.

To support service delivery across all areas, there is a low appetite for Information Technology (IT) disruptions and the City's IT infrastructure must be secure, routinely maintained and systems kept up to date with the support of IT Vendors where appropriate. Data back-ups must be maintained off-site and recovery plans in place and tested on a regular basis.

Environment

The City has no appetite for the creation of new contaminated sites or activities that may lead to new sites. Existing sites are well managed and consequently the City has a low appetite for any ineffective site management. Appropriate management plans, in conjunction with regulatory authorities (e.g. ERA / DER / DoH / DEC), must be maintained. Where new sites (including potential sites) are identified, the City will engage the relevant regulatory authority at the earliest opportunity to assist in the development of management arrangements in addition to investigating potential remedial (including litigation) options against responsible parties.

As the City is aspiring to promoting ecologically sustainable development there is a moderate appetite for these activities. Consequences may be financial or reputational however the City is prepared to accept these risks if the conditional developmental studies are sound and are based on acceptable practices or feasibility studies.

Due to the impact and potential of bushfire within the municipality the City has a low appetite for any inadequacies in natural hazard risk management activities (e.g. Controls Burns).

Reputational

The City has no appetite for the provision of inaccurate advice by qualified employees as well as a low appetite for inaccurate advice by unqualified employees. This stance is the driver for improvements to the City's knowledge base which is currently under development.

The City also has no appetite for theft, fraud or any misconduct based activities by Councillors, employees or external parties. In all cases, the actions will result in disciplinary procedures and / or the involvement of police or other relevant agencies.

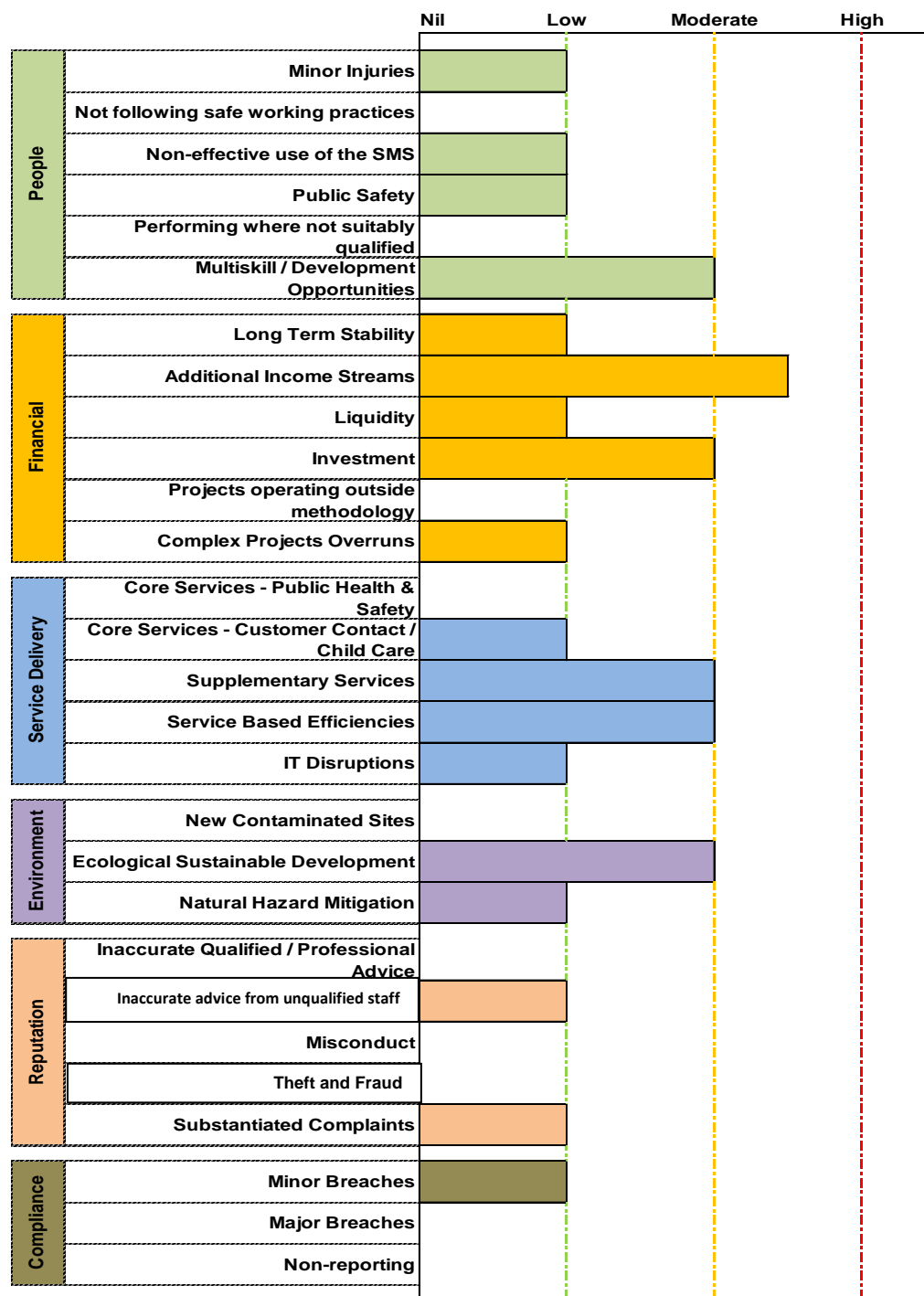
The City has a low appetite for reputational risks that may result in complaints from the community, specifically around expectations regarding the maintenance or provision of facilities.

Compliance

The City is subject to a number of statutory and regulatory obligations and is reliant on various processes and procedures and individual's integrity to maintain compliance. The City has a low appetite for minor breaches from time to time. The City has no appetite

however for major breaches, activities that may result in successful litigation against the City or the non-reporting of breaches to appropriate authorities once they are recognised.

Summary



Appendix B – Risk Assessment and Acceptance Criteria

Measures of Consequence								
Rating	Health	Financial Impact	Service Interruption	Compliance	Reputational		Property	Environment
					External	Internal		
Insignificant	Negligible injuries	Less than \$5,000 or 5% of *TOE	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item, no social media attention	Isolated incidents of short term decline in individual staff morale/confidence	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor	First aid injuries	\$5,001 – \$50,000 or 10% of TOE	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item, limited social media attention (e.g Limited to local news / limited social media impact)	Short term decline in staff confidence/morale	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate	Loss time injuries < 2 days	\$50,001 - \$500,000 or 15% of TOE	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile, requires social media response and monitoring (e.g State News story)	Decline in staff confidence/morale, or unauthorised absences	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major	Loss time injuries >= 2 days	\$500,001 - \$5,000,000 or 25% of TOE	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions, requires immediate and ongoing social media response and monitoring (e.g National News – lead story single occurrence)	Long term decline in staff confidence or morale, occasional unauthorised staff absences or threat of strike	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic	Fatality, permanent disability	More than \$5,000,000 or 50% of TOE	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions, requires substantial social media resourcing for long term response and monitoring. (e.g International / National News – lead story, multiple days)	Sudden or unexpected loss of personnel due to strikes, excessive unauthorised staff absences	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

*TOE – Total Operating Expenditure

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
LOW	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH	Urgent Attention Required	Risk acceptable with effective controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
EXTREME	Unacceptable	Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

Existing Controls Ratings		
Rating	Foreseeable	Description
Effective	There is <u>little</u> scope for improvement.	<ol style="list-style-type: none"> Processes (Controls) operating as intended and aligned to Policies / Procedures. Subject to ongoing monitoring. Reviewed and tested regularly.
Adequate	There is <u>some</u> scope for improvement.	<ol style="list-style-type: none"> Processes (Controls) generally operating as intended, however inadequacies exist. Nil or limited monitoring. Reviewed and tested, but not regularly.
Inadequate	There is a <u>need</u> for improvement or action.	<ol style="list-style-type: none"> Processes (Controls) not operating as intended. Processes (Controls) do not exist, or are not being complied with. Have not been reviewed or tested for some time.



CODE OF CONDUCT

LAST REVIEWED 27/04/2016 #179



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CODE OF CONDUCT

1. INTRODUCTION

1.1 *Preamble*

The Council of the City of Kwinana is the elected body responsible for the leadership of the City in the best interest of its residents. Council is committed to providing open, responsive and accountable government. It must do that in accordance with the applicable legislation.

The *Local Government Act 1995* confers considerable power on Council. As a result of this, elected members, committee members and employees must actively seek to achieve and retain public trust if they are to deserve the responsibilities entrusted to them.

1.2 *Requirement for a Code of Conduct and its application*

- (i) The *Local Government Act 1995* requires every Council to adopt a Code of Conduct to be observed by elected members, committee members and employees.
- (ii) Elected members, committee members and employees of the City must comply with the applicable provisions of the City's Code of Conduct.
- (ii) The Code of Conduct applies to all elected members committee members and employees of the City of Kwinana.
- (iv) It is a requirement of this Code that elected members observe the Local Government (*Rules of Conduct*) Regulations 2007 and the general principles referred to in Regulation 3(1).

Footnote:

Regulation 3(1) of the Local Government (Rules of Conduct) Regulations 2007 provides as follows:

- (a) act with reasonable care and diligence; and
 - (b) act with honesty and integrity; and
 - (c) act lawfully; and
 - (d) avoid damage to the reputation of the local government; and
 - (e) be open and accountable to the public; and
 - (f) base decisions on relevant and factually correct information; and
 - (g) treat others with respect and fairness; and
 - (h) not be impaired by mind affecting substances.
- (v) This Code comes into operation when it is adopted by Council.

1.3 Definitions

In this Code, unless the text requires otherwise;

Act means the *Local Government Act 1995*;

Chief Executive Officer means the Chief Executive Officer of the City;

Committee means a committee established by Council under the Act;

committee member has the meaning as defined in section 5.9(1) of the Local Government Act 1995 and includes 'other person', i.e., is not an Elected member or an employee

Council means the Council of the City;

elected member means a person who holds the office of Mayor or Councillor on the Council;

employee means a person employed by the City;

local law means any local law adopted by Council;

City means City of Kwinana;

Regulations means any regulations made under the *Local Government Act 1995*;

Rules of Conduct Regulations means the *Local Government (Rules of Conduct) Regulations 2007*.

1.4 Purpose of the Code of Conduct

- (i) The Code of Conduct provides elected members, committee members and employees of the City of Kwinana with clear guidelines for the standard of professional conduct and behaviour expected of them in carrying out their functions and responsibilities. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability. It encourages a commitment to ethical and professional behaviour and outlines principles on which individual and collective local government responsibilities may be based.

The Code of Conduct is complementary to the principles adopted in the Local Government Act 1995, Regulations and local laws which incorporate four fundamental aims:

- (1) better decision making by local governments;
- (2) greater community participation in the decisions and affairs of local governments;

- (3) greater accountability of local government to their communities; and
- (4) more efficient and effective local government.
- (ii) The Code of Conduct has been developed to assist elected members, committee members and employees to;
 - understand the standard of conduct that is expected of them;
 - enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of due care and diligence; and
 - act in ways that enhance public confidence in the integrity of local government.

1.5 **Key principles**

This Code of Conduct is based on the following key principles:

1.5.1 **Integrity**

Elected members, committee members and employees must not place themselves under any financial or other obligation to any individual or organisation that might reasonably be thought to influence them in the performance of their duties.

1.5.2 **Leadership**

Elected members, committee members and employees have a duty to promote and support the key principles of by leading by example and to maintain and strengthen the public's trust and confidence in the integrity of the City. (*This means promoting public duty to others in the City and community, by their own ethical behaviour*).

1.5.3 **Selflessness**

Elected members, committee members and employees have a duty to make decisions solely in the public interest (*this means making decisions because they benefit the public, not because they benefit the decision maker*). Elected members, committee members and employees must not act in order to gain financial or other benefits for themselves, their family, friends or business interests.

1.5.4 **Objectivity**

Elected members, committee members and employees must make decisions solely on merit and in accordance with their statutory obligations when carrying out public business. This includes the making of appointments, awarding of contracts or recommending individuals for rewards or benefits. (*This means fairness to all; impartial assessment; merit selection in recruitment and in purchase and sale of the City resources; considering only relevant matters*).

1.5.5 Accountability

Elected members, committee members and employees are accountable to the public for their decisions and actions and must consider issues on their merits, taking into account the views of others (*This means recording reasons for decisions; submitting to scrutiny; keeping proper records; establishing audit trails*).

1.5.6 Openness

Elected members, committee members and employees have a duty to be as open as possible about their decisions and actions, giving reasons for decisions and restricting information only when the wider public interest clearly demands. (*This means recording, giving and revealing reasons for decisions; revealing other avenues available to the client or business; when authorised, offering all information; communicating clearly*).

1.5.7 Honesty

Elected members, committee members and employees have a duty to act honestly. They must declare any private interests relating to their public duties and take steps to resolve any conflicts arising in such a way that protects the public interest (This means obeying the law; adhering to Council Policies and City of Kwinana procedures; observing the Code of Conduct; fully disclosing actual or potential conflict of interests and exercising any conferred power strictly for the purpose for which the power was conferred).

1.5.8 Respect

Elected members, committee members and employees must treat others with respect at all times. (*This means not using derogatory terms towards others, observing the rights of other people, treating people with courtesy and recognising the different roles others play within local government decision making*).

This standard requires that they treat other people as individuals with rights to be honoured and defended, and also to assist these people to claim their rights if they are unable to do it for themselves. The City encourages honest relationships by being truthful and sincere when dealing with others.

1.5.9 Justice

Elected members, committee members and employees must treat people fairly, without discrimination, and with rules that apply equally to all. (*This means they must ensure that opportunities and social benefits are shared equally among individuals, including equitable outcomes for disadvantaged people. They must uphold the laws of the City of Kwinana and comply with relevant State and Federal legislation*).

1.5.10 Beneficence

Elected members, committee members and employees must do for others what they would like done for themselves – that they do good, and not harm, to others. They must be aware that the strong have a duty of care to the weak, dependant and vulnerable and to uphold the rights of those who are unable to do so. They shall contribute to the well-being of individuals and society by exercising due diligence and duty of care to others.

1.6 *Role of Council, Mayor, Elected members and the Chief Executive Officer*

The role of Council, Mayor, elected members and Chief Executive Officer is prescribed by the *Local Government Act 1995*.

As an elected leader of the community, the Mayor shall demonstrate the highest level of civic conscience, impartiality and personal conduct.

An elected member's primary role is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the local government. This will be the focus of the elected member's public life.

An elected member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives.

In fulfilling their various roles, elected member's activities will focus on;

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- achieving sound financial management and accountability in relation to the City's finances;
- ensuring that appropriate mechanisms are in place to enable the prompt management of residents' concerns;
- working with other governments and organisations to achieve benefits for the community at both a local and regional level; and
- being aware of the statutory obligations imposed on elected members and on local governments.

2. GENERAL CONDUCT OBLIGATIONS

2.1 *General conduct*

- (i) Elected members, committee members and employees must avoid behaviour and conduct that:
 - contravenes the *Local Government Act 1995*, associated regulations and the City's relevant administrative requirements;
 - is improper or unethical;
 - is an abuse of power or otherwise amounts to misconduct;
 - causes, compromises or involves creating or escalating any avoidable risks within property owned by the City, (including vehicles) that compromise the health, well being or safety of any members of the City or public. Potential risks or hazards to employees or public are to be reported according to existing procedures.
 - causes, compromises or involves intimidation, harassment, or verbal, physical or psychological abuse.
 - causes, compromises or involves discrimination, disadvantage or adverse treatment in relation to employment; or
 - causes, compromises or involves prejudice in the provision of a service to the community.
 - causes property belonging to another, (including City owned property) to be removed or taken without consent.
- (ii) Elected members, committee members and employees will respect the title of elected office, referring to the Mayor and elected members and committee members by their formal title whilst in the public arena, and thereafter as circumstances dictate.
- (iii) as part of their representative role elected members and employees are often asked to represent the City on external organisations. It is important that elected members and employees apply the following:
 - Clearly understand the basis of their appointment;
 - Provide regular reports on the activities of the organisation; and
 - Always represent the decision/views of the City, whether the person agrees with the decision/view or not.
- (iv) Elected members, committee members and employees will promote courtesy, trust and respect in an environment that is free from bullying.

2.2 *Honesty and integrity*

Elected members, committee members and employees will:

- (i) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (ii) bring to the notice of the Chief Executive Officer any suspected dishonesty on the part of any elected members, committee members or employee.

Any presumed dishonesty on the part of the Chief Executive Officer is to be brought to the attention of the Mayor, and any suspected dishonesty on the part of the Mayor is to be brought to the attention of the Chief Executive Officer;

- (iii) be frank and honest in their official dealing with each other; and
- (iv) treat all members of the community honestly and fairly.

2.3 *Fairness and equity*

Elected members, committee members and employees

- (i) have an obligation to consider issues consistently, promptly and fairly. This involves dealing with matters in accordance with established procedures, in a non-discriminatory manner.
- (ii) must take all relevant facts known to them, or that they should be reasonably aware of, into consideration and have regard to the particular merits of each case. They must not take irrelevant matters or circumstances into consideration when making decisions.
- (iii) Elected members, committee members and employees will ensure that the Council has its own proposals, for entrepreneurial activities, impartially and properly assessed, consistent with the scope and standard of the normal assessment applied to outside parties requiring Council approval (including subdivisions, development, buildings and tenders).

2.4 *Improper and undue influence*

Elected members, committee members and employees must not take advantage of:

- (i) their position to improperly influence other City officials in the performance of their public or professional duties to secure a private benefit for themselves or for somebody else; and
- (ii) or seek to take advantage of, their status or position with, or functions performed for the City, in order to obtain unauthorised or unfair benefit for themselves or for any other person or body.

2.5 Personal behaviour

Elected members, committee members and employees shall:

- (i) perform their duties impartially and in the best interest of the City uninfluenced by fear or favour;
- (ii) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the City and the community;
- (iii) subject to section 8, when dealing with any person or organisation who has, or may have, dealings with the City, or any ratepayers or residents, explain whether they are representing the City, or whether they are acting on an individual basis. If acting as an individual, elected members, committee members and employees cannot speak on behalf of the City or offer Council's support for a position;
- (iv) not make any allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment;
- (v) ensure that any comments they make when acting in an official capacity are pertinent to the business of the local government and are not made maliciously or without regard as to whether they represent the truth;
- (vi) always act in accordance with their obligation of fidelity to the City;
- (vii) refrain from carrying out their official duties or responsibilities whilst affected by alcohol, illicit drugs or mind affecting substances;
- (viii) act at all times when representing the City (which includes while wearing City branded clothing) in a manner that will not adversely reflect on Council or bring the City of Kwinana into disrepute;
- (ix) whilst conducting City business, adhere at all times to a standard of dress and personal hygiene which is neat, responsible and consistent with community expectations and normal business practices; and
- (x) not denigrate or cast aspersions on a elected members', committee members' or employee's commitment, contribution or competence.

2.6 Performance of duties

Employees

- (i) While on duty, employees will give their whole time and attention to the local government's business and ensure that their work is carried out efficiently, economically and effectively in accordance with their position description responsibilities and duties, Council Policies and corporate objectives, and that their standard of work reflects favourably both on them and on the City;
- (ii) Employees shall demonstrate loyalty and commit to the unconditional acceptance and support of all Council decisions and lawful instructions from the Chief Executive Officer;

CODE OF CONDUCT

- (iii) Employees shall at all times ensure that their standard of work and conduct reflects favourably both on them and the City, and is in accordance with the City's Customer Service Charter and Customer Service Standards;
- (iv) Employees will comply with the Local Government (Functions and General) Regulations 1996 in respect to tenders for goods and services in any instance where they are involved in any manner with tendering for a City contract;
- (v) Employees shall comply with neat and responsible dress standards whilst at work and shall acknowledge that management reserves the right to raise the issue of dress with individual employees;
- (vi) Employees are encouraged to develop networks with the local government industry, to encourage and assist their peers and promote goodwill between local governments; and
- (vii) Employees are expected to question, review and revise work practices and procedures to account for the organisation's statutory compliance. Regardless of 'instruction', statutory requirements are the principal power.

Elected members

- (i) Will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits;
- (ii) Be as informed as much as possible about the functions of Council and be familiar with all agenda reports and associated documents, prior to the meeting at which the items will be considered;
- (iii) Attend all meetings of Council, -committees, forums, working and advisory groups, to which they are appointed, unless they have previously been granted leave of absence by resolution of Council, or for reasons of illness or offers an apology for being unavailable for other reasons. In the event of a delegate being unable to attend any committee or Council responsibility, they shall inform the deputy delegate in time to attend; and
- (iv) Acknowledge there is an expectation that elected members will remain until the completion of Council meetings, committees, forums, working and advisory group meetings unless there is an overriding valid reason for leaving.

Committee members

- (i) Will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits;
- (ii) Be as informed as much as possible about the functions of the committee of which they are part, and be familiar with all agenda reports and associated documents, prior to the meeting at which the items will be considered;

- (iii) Attend all meetings of the committee, to which they are appointed, unless for reasons of illness or offers an apology for being unavailable for other reasons. In the event of a committee member being unable to attend any committee meeting, they shall endeavour to inform the City prior to the scheduled meeting time; and
- (iv) Acknowledge there is an expectation that committee members will remain until the completion of the committee meeting unless there is an overriding valid reason for leaving.

2.6.1 Compliance with lawful orders

Elected members, committee members and employees will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer. In the case of elected members the matter can be taken up with the Chief Executive Officer and/or the Mayor if the circumstances require it.

However this must not be seen to prevent elected members, committee members or employees in a private capacity from lobbying to change the policies of the local government.

2.6.2 Administration and management

- (i) Elected members and employees will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.
- (ii) Elected members and employees shall at all times be mindful of their responsibility to maintain full and accurate records in the performance of their duties.
- (iii) In particular, employees shall ensure that file notes are drafted and placed on record immediately, or as soon as practicable, following discussions on issues of substance. Such issues shall include matters impacting on Council or the City and matters affecting public interest.

2.7 Harassment and discrimination

- (i) Elected members, committee members and employees must not harass, discriminate against, or support others who harass and discriminate against colleagues or members of the public. This includes, but is not limited to harassment and discrimination, on the grounds of sex, pregnancy, age, race (including their colour, nationality, descent, ethnic or religious background), political affiliation, marital status, disability, homosexuality or transgender.
- (ii) The City will ensure compliance with the principles and provisions of the Equal Opportunity Act 1984 (WA). This commitment extends to ensuring that recruitment and selection, promotion and advancement will be solely on the basis of equity and fairness and that appointment will be based on merit.

- (iii) All people have a right to work in an environment that is free from sexual harassment. Sexual harassment will not be tolerated in the City of Kwinana. Any elected members or employee found to be committing sexual harassment will be subject to discipline and/or termination proceedings.

2.8 Development decisions

- (i) Elected members have a duty to ensure that development decisions are properly made and that parties involved in the development process are dealt with fairly. Elected members must avoid impropriety and must also avoid any occasion for reasonable suspicion and any appearance or improper conduct.
- (ii) In determining development applications, it is essential that elected members are highly conscious of the potential for even the slightest impropriety to lead to reasonable suspicion of misconduct. This means elected members must ensure that no action, statement or communication between themselves and applicants or objectors conveys any suggestion of willingness to provide concessions or preferential treatment.

2.9 Lobbying

2.9.1 Introduction

“Lobbying” is used to cover those types of communication between local government elected members and the community such as representations to elected members by special interest groups, by individuals with a direct interest in a council decision and by advocates acting on behalf of others.

Lobbying is common in local government. The most common form occurs when a group or individual makes direct contact with elected members in an attempt to influence a Council decision.

Appropriate lobbying of elected members is considered normal. In many cases lobbying is part of the democratic process and is an acceptable feature of the relationship between citizens and their elected representatives.

2.9.2 Inappropriate lobbying

It is in the public interest that lobbying is fair and does not undermine public confidence in impartial decision-making. Lobbying is a two-way process between elected members and lobbyists.

Elected members should take care that their duty to consider issues fairly and properly is not compromised by participating in lobbying practices that are outside the bounds of appropriate or lawful behaviour.

It is not possible to define every type of activity that could constitute inappropriate or unlawful lobbying. Generally, however, inappropriate or unlawful conduct on the part of someone lobbying an elected member usually involves an attempt to obtain preferential consideration or treatment based on factors other than the merits of the matter.

Examples include:

- (i) accepting undisclosed payments or benefits while making a decision that affects the gift giver's interests;
- (ii) accepting a political donation in return for the favourable exercise of discretion during decision making;
- (iii) granting access to a particular individual or group while *unreasonably* denying similar access requested by another party;
- (iv) fettering discretion by giving undertakings to an interested party prior to considering all the information relevant to a decision;
- (v) acting in a manner that exceeds the role of an elected member as defined in section 2.8, 2.9 or 2.10 of the Local Government Act 1995;
- (vi) disclosing confidential information while being lobbied; and
- (vii) being unduly influenced by factors that are irrelevant to the merits of the matter under consideration.

2.9.3 Transparency

Elected members should exercise judgement when deciding whether to be involved in private meetings with people seeking to influence a Council decision. Suspicions of inappropriate lobbying can occur when lobbying is not open to public scrutiny. Regardless of whether such suspicions are justified, they still have the potential to undermine public confidence in Council decision-making and adversely affect an elected member's reputation.

Transparency is the means of governing accountability and perceptions of fairness in lobbying processes. There are a number of ways elected members can help ensure transparency whilst being lobbied. These include:

- documenting meetings with proponents;
- generally conducting meetings in official locations, such as City premises;
- having other people present during meetings;
- inviting applicants who have approached them for a meeting to discuss significant developments, to write to the City seeking a meeting with all elected members and employees;
- providing copies of information presented during lobbying meetings to City employees for consideration and assessment (if

required), distribution to other elected members and filing as part of the City records;

- asking people who have requested a meeting to put their arguments in writing; and
- making a declaration at a Council meeting about lobbying activities they have been engaged in that are not part of Council's formal processes.

2.9.4 Tendering

The lobbying of elected members by tenderers about the outcome of a tender process is not permissible.

(Reference; clause 2.9 Independent Commission Against Corruption – Lobbying Local Government Councillors” – August 2006.)

3. CONFLICT OF INTERESTS

3.1 Conflict of interest

- (i) Elected members, committee members and employees will ensure that there is no actual or perceived conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (ii) Employees will notify the City's Human Resources Department of any secondary employment and will not engage in private work with or for any person or body with an interest in a proposed or current business dealing with the local government, without first making disclosure to the Chief Executive Officer, or in the case of the Chief Executive Officer, to the Mayor. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance or duties must be scrupulously avoided.
- (iii) Employees will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discriminatory legislation.

- (iv) Employees who exercise a recruitment, regulatory, inspectorial or other discretionary function must make disclosure before dealing with closely associated persons, close relatives or close friends and, whenever possible, or in doubt, should disqualify themselves from dealing with those persons. This disclosure must be made in writing to their Director and/or Chief Executive Officer. In the case of the Chief Executive Officer, disclosure to the Mayor is required.

- (v) Elected members, committee members and employees need to consider any close personal or private interests that may conflict, or be perceived to conflict with their public duty.
- (vi) It is almost inevitable elected members, committee members and employees will have a conflict of interest at some point. These conflicts of interest must be recognised and dealt with accordingly to avoid any conflict or perceived conflict of interest, particularly when decision making is required.

3.2 Financial interest

Elected members and employees will adopt the principles of financial interest as contained within the *Local Government Act 1995*. (Sections 5.59 to 5.90. Subdivision 2, Division 6.)

3.3 Disclosure of interest

Elected members and employees will adopt the principles of disclosure of interest (impartiality) as contained within the Local Government (Administration) Regulations 1996 - Regulation 34C.

- (i) In addition to disclosure of financial interests, elected members and employees, including persons under a contract for services-
 - Attending a Council or committee Meeting; or
 - Giving advice to an elected member, Council or Committee meeting;

are required to disclose any interest they have in a matter to be discussed at the meeting that could give rise to a reasonable belief that the impartiality of the person having the interest would be affected.
- (ii) Where an interest must be disclosed under (i) above, the disclosure is to be made at the meeting immediately before the matter is discussed or in a written note given to the Chief Executive Officer before the meeting, and is to be recorded in the minutes of the meeting.
- (iii) The disclosure of an interest in (i) above does not affect the ability of the elected member or employee to discuss or vote on the matter.

This is not limited to, but may include, situations where Council decisions affect the person's close relatives (not already defined as a "closely associated" financial interest), a close friend or a sporting or community association of which the person is a committee member or office bearer.

3.4 Disclosure of election campaign donations

In the interests of uncompromised decision making, the City of Kwinana requires all electoral candidates to comply with the *Local Government Act 1995* and its associated regulations in disclosing electoral donations. A candidate is to disclose information about any electoral related gift with a

value of \$200 or more that may be received within the six month period prior to the relevant election day.

- (i) A “gift” includes a gift of money, a gift which is non-monetary but of value, a gift in kind or an inadequate financial consideration or the receipt of a discount (where the difference or the discount is more than \$200 worth), financial or other contribution to travel, the provision of a service for no consideration or for inadequate consideration, and a firm promise or agreement to give a gift at some future time.

A gift does not include a gift by will; a gift by a relative; a gift that the candidate would have received notwithstanding his or her candidature; or the provision of volunteer labour.

- (ii) The disclosure of a gift is to be made to the Chief Executive Officer in the manner prescribed by Regulation and in doing so identify specified information.
- (iii) Details about each gift are to be disclosed on the prescribed form and submitted within three days of receiving the gift. Information to be supplied includes the name of the candidate, the name and address of the donor, the date the gift was promised or received, the value of the gift and a description of the gift.
- (iv) The disclosure period commences six months prior to the relevant election and finishes three days after the election day for unsuccessful candidates and on the start day for financial interest returns for successful candidates.
- (v) The Chief Executive Officer is to establish and maintain an Electoral Gift Register. Disclosure forms are to be placed in the Electoral Gift Register upon receipt by the Chief Executive Officer in a manner that clearly identifies and distinguishes the candidates. The Electoral Gift Register is to be kept available for public inspection.
- (vi) In accordance with the Local Government (Elections) Regulations 1999, a maximum penalty of \$5,000 may be imposed on a candidate who fails to comply with the disclosure requirements.

4. PERSONAL BENEFIT

For the purposes of this section, a reference to a gift or benefit does not include a political donation or contribution to an election fund that is subject to the provisions of the relevant legislation.

4.1 Definitions

In this Code, unless the contrary appears;

“activity involving a local government discretion” means an activity –

- (a) that cannot be undertaken without an authorisation from the local government; or
- (b) by way of a commercial dealing with the local government;

“**gift**” has the meaning given to that term in section 5.82(4) of the Act:

any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration is not fully adequate, but does not include any financial or other contribution to travel.

except that it does not include -

- (a) a gift from a relative as defined in section 5.74(1) or the Act; or
- (b) a gift that must be disclosed under regulation 30B of the *Local Government (Elections) Regulations 1997*; or
- (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training.

“**notifiable gift**” in relation to a person who is an elected member or Employee, means –

- (a) a gift worth between \$50 and \$300; or
- (b) a gift that is one of two or more gifts given to the elected member or employee by the same person within a period of six months that are in total worth between \$50 and \$300.

“**prohibited gift**” in relation to a person who is an elected member or Employee, means -

- (a) a gift worth \$300 or more; or
- (b) a gift that is one of two or more gifts given to the or employee by the same person within a period of six months that are in total worth \$300 or more.

4.2 Regulatory requirements

In accordance with regulation 34B(2) of the Local Government (Administration) Regulations 1996 a person who is an employee refrain from accepting a **prohibited gift** from a person who —

- (a) is undertaking or seeking to undertake an **activity involving a local government discretion**; or
- (b) it is reasonable to believe is intending to undertake an activity involving local government discretion.

In accordance with regulation 34B(3) of the Local Government (Administration) Regulations 1996 a person who is an employee and who accepts a **notifiable gift** from a person who —

- (a) is undertaking or seeking to undertake an **activity involving a local government discretion**; or

- (b) it is reasonable to believe is intending to undertake an **activity involving a local government discretion**, notify the CEO, in accordance with regulation 34B(4) of the Local Government (Administration) Regulations 1996 and within 10 days of accepting the **gift**, of the acceptance.

In accordance with regulation 34B(4) of the Local Government (Administration) Regulations 1996 notification of the acceptance of a **notifiable gift** be in writing and include —

- (a) the name of the person who gave the **gift**; and
- (b) the date on which the **gift** was accepted; and
- (c) a description, and the estimated value, of the **gift**; and
- (d) the nature of the relationship between the person who is an employee and the person who gave the **gift**; and
- (e) if the **gift** is a **notifiable gift** under paragraph (b) of the definition of **notifiable gift** in regulation 34B(1) of the Local Government (Administration) Regulations 1996 (whether or not it is also a **notifiable gift** under paragraph (a) of that definition) —
 - (i) a description; and
 - (ii) the estimated value; and
 - (iii) the date of acceptance,

of each other **gift** accepted within the 6 month period.

In accordance with regulation 34B(5) of the Local Government (Administration) Regulations 1996 the CEO maintain a register of **notifiable gifts** and record in it details of notifications given to comply with a requirements outlined in the Local Government (Administration) Regulations 1996

Interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

In accordance with regulation 34C(2) of the Local Government (Administration) Regulations 1996 it is a requirement that a person who is an employee and who has an **interest** in any matter to be discussed at a council or committee meeting attended by the person disclose the nature of the interest —

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

In accordance with regulation 34C(3) of the Local Government (Administration) Regulations 1996 it is a requirement that a person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person disclose the nature of any interest the person has in the matter —

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the time the advice is given.

A direct or indirect financial interest or proximity interest must be maintained in a separate register in accordance with section 5.60 of the Local Government Act 1995.

In accordance with regulation 34C(5) of the Local Government (Administration) Regulations 1996 a person is excused from a requirement made under subregulation (2) or (3) to disclose the nature of an **interest** if —

- (a) the person's failure to disclose occurs because the person did not know he or she had an **interest** in the matter; or
- (b) the person's failure to disclose occurs because the person did not know the matter in which he or she had an **interest** would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.

To comply with a requirement made under regulation 34C(2) or (3) of the Local Government (Administration) Regulations 1996, a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting then —

- (a) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.

If —

- (a) to comply with a requirement made under regulation 34C(2) of the Local Government (Administration) Regulations 1996, the nature of a person's **interest** in a matter is disclosed at a meeting; or
- (b) a disclosure is made as described in regulation 34C(5)(b) of the Local Government (Administration) Regulations 1996 at a meeting; or
- (c) to comply with a requirement made under regulation 34C(6)(b) of the Local Government (Administration) Regulations 1996, a notice disclosing the nature of a person's **interest** in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.

5. WORKING RELATIONSHIPS

5.1 *Working relationships between elected members and employees*

- (i) Elected members will work as part of the Council team with the Chief Executive Officer and employees. That teamwork will only occur if elected members and employees have a mutual respect and co-operate with each other to achieve Council's corporate goals and implement the Council's strategies. To achieve that position elected members need to:
 - (a) accept that their role is a leadership, not a management or an administrative one;

- (b) acknowledge that they have no capacity to individually direct employees to carry out particular functions;
 - (c) refrain from publicly criticising employees (including whether in a Council meeting or via the media) in a way that casts aspersions on their professional reputation, character, ability, integrity, competence or credibility; and
 - (d) ensure that no restrictions or undue influence is placed on the ability of employees to give professional advice to Council.
- (ii) At the same time, Employees will recognise that elected members views and opinions often reflect valid community viewpoints that should be considered in conjunction with professional opinion. Employees will therefore make every effort to assist elected members in the performance of their role, and to achieve the satisfactory resolution of issues that they may raise in the performance of their official role.
- (iii) Elected members have the right to raise various issues and requests with the Chief Executive Officer, in accordance with the Council's Policy/protocols which include:
 - (a) The Mayor and elected members are to refer their requests to the Chief Executive Officer, or if appropriate, the relevant Director.
 - (b) Requests/complaints are to be forwarded (in writing) direct to the Council Administration Officer for entering into the Register of elected member's Requests.
 - (c) Elected member requests will be actioned within ten working days and a written response will be provided to the elected member advising of the action taken.
 - (d) Where an elected member Request requires a diversion of considerable employee resources (eg more than one days research) or where the matter has not been included in the City's current budget, the Chief Executive Officer or relevant Director will discuss the request with the elected member.
- (iv) The Chief Executive Officer is responsible to Council for the performance and direction of all employees and delegates/contractors and the use of resources, in the day-to-day management of the City.
- (v) Elected members and employees should endeavour to resolve serious conflict through initial discussion facilitated by either the Mayor or the Chief Executive Officer. In any case involving the Mayor and Chief Executive Officer, by the Deputy Mayor or other appropriate person, jointly agreed by both.
- (vi) Employees have an obligation to:
 - Give their attention to the business of the City while on duty;
 - Ensure that their work is carried out efficiently, economically and effectively;
 - Carry out lawful directions given by any person having authority to give such directions; and

- Give effect to the lawful policies, decisions and practices of Council, whether or not the employee agrees with or approves of them.

5.2 *Inappropriate interactions*

- (i) The following interactions are inappropriate and therefore elected members shall not approach employees:
 - (a) other than the Chief Executive Officer or Directors for information on sensitive or controversial matters; or
 - (b) other than where authorised by the Chief Executive Officer, outside the employee's place of work, or outside hours of work to discuss council business;
- (ii) Elected members must:
 - (a) refrain from directing City employees other than by way of a Council or committee resolution;
 - (b) refrain from, in any public or private forum, directing or influencing, or attempting to direct or influence, any other employee of the City or a delegate of Council in the exercise of the functions of the employee or delegate;
 - (c) refrain from contacting an employee unless in accordance with procedures governing the interaction of elected members and employees that have been authorised by the Chief Executive Officer;
 - (d) not contact or issue instructions to any of the City's contractors or tenderers, including the City's legal advisors;
 - (e) not be overbearing or threatening to employees;
 - (f) not direct or pressure (or attempt to) employees in the performance of their work, or recommendations they should make;
 - (g) not approach employee organisations; for example unions and associations; in relation to employee matters that relate to individual Employees rather than broader industrial policy issues;
 - (h) not attend on-site inspection meetings with lawyers and/or consultants engaged by the City associated with current or proposed legal proceedings (other than those where approval has been granted to participate).
- (iii) Employees shall not:
 - (a) approach elected members directly on individual employee matters;
 - (b) refuse to give information which is available to other elected members to a particular elected member because of the Employee or elected member's political views;
 - (c) provide ad hoc advice to elected members (i.e. other than where it is procedural or of a minor nature) without recording or

documenting the interaction as they would if the advice was provided to a member of the community;

- (d) meet with developers alone and outside standard office hours to discuss development applications or proposals, unless properly authorised to do so.

5.3 *Dealings with elected members and employees*

- (i) All commercial/business dealings (including the awarding of contracts) with the City by elected members and employees (and their closely associated persons) shall at all times be open, transparent and accountable.
- (ii) All elected members and employees (and their closely associated persons) wishing to carry out any business activities with the City shall only do so in strict accordance with the Council Policy and procedures.

5.4 *Land dealings and personal development applications*

- (i) Elected members and employees will lodge written notice with the Chief Executive Officer, or in the case of the Chief Executive Officer, to the Mayor, describing an intention to undertake a dealing in land within the City or which may otherwise be in conflict with Council's functions (other than purchasing their principal place of residence, or a site for such a purpose).
- (ii) Elected members who have lodged a development application with the City shall only discuss the matter with employees at formal meetings, made in relation to the development application.

6. DEALINGS WITH CITY RESOURCES

6.1 *Use of local government resources*

Elected members, committee members and employees will:

- (i) be honest in their use of the local government's resources and shall not misuse them or permit the misuse (or the appearance of misuse) by any other person or body;
- (ii) use the local government resources entrusted to them effectively, economically and lawfully in the course of their duties;
- (iii) not use the local government's facilities, materials, funds, equipment or resources (including the services of employees) for private purposes (other than in the case of employees, when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer);

- (iv) use City resources ethically, effectively, efficiently and carefully in the course of their public or professional duties, and must not use them for private purposes unless this use is lawfully authorised and proper payment is made where appropriate;
- (v) be scrupulous in the use of City property, including intellectual property, official services and facilities and should not permit their misuse by any other person or body;
- (vi) avoid any action or situation which could create the impression that City property, official services or public facilities are being improperly used for your own or any other person or body's private benefit or gain;
- (vii) not convert any property of the City to their own use unless properly authorised; and
- (viii) not use the City's computer or telecommunications resources to excess or to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature.

6.2 Travelling and sustenance expenses

Elected members and employees will only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the local government in accordance with local government policy and the provision of the *Local Government Act 1995*.

Elected members and employees shall be diligent in ensuring that the expenses claimed in accordance with Council policy relate to their functions as an elected member or employee, and are appropriately acquitted.

6.3 Use of City property for election purposes

The interest of an elected member in their re-election is considered to be a personal interest and as such under no circumstances is any reimbursement to be made in connection with costs incurred.

Equipment, consumables, facilities, entitlements, travel expenses, services or anything (including City logo and letterhead) associated with the City in any way is only to be used in performing the Civic functions of an elected member and are not to be used in any way in association with campaigning for re-election as an elected member.

7. ACCESS TO INFORMATION

7.1 Access to information

- (i) In accordance with the *Local Government Act 1995*, elected members are to be given access to all information for them to properly perform

their functions and comply with their responsibilities as elected members.

- (ii) Elected members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.
- (iii) The City must provide access to the documents available under section 5.92 of the *Local Government Act 1995* to all members of the public, and to elected members. The City must also provide elected members with information sufficient to enable them to carry out their civic functions.
- (iv) Elected members and committee members who have a personal (as distinct from a civic) interest in a document of the City have the same rights of access as any member of the public.
- (v) Employees have an obligation to provide full and timely information to elected members about matters that they are dealing with, in accordance with City procedures.
- (vi) Elected members and committee members have an obligation to properly examine all the information provided to them relating to matters that they are dealing with to enable them to make a decision on the matter.

7.2 Use and security of information

Elected members, committee members and employees:

- (i) will not use confidential information to gain improper advantage for themselves or for any other person or body, or in ways which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organisation;
- (ii) must only access information needed for official business;
- (iii) must protect confidential information;
- (iv) must not use confidential information for personal purposes or for any non-official purpose;
- (v) must only release confidential information if they have authority to do so; and
- (vi) must only use confidential information for the purpose it is intended to be used.

7.3 Request for information – personal interest

An elected member or employee

- (i) making an enquiry on a matter being considered by the City's administration or Council in which that elected member or employee has a personal/financial interest shall seek the information only from the

Chief Executive Officer and that when required by the Chief Executive, the request shall be in writing; and

- (ii) must not use confidential information gained through their official position for the purpose of securing a private benefit for themselves or for any other person.

7.4 Refusal of access to documents

The Chief Executive Officer must act in deciding whether a document sought by elected members should be made available under section 5.92 of the *Local Government Act 1995* or because it is relevant to the performance of the elected member or committee member's civic duty. The Chief Executive Officer must state the reasons for the decision if access is refused.

8. COMMUNICATION AND PUBLIC RELATIONS

8.1 Communication

- (i) Employees shall promptly respond to written, electronic and verbal enquiries in accordance with the City's Customer Service Charter and Customer Service Standards.
- (ii) Unless on approved leave of absence or unavailable for other reasons, elected members shall respond to all written, electronic and verbal enquiries as soon as practicable.

An adequate response includes a request to the Council Administration Officer who will delegate to the relevant City's employee for comment, response and action directly to the enquirer.

- (iii) All aspects of communication by elected members and employees (including verbal, written or personal), involving the City's activities should reflect the status and objectives of Council. Communications should be accurate, polite and professional.

8.2 Mayor to speak on behalf of Council

In accordance with the Local Government Act 1995, the spokespersons for Council is the Mayor and with the Mayor's authorisation, the Chief Executive Officer, either of whom may make a statement on behalf of Council and the City.

The Mayor or Chief Executive Officer will only express the view or position of Council, where Council has formally determined a view or position. Where Council has not determined the matter or has no clear view/position, the Mayor or Chief Executive Officer may express a personal view, providing they clearly preface such remarks as being their own personal view and not those of Council.

8.3 Corporate obligations

As representatives of the community, elected members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of Council. In doing so elected members should acknowledge that:

- (a) as a member of Council there is respect for the decision making processes of Council, which are based on a decision of the majority of Council;
- (b) information relating to decisions of Council on approvals, permits and so on ought to be communicated in an official capacity by a designated employee of the City;
- (c) information concerning adopted policies, procedures and decisions of Council is conveyed accurately; and
- (d) information of a confidential nature shall not be communicated until it is no longer treated as confidential.

8.4 Expression of personal views

Elected members and employees are free to make their own personal position known about any matter, which is pertinent to the business of the City, including Council decisions, provided that it cannot be construed to be a statement on behalf of Council.

- (a) Elected members and employees will refrain from making personal statements to the media without clearly prefacing such remarks that they are personal views and not those of Council;
- (b) Elected members and employees will not adversely reflect on a Council decision; and
- (c) This shall not prejudice an individual member's right to express a personal opinion on issues of public interest.

8.5 Comment during public consultation period

- (i) Elected members, committee members and employees:
 - (a) will refrain from making public comment expressing a personal opinion or prejudice a matter whilst the matter is being advertised for public comment and/or is yet to be considered and determined by Council;
 - (b) will clearly preface any of their remarks as being their own personal views and not those of Council or possibly be construed to be on behalf of Council; and
 - (c) will encourage members of the public to make a submission to the City.

- (ii) The Mayor and/or Chief Executive Officer may take appropriate action (including issuing a statement to the media) to correct any misinformation or erroneous information which is in the public arena.

8.6 Defamation

Elected members should acknowledge that:

- (a) Comments by elected members at meetings of Council and/or committees, forums, working or advisory groups of the City are not covered from defamation action by absolute privilege.
- (b) Elected members should ensure that comments made are pertinent to the business of local government and they are not made maliciously or without due regard to whether they represent the truth.

9 IMPLEMENTATION, REVIEW AND COMPLIANCE

9.1 Implementation and review

- (a) The original Code of Conduct for the City of Kwinana was first adopted on 28 November 1990 and reviewed and is amended as required by the *Local Government Act 1995*.
- (b) Council will review the Code of Conduct after each ordinary election (i.e. every two years) and any amendments to the Code of Conduct will be subsequently communicated to elected members, committee members, employees and the community.

9.2 Matters not dealt with by this Code

(i) Rules of Conduct Regulations

Elected members are required to observe the rules of conduct prescribed in the Local Government (Rules of Conduct) Regulations 2007 (and those rules do not form part of this Code), namely –

- *General principles to guide the behaviour of council members;*
- *Contravention of certain local laws;*
- *Use of information;*
- *Securing personal advantage or disadvantaging others;*
- *Misuse of local government resources;*
- *Prohibition against involvement in administration;*
- *Relations with local government employees;*
- *Disclosure of interest; and*
- *Gifts.*

(ii) The Act

Certain conduct and actions by elected members, committee members and employees may constitute offences under the Local Government Act 1995 and may not be not dealt with by this Code of Conduct.

9.3 Adherence to the Code

- (i) Elected members are required to make a declaration to comply with Council's Code of Conduct upon being sworn in.
- (ii) All employees, on induction, are required to make a declaration to comply with Council's Code of Conduct.
- (iii) Any elected member, committee members or employee having concerns with regard to an actual, perceived, potential, intended or unintended breach of either the specific provisions or the spirit of the Code of Conduct, or any provisions of the Local Government Act 1995, Regulations or local laws, should discuss those concerns with the Chief Executive Officer where such matters relate to elected members, committee members or employees, or the Mayor in the case of matters involving the Chief Executive Officer.
- (iv) In all matters, the subject of the complaint shall be treated in the strictest confidence until such time as an appropriate investigation has been undertaken.
- (v) Any actions taken as a result of a breach will be made in accordance with the provisions of any applicable legislative requirement and the City's responsibilities as an employer.
- (vi) Serious and/or repeated breaches of the Code of Conduct will be reported to the Council or appropriate authority or relevant person for consideration and appropriate action, where necessary.

9.4 Dealing with complaints and allegations

- (i) If a person has any complaint concerning the performance, ability, character or integrity of any elected members, committee members or employee, or of any act or omission of an elected member, committee member or employee, he or she shall make the complaint in the prescribed form and notify the Chief Executive Officer or the Mayor, if the complaint is in relation to the Chief Executive Officer.
- (ii) Any serious complaint or one which alleges misconduct or corruption must be verified by a Statutory Declaration, as prescribed by the *Oaths, Affidavits and Statutory Declarations Act 2005*.
- (iii) The complaint must be given in confidence and shall;
 - (a) identify the complainant and the person against whom the complaint is made;
 - (b) set out the details of the complaint, alleged breach of the Code of Conduct and/or legislation; and

- (c) be in writing, or in the prescribed form and preferably verified by a Statutory Declaration, as prescribed by the *Oaths, Affidavits and Statutory Declarations Act 2005*.
- (iv) Any person who has lodged a complaint, or any elected members, committee members or employee, against whom a complaint has been made, must keep confidential the complaint, until the complaint has been determined or finalised.
- (v) Employees:
 - (a) Any complaint about an employee (other than a complaint about the Chief Executive Officer) shall be reported to and dealt with administratively by the Chief Executive Officer.
 - (b) Any complaint about the Chief Executive Officer shall be addressed to the Mayor, and will be dealt with by Council.
- (vi) Elected members and committee members:
 - (a) Any complaint about an elected member or committee member shall be reported to the Chief Executive Officer.

9.5 Procedure for dealing with complaints and allegations

All complaints and allegations will;

- (i) be treated as confidential and will ensure that the principles of “natural justice” and “procedural fairness” are followed at all times;
- (ii) for employees, be dealt with in accordance with any City policies and/or procedures; and
- (iii) for elected members and committee members, be dealt with in accordance with the Act, and Regulations or where applicable any City policies and/or procedures.

9.6 Protection of persons reporting unacceptable or illegal behaviour

The Chief Executive Officer is to ensure that elected members, committee members and employees who report unacceptable or illegal behaviour of elected members or employees (that is, whistleblowers) are not in any way disadvantaged or victimised because of their actions. The Chief Executive Officer’s action is limited to matters for which he/she has responsibility and/or jurisdiction to act.

9.7 Corruption, Crime and Misconduct Act 2003

Elected members, committee members and employees must be aware of the Corruption, Crime and Misconduct Act 2003 which requires the Principal Officer of an organisation (ie: the Chief Executive Officer) to report possible misconduct or corruption to the Commission.

Victimisation

A person must not —

- (a) threaten to prejudice the safety or career of any person;
- or
- (b) intimidate or harass, or threaten to intimidate or harass, any person; or
- (c) do an act that is, or is likely to be, to the detriment of any person,

because the person mentioned in paragraph (a), (b) or (c), or someone else, gave evidence to, or helped, the Commission, the Public Sector Commissioner or the Parliamentary Inspector in the performance of functions under this Act.

Definitions

The Corruption and Crime Commission has produced the following information:

“Misconduct” essentially occurs if a public officer (which includes local government elected members, committee members and employees):

- corruptly acts or corruptly fails to act in the performance of the functions of the public officer’s office or employment; or
- corruptly takes advantage of the public officer’s office or employment as a public officer to obtain a benefit for himself or herself or for another person or to cause a detriment to any person; or
- whilst acting or purporting to act in his or her official capacity, commits an offence punishable by 2 or more years’ imprisonment;

or

A public officer engages in conduct that:

- adversely affects, or could adversely affect, directly or indirectly, the honest or impartial performance of the functions of a public authority or public officer whether or not the public officer was acting in their public officer capacity at the time of engaging in the conduct; or
- constitutes or involves the performance of his or her functions in a manner that is not honest or impartial; or
- constitutes or involves a breach of the trust placed in the public officer by reason of his or her office or employment as a public officer; or
- involves the misuse of information or material that the public officer has acquired in connection with his or her functions as a public officer,

whether the misuse is for the benefit of the public officer or the benefit or detriment of another person,

AND constitutes or could constitute:

- a disciplinary offence providing reasonable grounds for the termination of a person's office or employment as a public service officer under the Public Sector Management Act 1994 (whether or not the public officer to whom the allegation relates is a public service officer or is a person whose office or employment could be terminated on the grounds of such conduct).

What Does Corruptly Mean?

The term is not defined under the Act. Corruption usually involves calculated, often continuing, covert and wrongful exercise of public duty or function. The Criminal Code also provides guidance by defining the offence of corruption at section 83, in the following terms:

“Corruption

Any public officer who, without lawful authority or a reasonable excuse —

(a) acts upon any knowledge or information obtained by reason of his office or employment; or

(b) acts in any matter, in the performance or discharge of the functions of his office or employment, in relation to which he has, directly or indirectly, any pecuniary interest; or

(c) acts corruptly in the performance or discharge of the functions of his office or employment,

so as to gain a benefit, whether pecuniary or otherwise, for any person, or so as to cause a detriment, whether pecuniary or otherwise, to any person, is guilty of a crime”

REFERENCES AND FURTHER READING

Independent Commission Against Corruption – *“Lobbying Local Government Councillors”* August 2006.

Department of Local Government (NSW) *“The model Code of Conduct for Local Government in NSW”* March 2013.

Department of Local Government and Regional Development *“Council Members Relationship with Developers”* Operational Guidelines No 12 – April 2006.

Public Sector Commission Conduct Guide

WALGA Model Code of Conduct

Public Sector Management Act 1994



POLICY

RISK MANAGEMENT



RISK MANAGEMENT

The City is committed to managing risk which minimises loss and maximises opportunities to deliver the vision for the community.

Adopted:	21/01/2015 #369
Last amended:	08/04/2015 #428 28/10/2015 #011
Legal Authority	Local Government Act 1995 Section 2.7 – Role of Council Local Government Act 1995 Part 7 – Audit Local Government (Audit) Regulations 1996, Regulation 17 – CEO to review certain systems and procedures

Purpose

The City of Kwinana Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the City's strategies, goals or objectives.

Policy

It is the City's Policy to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk management), in the management of all risks that may affect the City, its customers, people, assets, functions, objectives, operations or members of the public.

Risk Management will form part of the Strategic, Operational, Project and Business Unit Management responsibilities and where possible, be incorporated within the City's Integrated Planning Framework.

The City's Executive Management Team will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as, direct and monitor implementation, practice and performance.

Every employee within the City is recognised as having a role in risk management from the identification of risks to implementing risk treatments and will be invited and encouraged to participate in the process.

Consultants may be retained at times to advise and assist in the risk management process, or management of specific risks or categories of risk.

Definitions (from AS/NZS ISO 31000:2009)

Risk: Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).

Risk Management: Coordinated activities to direct and control an organisation with regard to risk.

Risk Management Process: Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

Risk Management Objectives

- Optimise the achievement of our vision, strategies, objectives and actions.
- Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- Improve stakeholder trust and confidence.
- Embed appropriate and effective controls to mitigate risk which will reduce unexpected and costly surprises.
- Enhance risk versus return within our risk appetite, enabling a balance between opportunity and risk.
- More effective and efficient allocation of resources through operational, project and strategic activities.
- Enhance organisational resilience and identify and provide for the continuity of critical operations.

Risk Appetite

The Risk Appetite Statement (Appendix A) and the Risk Assessment and Acceptance Criteria (Appendix B) are subject to review in line with this Policy unless circumstances warrant an earlier review. As components of this Policy they are subject to adoption by Council.

All organisational risks to be reported at a corporate level are to be assessed according to the City's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. Assessments must also include a statement detailing how they compare to the City's Risk Appetite.

For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these should not exceed the organisation's appetite and are to be noted within the individual risk assessment.

Roles, Responsibilities and Accountabilities

The Chief Executive Officer is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

Monitor and Review

The City will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

Part 7 – Audit of the *Local Government Act 1995* and Regulation 17 *Local Government (Audit) Regulations 1996* requires the Audit Committee to review the results of the appropriateness and effectiveness of the risk management systems and procedures at least once every two calendar years

This Policy will be kept under review by the City's Executive Management Team and its employees. It will be formally reviewed annually.

Appendix A – Risk Appetite Statement

The City seeks to manage risk carefully. Risk appetite is the amount of risk an organisation is prepared to be exposed to before it judges action to be necessary. The City's overall risk appetite is 'risk adverse'. Risk appetite will be defined using various terms describing the acceptable tolerances such as;

- No tolerance
- Low
- Moderate
- High

The City should accept the taking of calculated risks, the use of innovative approaches and the development of new opportunities to improve service delivery and achieve its objectives provided that the risks are properly identified, evaluated and managed to ensure that exposures are acceptable.

The following sections describe the City's risk appetite over the main areas of consequence:

People

Due to the nature and diversity of works completed by employees and contractors of the City, it is accepted that minor injuries may occur from time to time, however the City has a low appetite for these. Safe working practices are continually being refined and improved, and there is no tolerance for employees not following due process where their or other's safety is at risk. The safety management system is designed to proactively identify and control workplace hazards and there is a low appetite for the non-effective use of this process. Where injuries (or near misses) do occur they must be reported as soon as practically possible so that appropriate welfare considerations can be implemented or investigations commenced to reduce the opportunity for reoccurrence.

There is also a low appetite for issues and incidents that may affect public safety. Routine inspections of public areas are designed to identify potential hazards, with mitigation works prioritised against the potential risk. Where the City is notified of potential hazards, these are similarly prioritised and scheduled against any potential risk to public safety.

The City seeks opportunities to develop employees to increase individual's own skills and knowledge as well as provide for a multi skilled workforce. Whilst these opportunities are considered positive aspects, the City has no appetite for employees performing duties for which they are not suitably qualified where the work requires a specific ticket or qualification and harm could be caused to themselves and others. In all cases, direct supervision and oversight of activities and outcomes must be in place. Where formal qualifications are not required to perform certain duties, the City has a moderate appetite; however there is the expectation that training programs are in place with regular management reviews to ensure associated risks are mitigated.

Financial

There is a low appetite for activities that threaten the long term financial stability of the City. It is recognised however that achieving financial sustainability will require investigation into additional income streams and there is a need to have a moderate to high appetite for discrete activities that may provide these additional income streams or enhance economic

diversity. Opportunities of this nature are expected to be carefully considered with appropriate controls implemented.

The City's Investment Policy stipulates the current appetite for investment risk, which is in line with Local Government legislative requirements. Focus is on maintaining liquidity, for which there is a low appetite to risk, however will expand to a moderate appetite where a business case has been carried out and has been presented to Council for consideration.

Effective project management is considered paramount by the City and consequently there is no appetite for projects being considered or completed outside of the City's project methodology. This methodology sets out the specific reporting and monitoring activities which drives a low appetite for cost or time overruns exceeding 10% on complex projects.

Service Delivery

The City has no appetite for service disruptions greater than one day to core services that provide for public health and safety (e.g. Waste Collection, Ranger Services). There is a very low appetite for disruption to other core services past one day that provide direct customer contact or child care support (i.e. Counter / Telephony) and is further relaxed to moderate for other supplementary services. Contingency based plan(s) must be maintained for all core activities.

The City has a moderate appetite for the risks associated with identifying and implementing service based efficiencies; conditional on changes having the ability to be reversed with limited impact in the case of failure.

To support service delivery across all areas, there is a low appetite for Information Technology (IT) disruptions and the City's IT infrastructure must be secure, routinely maintained and systems kept up to date with the support of IT Vendors where appropriate. Data back-ups must be maintained off-site and recovery plans in place and tested on a regular basis.

Environment

The City has no appetite for the creation of new contaminated sites or activities that may lead to new sites. Existing sites are well managed and consequently the City has a low appetite for any ineffective site management. Appropriate management plans, in conjunction with regulatory authorities (e.g. ERA / DER / DoH / DEC), must be maintained. Where new sites (including potential sites) are identified, the City will engage the relevant regulatory authority at the earliest opportunity to assist in the development of management arrangements in addition to investigating potential remedial (including litigation) options against responsible parties.

As the City is aspiring to promoting ecologically sustainable development there is a moderate appetite for these activities. Consequences may be financial or reputational however the City is prepared to accept these risks if the conditional developmental studies are sound and are based on acceptable practices or feasibility studies.

Due to the impact and potential of bushfire within the municipality the City has a low appetite for any inadequacies in natural hazard risk management activities (e.g. Controls Burns).

Reputational

The City has no appetite for the provision of inaccurate advice by qualified employees as well as a low appetite for inaccurate advice by unqualified employees. This stance is the

driver for improvements to the City's knowledge base which is currently under development.

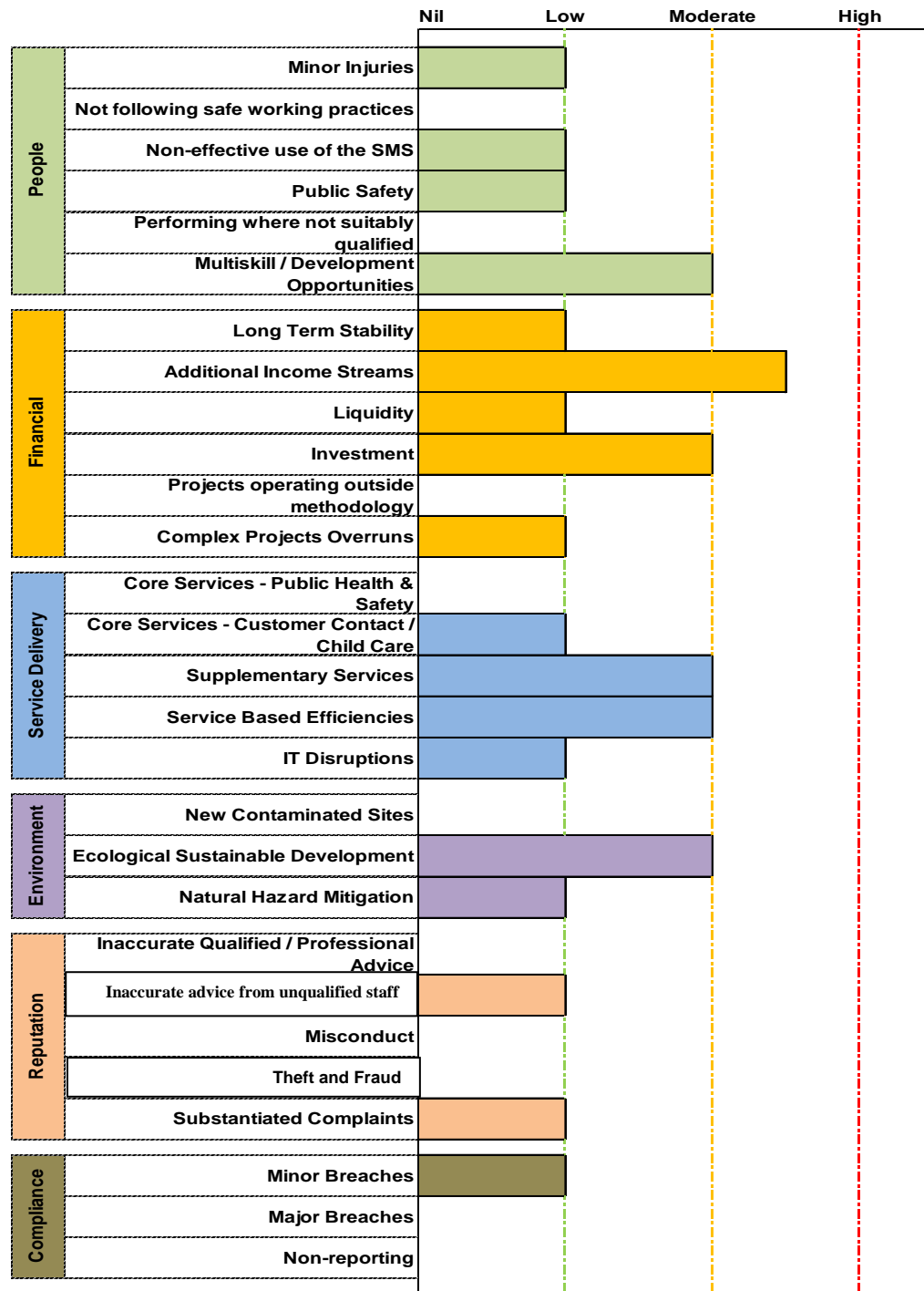
The City also has no appetite for theft, fraud or any misconduct based activities by Councillors, employees or external parties. In all cases, the actions will result in disciplinary procedures and / or the involvement of police or other relevant agencies.

The City has a low appetite for reputational risks that may result in complaints from the community, specifically around expectations regarding the maintenance or provision of facilities.

Compliance

The City is subject to a number of statutory and regulatory obligations and is reliant on various processes and procedures and individual's integrity to maintain compliance. The City has a low appetite for minor breaches from time to time. The City has no appetite however for major breaches, activities that may result in successful litigation against the City or the non-reporting of breaches to appropriate authorities once they are recognised.

Summary



Appendix B – Risk Assessment and Acceptance Criteria

Measures of Consequence								
Rating	Health	Financial Impact	Service Interruption	Compliance	Reputational		Property	Environment
					External	Internal		
Insignificant	Negligible injuries	Less than \$5,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item, no social media attention	Isolated incidents of short term decline in individual staff morale/confidence	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor	First aid injuries	\$5,001 – \$50,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item, limited social media attention (e.g Limited to local news / limited social media impact)	Short term decline in staff confidence/morale	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate	Loss time injuries < 2 days	\$50,001 - \$500,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile, requires social media response and monitoring (e.g State News story)	Decline in staff confidence/morale, or unauthorised absences	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major	Loss time injuries >= 2 days	\$500,001 - \$5,000,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions, requires immediate and ongoing social media response and monitoring (e.g National News – lead story single occurrence)	Long term decline in staff confidence or morale, occasional unauthorised staff absences or threat of strike	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic	Fatality, permanent disability	More than \$5,000,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions, requires substantial social media resourcing for long term response and monitoring. (e.g International / National News – lead story, multiple days)	Sudden or unexpected loss of personnel due to strikes, excessive unauthorised staff absences	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
LOW	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH	Urgent Attention Required	Risk acceptable with effective controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
EXTREME	Unacceptable	Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

Existing Controls Ratings		
Rating	Foreseeable	Description
Effective	There is <u>little</u> scope for improvement.	<ol style="list-style-type: none"> Processes (Controls) operating as intended and aligned to Policies / Procedures. Subject to ongoing monitoring. Reviewed and tested regularly.
Adequate	There is <u>some</u> scope for improvement.	<ol style="list-style-type: none"> Processes (Controls) generally operating as intended, however inadequacies exist. Nil or limited monitoring. Reviewed and tested, but not regularly.
Inadequate	There is a <u>need</u> for improvement or action.	<ol style="list-style-type: none"> Processes (Controls) not operating as intended. Processes (Controls) do not exist, or are not being complied with. Have not been reviewed or tested for some time.

17 Urgent Business

Nil

18 Councillor Reports

18.1 Councillor Wendy Cooper

Councillor Wendy Cooper reported that she attended the Park(ing) day at Wellard Village and that there were lots of people and activities.

Councillor Cooper mentioned that she attended the Bertram Colourfest and that the children were really well engaged in the activities.

Councillor Cooper advised that she attended the Wellard Village Residents Association preview of the candidates for the upcoming elections which was very interesting.

18.2 Sandra Lee

Councillor Sandra Lee reported that she attended the Park(ing) day at Wellard Village and it was really great to see the roads blocked off and loads of activities and families out and about.

Councillor Lee mentioned that she had attended the Kwinana Bowling Club Open Day.

Councillor Lee advised that she had attended the City of Kwinana Wildflower Walk and had a lovely time.

18.3 Councillor Dennis Wood

Councillor Dennis Wood reported that he attended the Kwinana Bowling Club Open Day along with Councillor Lee and Councillor Mills and that he had an excellent time.

19 Response to Previous Questions

Nil

20 Mayoral Announcements (without discussion)

Mayor Carol Adams reported that she attended a meeting with Deputy Premier Roger Cook MLA regarding the sheds at the rear of the Medina Shops.

The Mayor mentioned that she had attended the Park(ing) day at Wellard Village and that it was a very successful event put on by the shop owners and the Village at Wellard Resident's Group.

20 MAYORAL ANNOUNCEMENTS (WITHOUT DISCUSSION)

The Mayor advised that she attended the Kwinana Golf Club Presentation and Awards Night. The Mayor further advised that they have a new Manager and have meals now available at the 'Bunkers', Thursday – Saturday for lunch and dinner.

The Mayor reported that she attended the funeral of local resident, Mrs Wendy Crouch, wife of Mr John Crouch, long-time JP and business owner (retired).

The Mayor mentioned that she attended a NBN Public Meeting being convened by Madeleine King MLA member for Brand with special guest Michelle Rowland, Shadow Communications Minister.

The Mayor advised that she attended the Honeywood Annual General Meeting (AGM) and that the key areas of interest were:

- Dog exercise area
- Update on the planning of the commercial/retail area
- City Assist program
- Outdoor exercise equipment

The Mayor reported that she attended the South Metropolitan Police District National Remembrance Day Service which is held 'to recall and commemorate the memory of all Police Officers in Australasia and South West Pacific Region who have lost their lives in tragic circumstances, whilst on duty'.

The Mayor mentioned that she attended the Cruising Yacht Club of Rockingham 60th Anniversary and Official Launch of the 2017 season.

The Mayor advised that she attended the Sri Bala Murugam Temple in Mandogalup and explained that she had been invited as 'chief guest' to the annual Navarathiri cultural program and children's concert. The Saiva Maha Sabai of WA Inc community was enjoying their 9 day cultural festival. The City has recently assisted with a letter of support for their carpark upgrade.

The Mayor reported that it had been a great pleasure along with our Manager Essential Services to present a bravery award to Leilahni Walton of Parmelia, whom received injuries to her face earlier this year from a dog attack. The Mayor explained that due to how she dealt with the attack, the City Assist Officer who dealt with the case recommended that she receive a Certificate of Bravery from the City of Kwinana.

The Mayor mentioned that she had attended the following Westport Meetings:

- Meeting with Oropesa - Port design and management
- Harvey Shire President, Tania Jackson and Chief Executive Officer (CEO), Michael Parker

The Mayor further mentioned that there has been continued planning for the Westport Freight Forum which the City is hosting in November, to be opened by the Minister for Planning, Rita Saffioti and facilitated by Westport Taskforce Chairperson Nicole Lockwood. The date has been set for 15th November 2017.

20 MAYORAL ANNOUNCEMENTS (WITHOUT DISCUSSION)

The Mayor advised upcoming events of note are –

- Rockingham/Kwinana SES 40th Anniversary Celebration (Sunday 1 October)
- Meeting with Senator Glenn Sterle regarding Westport
- Saturday 7 October – Mortimer District Day, commencing at 9am
- Official opening of the Edge Skate Park

21 Matters Behind Closed Doors

COUNCIL DECISION

601

MOVED CR P FEASEY

SECONDED CR R ALEXANDER

That in accordance with Sections 5.23(2)(c) of the Local Government Act 1995, Council move behind closed doors to allow discussion of the Matters Behind Closed Doors items.

CARRIED
8/0

The gallery exited the Council Chambers at 7:26pm

21.1 State Administrative Tribunal Direction - Reconsideration of Medical Clinic and Childcare Centre: Lot: 61 (3) Kenby Chase, Wandi

COUNCIL DECISION

602

MOVED CR P FEASEY

SECONDED CR W COOPER

That pursuant to s 31(1) of the State Administrative Tribunal (SAT) Act, 2004, and SAT's invitation for the City to reconsider its decision on or before 27 September 2017, that Council approves the Medical Clinic and Childcare Centre on Lot 61 (3) Kenby Chase, Wandi subject to the following conditions and advice notes:

1. Conditions

- 1.1 The premises being kept in a neat/tidy condition at all times by the owner/occupier to the satisfaction of the City of Kwinana.
- 1.2 Stormwater drainage from roofed and paved areas to be contained and disposed of on-site at all times.
- 1.3 The applicant shall implement dust control measures for the duration of site works to the satisfaction of the City of Kwinana.
- 1.4 Crossover(s) shall be of concrete construction and located to the specifications and satisfaction of the City of Kwinana.
- 1.5 The provision of a minimum 46 vehicle parking bays of the dimensions 5.5 x 2.5 metres, to be clearly marked on the ground and constructed of bitumen, brick or concrete and drained to the satisfaction of the City of Kwinana.
- 1.6 All vehicle parking to be accommodated within the boundaries of the subject lot.
- 1.7 Landscaping areas, vehicle parking spaces, accessways and all other information as detailed on the attached plans are to be installed prior to occupying the proposed development and maintained thereafter by the owner/occupier to the satisfaction of the City of Kwinana.

21.1 STATE ADMINISTRATIVE TRIBUNAL DIRECTION - RECONSIDERATION OF MEDICAL CLINIC AND CHILDCARE CENTRE: LOT: 61 (3) KENBY CHASE, WANDI

- 1.8 No other signage to be erected other than signs exempted from Council Planning Approval pursuant to Clause 6.17.3 of Town Planning Scheme No.2.**
 - 1.9 The car park shall be sealed in asphalt, concrete or brick paving to the satisfaction of the City of Kwinana.**
 - 1.10 A minimum of 368 square metres (8%) of the subject site to be landscaped and maintained to a high standard thereafter to the satisfaction of the City of Kwinana.**
 - 1.11 A landscaping plan which outlines the proposed species and location of vegetation and proposed reticulation layout is required to be submitted to the City of Kwinana for approval prior to a Building Permit application.**
 - 1.12 Landscaping being provided within parking areas at a rate of 1 tree per 4 bays to provide shade for parked cars and to soften the impact of the paved car parking when viewed from adjacent sites and roads.**
 - 1.13 The applicant shall submit for approval an acoustic report prior to the issue of a building permit to the satisfaction of the City of Kwinana. The report shall determine noise levels at the nearest sensitive premises and to demonstrate compliance with the Environmental Protection (Noise) Regulations 1997.**
 - 1.14 Operating hours for the Childcare Centre are limited to between 6:30am to 6:30pm from Monday to Friday.**
 - 1.15 The applicant shall submit an amended site plan reflecting the crossovers outlined in 'Attachment K' prior to the submission of a building permit application to the satisfaction of the City of Kwinana.**
 - 1.16 This approval is valid for 24 months only. If development is not completed within this period a fresh approval must be obtained before commencing or continuing with the development.**
- 2. Advice Notes**
- 2.1 The applicant is advised that all future development must be submitted to the City of Kwinana prior to the commencement of works or alteration of land use.**
 - 2.2 Should the applicant be aggrieved by the decision or any condition imposed, then a right of review may be lodged with the State Administrative Tribunal within 28 days of the date of this decision.**
 - 2.3 The applicant is advised that this conditional Development Approval is not a Building Permit/Sign Licence giving authority to commence construction. Prior to any building work commencing on site a Building Permit/Sign Licence must be issued and penalties apply for failing to adhere to this requirement.**

21.1 STATE ADMINISTRATIVE TRIBUNAL DIRECTION - RECONSIDERATION OF MEDICAL CLINIC AND CHILDCARE CENTRE: LOT: 61 (3) KENBY CHASE, WANDI

- 2.4 The applicant shall submit an approval to register the food business and an application to construct the food business with associated fees, detailed layouts and relevant documents including a copy of the Food Safety Program upon lodgement of a Building Permit.
- 2.5 An application for a Childcare Centre shall be submitted to the City of Kwinana.
- 2.6 The design, construction and fit out of the food business shall comply with Food Act 2008, Food Regulations 2009 and Australia New Zealand Food Standards Code.
- 2.7 The applicant should ensure the proposed development complies with all other relevant legislation, including but not limited to, the Environmental Protection Act 1986 and Regulations, Health (Miscellaneous) Act 1911 and Regulations, Food Act 2008 and Regulations, Sewerage (Lighting, Ventilation and Construction) Regulations 1971 and the National Construction Code.
- 2.8 The activity to comply with the requirements of the Department of Communities and the City of Kwinana's Environmental Health Department.
- 2.9 In respect to Condition 1.11 above, the applicant should note that while plant selection is the prerogative of the landowner, the City of Kwinana encourages the use of species indigenous to the locality, as these will reduce the maintenance requirement and water demand and should be incorporated into the car parking areas to provide shade for parked cars & to soften the impact of paved car parking as viewed from adjacent sites and roads.

CARRIED
8/0

COUNCIL DECISION

603

MOVED CR W COOPER

SECONDED CR S LEE

That Council come back from Behind Closed Doors.

CARRIED
8/0

The Council Chamber doors reopened at 7:29pm and two members of the gallery returned.

22 Meeting Closure

The Mayor declared the meeting closed at 7:34pm.

Chairperson:

11 October 2017