

# Ordinary Council Meeting

28 February 2018

## 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](http://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 W COOPER  
CR M KEARNEY  
CR S LEE  
CR S MILLS  
CR M ROWSE  
CR D WOOD

MS J ABBISS	-	Chief Executive Officer
MS K HAYWARD	-	Acting Director City Strategy
MRS B POWELL	-	Director City Engagement
MS M BELL	-	Director City Legal
MR D ELKINS	-	Director City Infrastructure
MRS M COOKE	-	Director City Regulation
MR P NEILSON	-	Manager Planning and Development
MR D MONTEIRO	-	Manager Environmental Health
MR T HOSSEN	-	Lawyer
MS A MCKENZIE	-	Council Administration Officer

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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 Sandra Lee read the Prayer*

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

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

Nil

**Leave(s) of Absence (previously approved):**

Nil

#### 4 Public Question Time:

Nil

#### 5 Applications for Leave of Absence:

##### COUNCIL DECISION

095

MOVED CR W COOPER

SECONDED CR D WOOD

That Councillor Matthew Rowse be granted a leave of absence from 21 March 2018 to 25 March 2018 inclusive.

CARRIED  
8/0

#### 6 Declarations of Interest by Members and City Officers:

Deputy Mayor Peter Feasey declared an impartiality interest in item 15.3, Adoption of an Amended Local Development Plan – Cassia Rise Estate – Lot 9237 Parmelia Avenue, Parmelia due to his supervisor being the Minister for Housing and this project is a joint venture with Satterley.

#### 7 Community Submissions:

##### **7.1 Mr Steve Sturgeon, Casuarina Wellard Progress Association in regards to items 15.4, Refusal of Retrospective Home Occupation – Health Studio / Wellness Centre – Lot 202 (83) Banksia Road, Wellard and 16.6, Use of Lot 32, 11 Barker Road Casuarina.**

My name is Steve Sturgeon and I am the president of the CWPA (Casuarina Wellard Progress Association).

The CWPA has been serving the Casuarina Wellard community for 25 years and has recently elected a new and invigorated Committee. This committee is eager to engage with Council and the community to ensure adequate facilities are available for our growing community.

We would like to express our thanks to Fearwot Fitness for supplying the only facility of its kind in our local community. We hope that council and the owners of the wellness centre can find a way for this service to continue in the future for the benefit of our local residents. The CWPA would welcome the opportunity to be a party to the process.

Thankyou.

7 COMMUNITY SUBMISSIONS CONTINUED

**7.2 Jodie Lehman, Fearwot in regards to items 15.4, Refusal of Retrospective Home Occupation – Health Studio / Wellness Centre – Lot 202 (83) Banksia Road, Wellard and 16.6, Use of Lot 32, 11 Barker Road Casuarina:**

I do not need to stand here today and preach Fearwot. The Council were all very supportive at the November meeting and all felt that although they had no ability to approve it where it is, they did want us to stay open somehow.

Since that time, a meeting was held in December with Manager Planning and Development and the Coordinator Statutory Planning to look at using the land behind the Casuarina Hall.

We would like to build a shed and lease it from the Council. Many services to build the shed have been donated such as the Concrete, Earthworks and Shed erection and all trades. All we need is granted funds for materials for shed, plumbing and electrical. Then the shed would be Council owned forever and offer an amazing facility to the community.

I felt they were very receptive to the idea in the meeting, however now it appears it must have fallen on deaf ears. I feel the recommendation put to Council by the Officers is insulting to both you and me. I am aware NO contact was made to the Progress Committee who run the Casuarina Hall or the Fire brigade who share that land. How can they make a recommendation when absolutely no ground work was done? After the December meeting it appears not one single thought was made to how Fearwot could continue to operate.

Steve Sturgeon from the Progress Committee is here to talk on their behalf. The Chef Officer and Secretary of the Fire brigade were spoken with about Fearwot and although they are not here tonight to speak, they did say they would be open to listening to a proposal to share the land.

To say Fearwot could be an issue for Fire Brigade is laughable. The facility would be offered to the Volunteers to use for training. Considering I have trained my people to obtain jobs in the government services i.e, Police, Navy and FESA...lots of my equipment would be right up their alley and can only be seen as a huge benefit to everybody.

The shed would be erected at the back of the hall and be a hindrance to nobody. It won't affect the Hall or Fire Brigade. There is plenty of parking in front of the tennis courts and we would only require six car parks.

We are aware that for us to be approved the land, it would need to be advertised publicly.

Calling Fearwot a "Duplicate" is ridiculous. We are extremely disappointed with this recommendation and genuinely feel this was written without any consideration. There are 5 gyms within a kilometre from here:

Jetts, Anytime, Active, Plus 24/7, Rec Centre...all within a kilometre!! So when those applications were submitted, the Planners nor Council deemed them to be a Duplicate, and those gyms actually are exactly the same. They offer the exact same service. So why are they not "Duplicates" and my little wellness facility that is 10kms away from the nearest gym is?

## 7 COMMUNITY SUBMISSIONS CONTINUED

It's preposterous to think existing commercial operators of Health Studios have NO issue with neighbouring five duplicate gyms yet would have an issue with Fearwot.

On the contrary, I believe it would continue to have all the support from local residents and business owners, given what happens under our roof and the lives it changes.

Not one of these places offer a service for physical limitations or mental struggles. It is also highly likely the trainers within these facilities are also not equipped to deal with any people that need a little extra TLC like Fearwot can and does.

Fearwot is a one man band. It is no way a threat to any local business. I have spoken Jetts and Kwinana Gym owners, they are aware my clients are not being held back from joining those facilities, it's just those facilities do not suit my clients. Its narrow minded to think every person fits in the commercial gym genre.

Fearwot will never be a Commercial Facility. It is all personal training sessions which is why it works and why it is different.

The recommendation states I am not in a financial position to go Commercial. Firstly, yes given I was made to shut down my livelihood, money would be an issue, HOWEVER, as stated in November meeting, Fearwot is unable to go Commercial as the client numbers are capped. It is impossible for me to keep the sessions as PT and be paying \$2000 a month rent. If I turned Fearwot in to a place that I was wanting more members and advertising and offering lots of services to anybody, then yes, I would go Commercial and make a fortune. I am an excellent skilled trainer, I could and would make a killing...but then we are back to square one and NOT caring for people with injuries or limitations.

Why are we so negligent towards this? Im dumbfounded I am still fighting 12 months later just to care for people. Everything we stand for would be lost if they keep trying to push me Commercial. I will never happen, it is NOT an option.

If the request for land and shed does not get approved, then I have no choice but to take it further and work on a scheme amendment. All avenues with the Council will have been exhausted tonight so going public with Scheme amendment is the last step. I cannot stress this enough that I do not want to go down this path.

Working harmoniously together with the Council to build a new shed for our Community would be the optimal result from tonight. Moving forward with this will change lives forever.

## 8 Minutes to be Confirmed:

### 8.1 Ordinary Meeting of Council held on 14 February 2018:

#### COUNCIL DECISION

096

**MOVED CR S MILLS**

**SECONDED CR M ROWSE**

**That the Minutes of the Ordinary Meeting of Council held on 14 February 2018 be confirmed as a true and correct record of the meeting.**

**CARRIED  
8/0**

## **9 Referred Standing / Occasional / Management /Committee Meeting Reports:**

Nil

## **10 Petitions:**

- 10.1 Councillor Sheila Mills tabled a petition received from Mr Nigel Ross regarding Sensor Lighting and Mirrors on Bisley Lane, Wellard.**

### **COUNCIL DECISION**

**097**

**MOVED CR S MILLS**

**SECONDED CR P FEASEY**

**That the petition be received and a report prepared.**

**CARRIED  
8/0**

## **11 Notices of Motion:**

Nil



## 12 Reports – Community

### 12.1 Safe Kwinana Communities: Community Safety and Crime Prevention Plan 2018 - 2022

#### **DECLARATION OF INTEREST:**

There were no declarations of interest declared.

#### **SUMMARY:**

Community consultation conducted over recent years has revealed that community safety and security is consistently rated as being of high priority to residents. The attached Community Safety and Crime Prevention Plan (Attachment 1) has been developed in response to this feedback.

The Plan's focus is on 4 key areas of activity:

- Developing key partnerships.
- Providing safe places and spaces.
- Increasing community awareness.
- Building inclusive communities.

Many of the strategies and initiatives outlined in the plan are already in place and are currently being undertaken, with new initiatives also being proposed including a broad and comprehensive range of community awareness raising activities, application of CPTED principles (Crime Prevention Through Environmental Design) and the development of a Designing Out Crime Policy.

The Plan does have financial implications in that it proposes the employment of a dedicated Community Safety Officer to implement the initiatives contained in the Plan, as well as a range of other initiatives such as the carrying out of safety audits in public spaces and the development of a public areas lighting plan.

#### **OFFICER RECOMMENDATION:**

That Council:

1. Adopt the Safe Kwinana Communities: A Community Safety and Crime Prevention Plan 2018 – 2022 (Attachment 1); and
2. Give consideration to allocating funding to support the initiatives proposed in the Plan as part of the 2018/19 budget development process.

#### **DISCUSSION:**

Over the past few years the City has undertaken extensive community consultation, garnering input from a range of internal and external stakeholders in order to develop and review a number of strategic documents including the overarching City of Kwinana Strategic Community Plan 2017 – 2027.

## 12.1 SAFE KWINANA COMMUNITIES: COMMUNITY SAFETY AND CRIME PREVENTION PLAN 2018 - 2022

Information was collected from the community through a variety of engagement methods including:

- Community Perceptions Survey – May 2016.
- Plan for the Future Community Workshops – September/October 2016.
- Plan for the Future Online Survey – December 2016 to January 2017, and
- Ongoing feedback received from the community through various social media platforms.

In analysing the feedback received, Officers have attempted to understand resident's experiences, perceptions, suggestions and priorities for the future, and noted that a recurring theme in the feedback has been the expressed desire to create a safe and vibrant community, as evidenced by the following:

### *Community Perceptions Survey – May 2016*

The top four priorities identified by residents for Kwinana were (identified through satisfaction rating by participants):

1. Safety and security
2. Playgrounds and reserves
3. Streetscapes and
4. Economic development

### *Plan for the Future Community Workshops: September – October 2016*

The top five priorities identified by residents for Kwinana were (determined by the percentage of participants who identified the issue as one of their top five priorities):

1. Bushland and natural areas
2. Safety
3. Capacity building
4. Employment
5. Transport networks

### *Plan for the Future Online Survey: December 2016 – January 2017*

The top four priorities for Kwinana were (determined by the percentage of participants who identified the service level as needing to increase):

1. Safety
2. Employment
3. Bushland and natural areas
4. Food and entertainment

### *Ongoing feedback received from the community through various social media platforms*

- Anti-social behaviour against persons at City Centre facilities – Darius Wells Library and Resource Centre, the Edge Skate Park, the Adventure Playground, Marketplace Shopping Centre
- Rock throwing and vandalism in the City Centre area
- Car break ins and theft in the City Centre area

### 12.1 SAFE KWINANA COMMUNITIES: COMMUNITY SAFETY AND CRIME PREVENTION PLAN 2018 - 2022

- Hooning, trail bikes and off road vehicles in bushland areas
- Home burglary
- Vandalism generally.

From the feedback outlined above, it is clear that community safety and security is a high priority for residents within the City and the attached Community Safety and Crime Prevention Plan (Attachment 1) has been developed for consideration and adoption by Council.

The strategies outlined in the Plan fall into 4 key areas of activity:

- Developing key partnerships.
- Providing safe places and spaces.
- Increasing community awareness.
- Building inclusive communities.

These activity areas and the associated strategies are based on the universally accepted assumptions that by:

- improving the prevailing social and economic conditions impacting on vulnerable community members;
- enhancing the natural and built environment through the application of CPTED principles;
- strengthening community connections, sense of community and belonging; and
- preventing repeat offending through reintegration of offenders a sense of safety and security increases and diversion of crime offenders occurs.

#### **LEGAL/POLICY IMPLICATIONS:**

There are no legal implications as a consequence of this report or its recommendations. The Community Safety and Crime Prevention Plan has four key areas of activity. Under the key area of "Reduce opportunities for crime through the design of safe places and spaces" there is a strategy listed relating to the development of a Designing Out Crime Policy for the City of Kwinana. The draft policy is included for consideration elsewhere in this agenda.

#### **FINANCIAL/BUDGET IMPLICATIONS:**

The Plan does have financial implications for the City and the initiatives requiring additional financial resource allocations are itemised in the Plan. They will be considered in the context of reviewing and refining the Long Term Financial Plan and the 2018/19 budget development process.

#### **ASSET MANAGEMENT IMPLICATIONS:**

The Plan does include a CCTV camera installation program and development of a public area lighting plan. Improvements to public spaces and places may also potentially flow from some of the strategies, for example, the conducting of public safety audits, which could result in increased asset management requirements.

## 12.1 SAFE KWINANA COMMUNITIES: COMMUNITY SAFETY AND CRIME PREVENTION PLAN 2018 - 2022

### ENVIRONMENTAL IMPLICATIONS:

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

### 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	Outcome	Objective
Strategic Community Plan	A unique identity	1.1 Inspire and strengthen community identity to create a sense of belonging
Strategic Community Plan	A safe and welcoming place	1.3 Facilitate improved community safety and reduced crime levels
Strategic Community Plan	A well planned City	4.4 Create diverse places and spaces where people can enjoy a variety of lifestyles with high levels of amenity

### COMMUNITY ENGAGEMENT:

Community Engagement has taken place in the following forms:

- Community Perceptions Survey – May 2016.
- Plan for the Future Community Workshops – September/October 2016.
- Plan for the Future Online Survey – December 2016 to January 2017, and
- Ongoing feedback received from the community through various social media platforms.

### RISK IMPLICATIONS:

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

Risk Event	Increased perception of Kwinana not being a safe and welcoming community
Risk Theme	Inadequate safety and security practice
Risk Effect/Impact	Reputation
Risk Assessment Context	Strategic

## 12.1 SAFE KWINANA COMMUNITIES: COMMUNITY SAFETY AND CRIME PREVENTION PLAN 2018 - 2022

Consequence	Moderate
Likelihood	Possible
Rating (before treatment)	Medium
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Implement initiatives in Community Safety and Crime Prevention Plan
Rating (after treatment)	Low

**COUNCIL DECISION**

098

**MOVED CR W COOPER****SECONDED CR S LEE****That Council:**

- 1. Adopt the Safe Kwinana Communities: A Community Safety and Crime Prevention Plan 2018 – 2022 (Attachment 1); and**
- 2. Give consideration to allocating funding to support the initiatives proposed in the Plan as part of the 2018/19 budget development process.**

**CARRIED**  
**8/0**



# Safe **Kwinana** Communities

A Community Safety and Crime  
Prevention Plan for safe, welcoming  
and inclusive Kwinana communities

**2018 - 2022**









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# A Message from Mayor Carol Adams

In recent years you have told us many times that feeling safe in your homes, and feeling safe whilst moving about our community, is one of your main concerns... and the City has listened. In response to what you have told us, we have reviewed how our ranger and regulatory services work and have created the new City Assist service. We have introduced mobile and foot patrols in our City Centre area so that you can safely enjoy the wonderful new community facilities that have been provided, we are looking after our more vulnerable groups in the community with specialist outreach services, and we are creating more and more opportunities for neighbours to get to know each other and connect.



Kwinana is changing – the City is experiencing rapid population growth and the composition of our community is vastly different today than it was 10 years ago. These changes mean that we are facing new challenges with respect to making sure Kwinana communities are safe, welcoming and inclusive. Creating opportunities for community based solutions to social issues to emerge is one of the cornerstones of this Community Safety and Crime Prevention Plan, as is the creation of partnerships with key agencies, particularly WA Police. Similarly making sure our natural and built environment is designed in such a way that opportunity for criminal activity is minimised, and ensuring people are as aware as possible of all the things they can do to keep themselves as safe as possible, are other key areas of activity outlined in the Plan.

The Plan demonstrates the City of Kwinana's commitment to safety and crime prevention and I am confident it will assist us to deliver on the community's vision for Kwinana.



# Introduction

Kwinana is a unique community, set amongst extensive native bushland and public open space. It is currently undergoing rapid growth, being the second fastest growing local government area in Western Australia with the population increasing, on average, 5.7% each year for the past 5 years.

With this growth has come the development of new estates and suburbs and, as a result of this development, new communities have emerged, and will continue to evolve, within the greater Kwinana community.

These communities are diverse, both socio-economically and culturally, with unique characteristics, needs and aspirations.

Kwinana is located in the South West Metropolitan area of Perth, bounded in the north by the City of Cockburn, south by the City of Rockingham, east the Shire of Serpentine Jarrahdale and west the Indian Ocean. It is 120 sq kms in size stretching from Wandi and Mandogalup in the north, to Wellard in the south. It is home to the State's premier industrial area – the Kwinana Industrial Area, and is serviced by the major north/south transport linkages of the Perth to Mandurah Railway (2 stations) and the Kwinana Freeway.

Kwinana's population has grown from approximately 24,000 in 2006 to just over 40,000 in 2016, and is predicted to double again to be a City close to 85,000 in 2036.

The City's Plan for the Future - Kwinana 2030 sets out a succinct vision statement which represents and builds upon the community's vision for the future. This statement is the product of comprehensive and ongoing community visioning research. The statement describes the attributes the City will need to exhibit to achieve the community's vision.



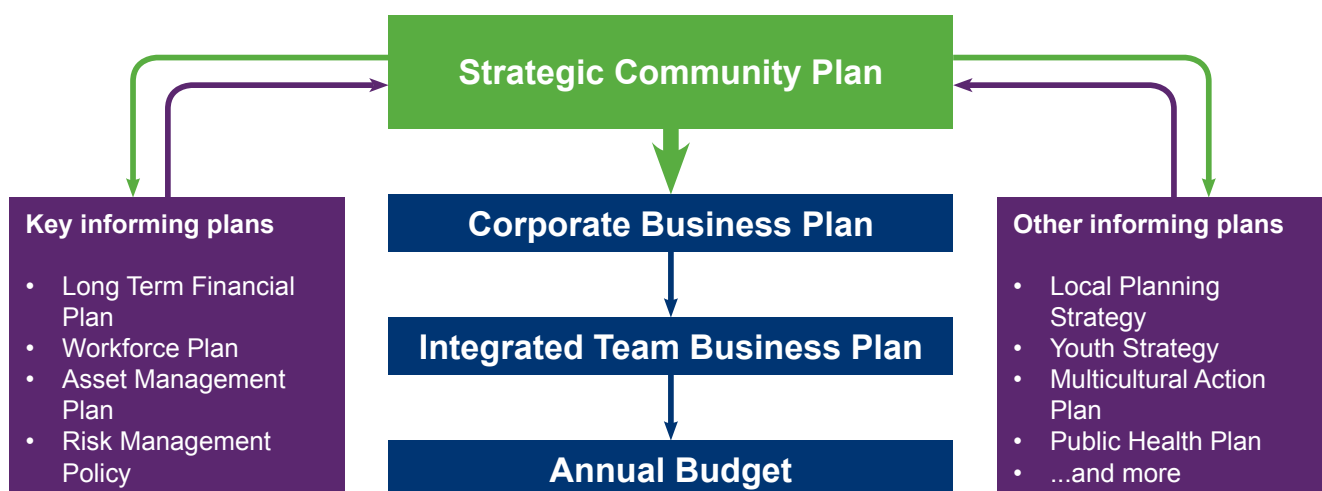


## OUR VISION:

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

This Community Safety and Crime Prevention Plan aims to build a safe, welcoming, inclusive and connected Kwinana community where residents are encouraged and enabled to participate fully in City life. It articulates the City's ongoing commitment to delivering well planned local initiatives, in partnership with the other spheres of government, non-government agencies and the various communities of interest that make up Kwinana.

It acts as an informing plan to the City's Plan for the Future – Kwinana 2030. Although actions from the Community Safety and Crime Prevention Plan may not specifically appear in the Plan for the Future, the actions contained in the Plan will provide support and set out expectations for staff to achieve the objectives and strategies outlined in the Plan for the Future and will inform actions within the Corporate Business Plan. Once included in the Corporate Business Plan, these actions will be reported quarterly to Council.



# What is Community Safety and Crime Prevention?

The Australian Safe Communities Foundation defines a safe community as:

“...one in which all sectors of the community work together in a coordinated and collaborative way, forming partnerships to promote safety, manage risk, increase the overall safety of all its members and reduce the fear of harm. The key feature is the creation of a local infrastructure (ie. coalition of community business, government and non-government leaders) that combine their resources and interests to address local concerns about injuries, crashes, anti-social behaviour and crime in a coordinated and sustainable manner.”

Community safety is the ability for people to go about their daily life with little fear of harm or injury. Being safe and feeling safe enables people to participate in community life, to feel included and to have a sense of belonging - it makes using public spaces, public services and facilities an everyday occurrence. It means our residents and visitors can move through our City and neighbourhoods by any means: driving, walking, cycling and utilising public transport, and feel safe doing so.

From the City's perspective, crime prevention is about creating an environment that makes it harder to commit crime, activates public spaces and raises awareness within the community about crime prevention strategies.

Community safety and crime prevention are complex issues that are directly influenced by the actions and behaviours of the whole community. Community safety and crime prevention go hand in hand, improving safety, reducing crime and reducing fears of perceived crime.

## Why a Community Safety and Crime Prevention Plan?

To effectively respond to the crime and community safety concerns of residents a whole of community approach must be agreed, and co-ordinated and integrated actions must be developed which clearly outline the roles and responsibilities of the key government, non-government and community partners. By setting our approach out in this plan, it increases public awareness and support for effective crime prevention measures and gives the community the opportunity to develop and implement community based solutions to social issues that impact on levels of crime, community disharmony and marginalisation of vulnerable people.

This plan provides leadership and direction for all partners working to promote community safety and reduce crime levels, and encourages long term planning for safe, welcoming and inclusive Kwinana communities.

## How did we develop this Plan?

The plan was compiled using all the information we could gather including:

- An analysis of the demographic trends and changes occurring in Kwinana over the past 10 years.
- The information that the community has given us through various engagement methods (as outlined below) plus studies undertaken when developing previous community safety and crime prevention plans for the City; the Community Perceptions studies of 2009 and 2013; and the Amlec House consultancy.
- An analysis of the crime statistics made available by WA Police and the City's own service data, collected variably since 2007.
- A desk top analysis of local, interstate and overseas community safety and crime prevention initiatives.
- Consultation with WA Police and community agencies through the City of Kwinana Community Safety and Crime Prevention Network (formerly the Youth Diversion Services and Programming Group).
- An evaluation of current safety and security initiatives provided by the City.

## What has the community told us?

**The City has undertaken extensive community consultation garnering input from a range of internal and external stakeholders, with the information gathered informing the review of the City's Strategic Community Plan 2017 - 2027 and the development of this Community Safety and Crime Prevention Plan.**

The information was collected through a variety of engagement methods undertaken by the City during 2016 and 2017.

These methods included:

- Community Perceptions Survey – May 2016.
- Plan for the Future Community Workshops – September/October 2016.
- Community Event Engagement – September 2016 to January 2017.
- Plan for the Future Online Survey – December 2016 to January 2017, and
- Ongoing feedback received from the community through various social media platforms.

In analysing the feedback received, we have focussed on understanding, as best we can, resident's experiences, perceptions, suggestions and priorities for the future, and on how to create a safe and vibrant community.

## **COMMUNITY PERCEPTIONS SURVEY – MAY 2016**

The top four priorities identified by residents for the City of Kwinana were (identified through satisfaction rating by participants):

1. Safety and security
2. Playgrounds and reserves
3. Streetscapes and
4. Economic development

## **PLAN FOR THE FUTURE COMMUNITY WORKSHOPS – SEPTEMBER – OCTOBER 2016**

The top five priorities identified by residents for the City of Kwinana were (determined by the percentage of participants who identified the issue as one of their top five priorities):

1. Bushland and natural areas
2. Safety
3. Capacity building
4. Employment
5. Transport networks

## **COMMUNITY EVENT ENGAGEMENT – SEPTEMBER 2016 – JANUARY 2017**

The top four priorities identified for the City of Kwinana were (determined by the percentage of participants who identified the issue as one of their top three priorities):

1. Education
2. Food and entertainment
3. Community activities and events
4. Employment

## **PLAN FOR THE FUTURE ONLINE SURVEY – DECEMBER 2016 – JANUARY 2017**

The top four priorities for Kwinana were (determined by the percentage of participants who identified the service level as needing to increase):

1. Safety
2. Employment
3. Bushland and natural areas
4. Food and entertainment

## **ONGOING FEEDBACK RECEIVED FROM THE COMMUNITY THROUGH VARIOUS SOCIAL MEDIA PLATFORMS**

- Anti-social behaviour against persons at City Centre facilities – Darius Wells Library and Resource Centre, the Edge Skate Park, the Adventure Playground, Marketplace Shopping Centre
- Rock throwing and vandalism in the City Centre area
- Car break ins and theft in the City Centre area
- Hooning, trail bikes and off road vehicles in bushland areas
- Home burglary
- Vandalism generally.

From the above it is clear that community safety and security is a high priority for residents within the City of Kwinana and the following strategic objectives have been included in the Strategic Community Plan 2017-2027.

- 1.1 Develop and strengthen community identity to create a sense of belonging.
- 1.2 Inspire and strengthen community spirit through community activities and events.
- 1.3 Facilitate improved community safety and reduce crime levels.
- 1.6 Actively work with the community to build local capacity.
- 2.1 Residents have access to ample job opportunities locally.
- 4.4 Create diverse places and spaces where people can enjoy a variety of lifestyles with high levels of amenity.
- 4.6 Provide a safe and efficient integrated network of roads, footpaths and cycle routes supported by a good public transport system.

Ongoing feedback and reporting of concerns by the community has also resulted in significant changes being made to the service delivery model for our ranger and regulatory services in recent years – now known as City Assist, as well as the introduction of new services such as our community outreach services and community liaison service. Additionally the City has developed new policies in a number of areas, such as our policy and protocol on addressing issues of homelessness in the City.

## What are the demographic trends and changes occurring in Kwinana?

- The City of Kwinana is currently the second fastest growing local government area in Western Australia.
- The population of the City of Kwinana is predicted to double in the next 20 years reaching close to 85,000 by 2036.
- Residents of the City of Kwinana have a median age of 32, a significantly younger population when compared to the averages for Australia – children 0-14 years old make up 22.3% in the City while the Australian average is 18.7%.
- 3.6% of residents of the City of Kwinana identify as Aboriginal and/or Torres Strait Islander compared to 2.8% of the Australian population.
- 42% of the City's population were born overseas, an increase of nearly 5% since the last census in 2011.
- The top languages spoken at homes in the City of Kwinana include Tagalog 2.3%, Filipino 1.6%, Punjabi 1.3%, Mandarin 1.2% and Hindi 0.8%.
- Unemployment in the City is well above the national average at 13.7%.



# What does this mean for the City of Kwinana?

**The City of Kwinana has become a vibrant metropolitan City, proud of its rich heritage and cultural diversity.**

With its high quality residential developments and boasting state-of-the-art infrastructure, situated just 30kms south of Perth CBD and surrounded by beautiful natural and green open spaces, the City has become a highly desirable place to live.

With this rapid expansion comes serious challenges, placing increased pressure on the City to advocate for and provide appropriate services, programs and initiatives to create a safe, welcoming, inclusive and connected community.

Consideration has been (and will continue to be) given to the provision and development of:

- community centres, sporting fields and sporting pavilions, library and information services, parks catering for all ages, and recreation facilities;
- other recreational facilities such as the Edge Skatepark, the Adventure Park and Kwinana Loop Trail;
- events programs;
- funding and award/recognition programs;
- a range of community programs including capacity building, club development, community centre activation, youth diversion and arts and cultural development programs;
- support services for new migrants, the homeless, family and domestic violence services, early childhood services, to name a few;
- a range of educational opportunities catering to all ages and interests;
- a range of health care and other professional services;
- economic development initiatives;
- shopping, restaurant, café and entertainment precincts, and the like.

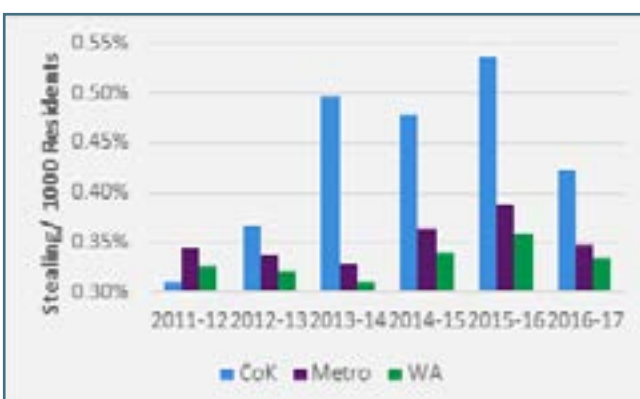


# What are the statistics for Kwinana and how do we compare to others?

Police statistics are accessed through the WA Police Crime Statistics Portal and provide an overview of the types of crimes occurring in Kwinana.

The graphs below look at how the City of Kwinana (CoK) compares to the Greater Perth (Metro) and Western Australian State (WA) statistics across a range of reported crimes including assault, burglary and drug offences.

- Assault (Family) is defined as domestic related issues; Assault (Non-Family) relates to all other assaults where there has been no family link (excluding homicides).
- Burglary (Dwelling) relates solely to residential properties; Burglary (Non-Dwelling) includes commercial or industrial property related offences.
- Stealing includes all non-violent offences and excludes Motor Vehicles.





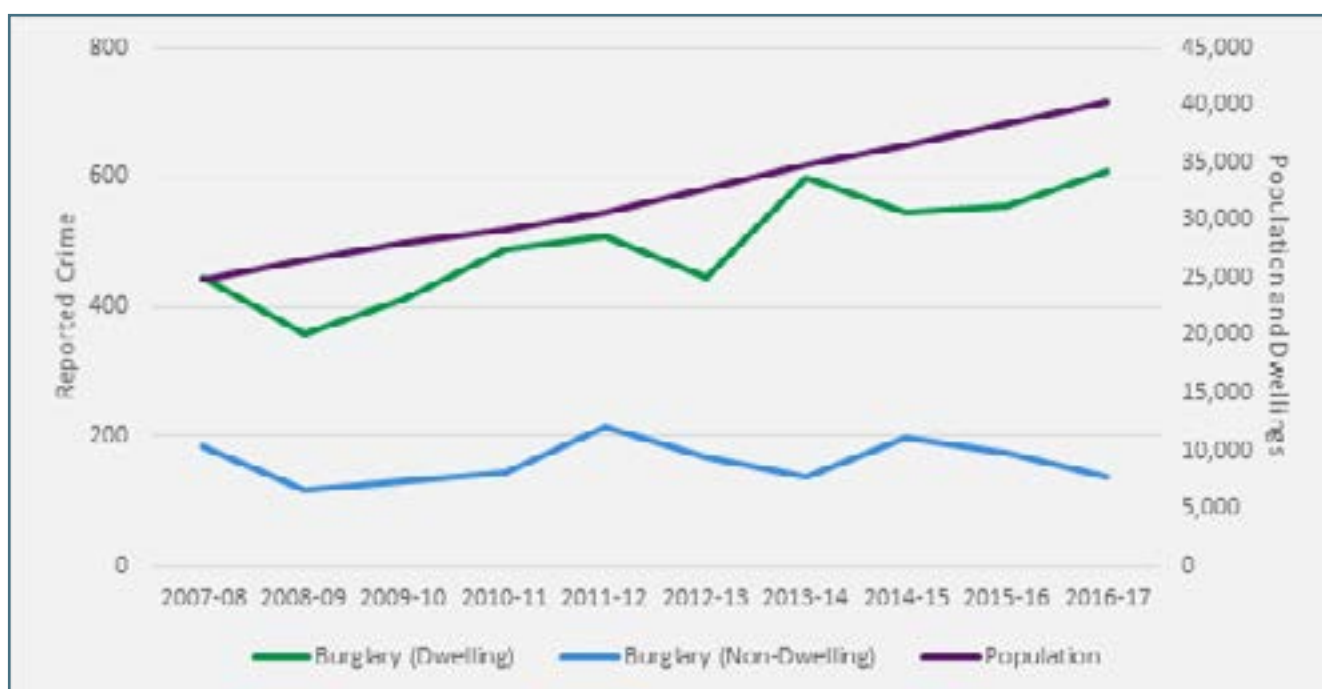
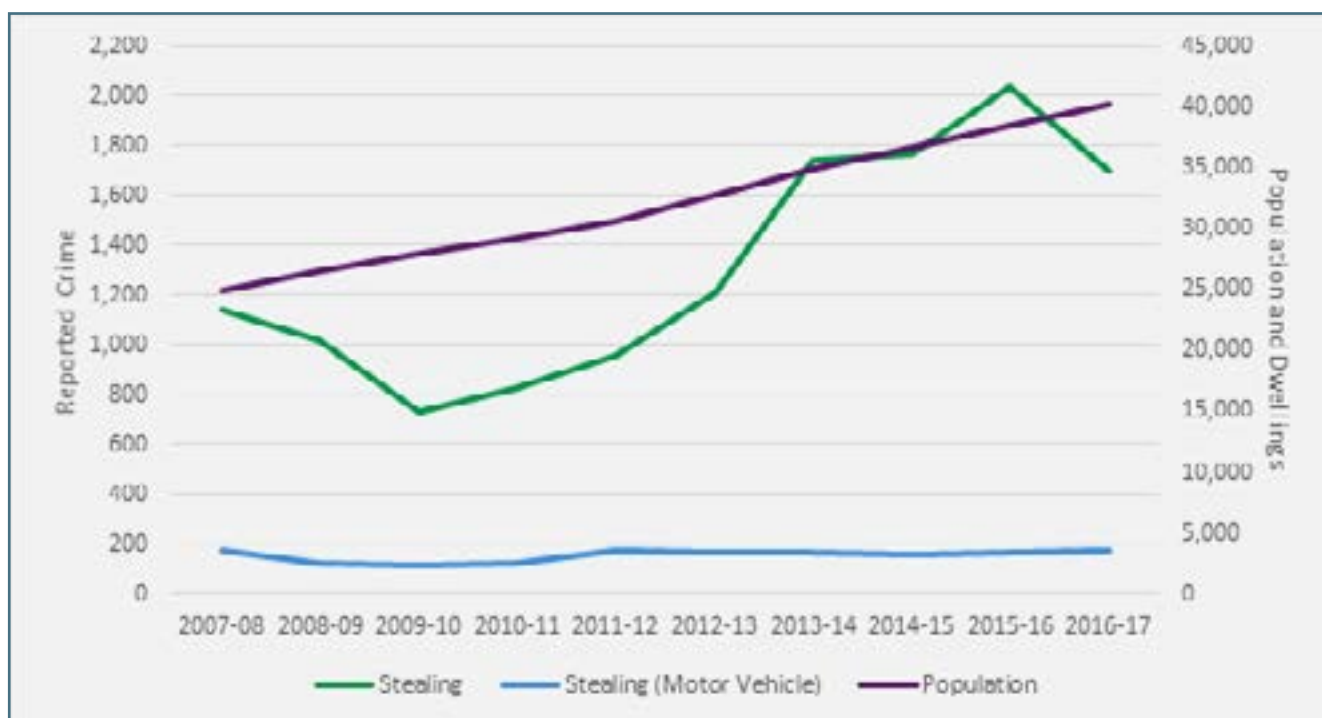


- Across the categories of crimes shown above, the City of Kwinana marginally exceeds both the Greater Perth and Western Australian State averages in all but Drug Offence and Burglary (Non-Dwelling) crime.
- Drug Offence crime statistics are comparable for all regions with Burglary (Non-Dwelling) crime in the City of Kwinana declining since 2014 bringing it in-line with Western Australian State averages.
- Assault (both Family and Non-Family) is marginally higher than both the Greater Perth and Western Australian State averages but shows a declining trend over the last few years.
- Burglary (Dwellings) is also an area of focus within the City of Kwinana with statistics showing marginally higher rates than those for Greater Perth and Western Australian State regions and following an upward trend.
- Stealing (Motor Vehicles) has remained steady since 2014 within the City of Kwinana with Stealing, other than Motor Vehicles, showing a sharp decline since the 2015-16 period.
- Stealing rates, in general, remain marginally higher within the City of Kwinana than within those of Greater Perth and Western Australian State regions.

The following graphs chart specific City of Kwinana crime rates against population increase since 2007.

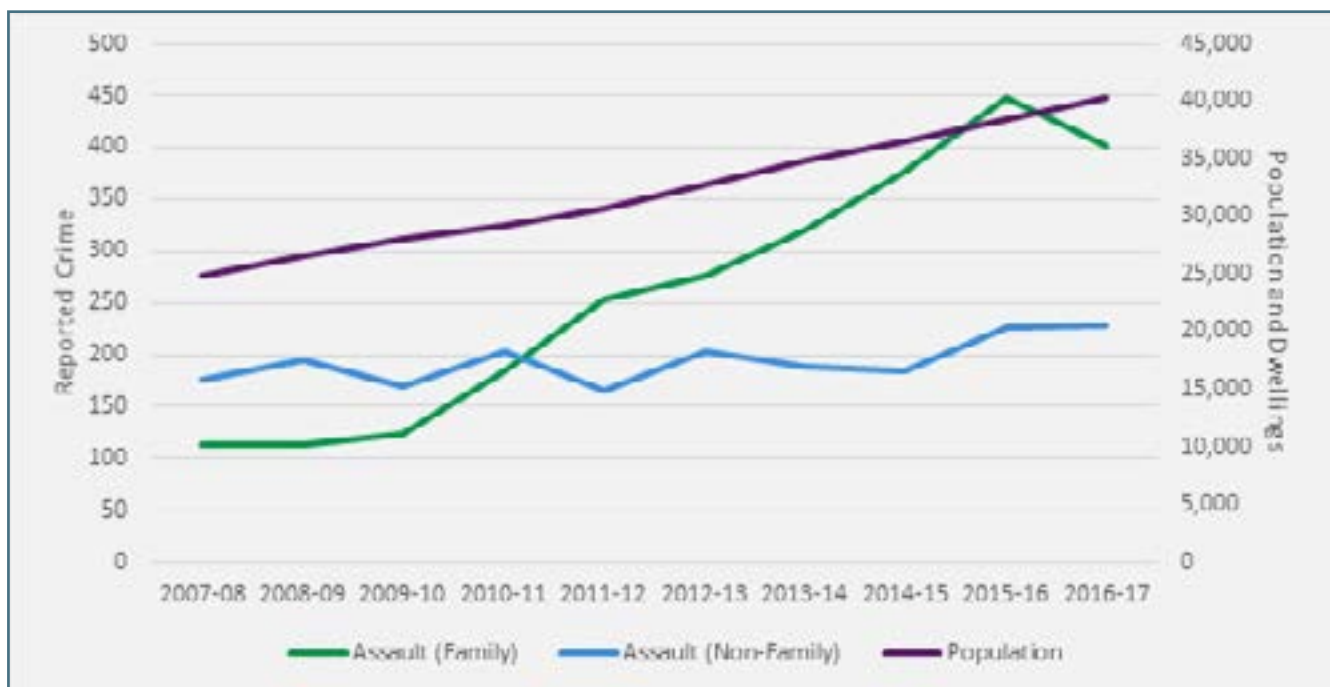
While increases are shown in some of the offences charted, it should be noted these increases coincide with the increase in the City's population. Offences such as Burglary (Non-Dwelling), Stealing (Motor Vehicle) and Assault (Non-Family) have remained reasonably steady, even as the population has increased.

### STEALING AND BURGLARY OFFENCES



- Stealing (Motor Vehicle) has remained steady with no significant increase in the number of crimes recorded since 2007.
- Stealing generally has increased in-line with the increase in population and development in the area, with a sharply declining trend since 2015.
- Overall, the rate of offences in proportion to the increase in population and development has only slightly increased for Stealing in general and in fact has declined for Stealing (Motor Vehicle).
- Burglary (Dwelling) has also increased in-line with the increase in population in the area.
- Burglary (Non-Dwelling) has shown a decrease in numbers since 2007, with the rate in proportion to the population and development halving since 2011.

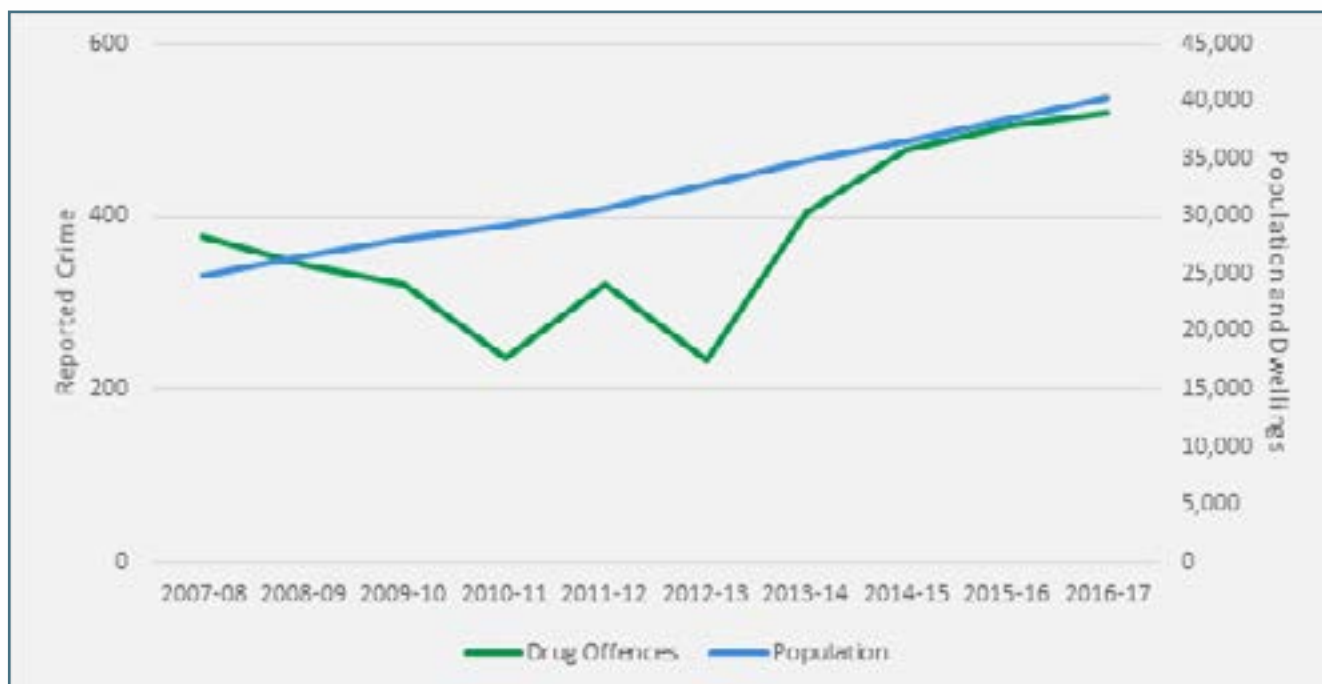
## ASSAULT OFFENCES



- Significant increases in the number of Assaults (Family) are shown as the population and development of the City has grown.
- Assault (Non-Family) has increased only slightly with the rate in proportion to population and development remaining static.



## DRUG OFFENCES



- Drug offences have continued an upward trend in recent years in-line with the population and development growth in the area.

## INCIDENTS REPORTED TO CITY ASSIST

2015/2016 and 2016/2017

### CITY ASSIST OFFICERS

Year	Number of reported complaints
2015/2016	7,108
2016/2017	7,782

The top 9 reported complaints received included:

Complaint	2015/2016	2016/2017
Dog complaints including wandering, attacks, nuisance barking	1845	2255
Parking	761	755
Alarm responses to Council facilities	337	736
Cat complaints including wandering, on others property	306	521
Local Laws	107	501
Litter	476	454
Bushfire	239	250
Dogs Impounded	276	249
Planning/Building Compliance	151	219
Cats Impounded	117	128
Vehicles Impounded	30	50



## FIRE CONTROL OFFICERS

- Inspected in excess of 500 rural or semi-rural properties.
- Responded to more than 100 complaints relating to fire hazard issues on residential properties.
- 164 fire permits were issued in the 2016/17 fire period.
- 115 fire permits have been issued to date (until 30 Jan, 2018) in the 2017/18 fire period.

### Compliance Division

Year	Number of reported complaints
2015/2016	151
2016/2017	228

The main reported complaints received included:

Complaint	Number received
Unauthorised developments	22
Unauthorised structures	15
Untidy properties	14
Public thoroughfares/Cross over issues	10

## YOUTH AND COMMUNITY SERVICES

### Community Engagement Program 2017

The City has captured quantitative client data and other relevant information since the program's inception.

The data below has been reviewed over the January 2015 to January 2017 time period.

During this time:

- 113 clients were assisted through this program.
- Of those clients, 55.8% were female and 44.2% male.
- The average age of assisted clients was 39.2.
- 25% of assisted clients identified as being Aboriginal and/or Torres Strait Islander.

The most common issue/needs identified through the program:

Identified Issue/Need	Number
Accommodation	59
Employment	26
Financial support	24
Mental Health/Counselling	19
Drug & Alcohol	6
Emergency Relief	6

- Many clients had complex needs and as such identified with multiple issues/needs. The most common services provided through the program.

Service Provided	Number
Information	98
Support	24
Referral	18
Advocacy	11

- Information was the service provided most of the time to clients. The information provided covered a range of services available in the area which would assist the clients' meet their needs.

# Community Safety and Crime Prevention Network

The Community Safety and Crime Prevention Network (formerly Youth Diversion Services and Programming Group, formed in 2014) is a coalition of key government agencies, local community based service providers and community members. It was initially convened by the City to address anti-social behaviour in the City Centre, however, the role has now broadened to include City Centre vibrancy and activation objectives. It is based on the premise that strong and supportive collaborations and partnerships will achieve optimum outcomes with regard to enhancing community safety and reducing crime and anti-social behaviour.

Regular participants include:

City of Kwinana	Department of Housing
WA Police	Red Cross
Gilmore College	Marketplace
Department of Child Protection and Family Services	Dome
Department of Corrective Services	The Kwinana Local
	McDonalds

The group's objectives are to:

- Provide input into planning, implementation and evaluation of the City of Kwinana Community Safety and Crime Prevention Plan.
- Assist Council in developing strategies to respond to emerging community safety issues that impact on community safety across the Kwinana area.
- Work in a coordinated way to help prevent crime and to create a safe and friendly environment.
- Increase awareness of community safety issues through coordinated intelligence sharing with the WA Police.

# Safe Kwinana Communities: Community Safety and Crime Prevention Plan 2018-2022

The community safety and crime prevention strategies within this Plan fall into 4 key areas of activity:

- Developing key partnerships;
- Providing safe places and spaces;
- Increasing community awareness; and
- Building inclusive communities.

These key activity areas are based on the universally accepted assumptions that by:

- improving the prevailing social and economic conditions impacting on vulnerable community members;
- enhancing the natural and built environment through the application of CPTED principles;
- strengthening community connections, sense of community and belonging; and
- preventing repeat offending through reintegration of offenders;

a sense of safety and security increases and diversion of crime offenders occurs.



# Safety and City Partnerships

**Objective:** Work in partnership with government, non-government, community based agencies and members of the community to develop, implement, monitor and review community safety and crime prevention initiatives.

## KEY

Text = current initiative

Text = new initiative

Key Actions	Initiatives	Engagement Methods	Timeframe	Responsible Directorate	City of Kwinana Resources	Outcomes
1. Continue to convene a multi-agency coalition, including WA Police, to develop and implement community safety and crime prevention initiatives that address a range of safety issues impacting the community.	<b>Support:</b> <ul style="list-style-type: none"> <li>E-watch</li> <li>Neighbourhood Watch</li> <li>Road Wise</li> <li>Goodbye Graffiti</li> <li>Eyes on the Street</li> <li>WALGA Speed Enforcement Program</li> <li>Burglar Beware (Cocooning)</li> <li>Property Identification Marking Service</li> <li>House Number Kerb Marking Service</li> <li>Geospatial mapping of criminal activity.</li> </ul>	<b>Participate in:</b> <ul style="list-style-type: none"> <li>Family and Domestic Violence Network</li> <li>Community Safety and Crime Prevention Network</li> <li>Rockingham Kwinana Homeless Action Group</li> <li>South Metropolitan Mental Health Sub-Committee</li> <li>Local Government Community Safety Network (LGCSN)</li> <li>LEMC – Local Emergency Management Committee</li> <li>Safe Schools Coalition</li> </ul>	Ongoing	City Engagement	<p>Secretariat provided by proposed new dedicated staff resource 1 FTE \$90,000 as per recommendations of Community Engagement Service Review Report</p> <p>Annual budget allocation for community safety initiatives \$18,000</p>	Partnerships in place with key agencies

Key Actions	Initiatives	Engagement Methods	Timeframe	Responsible Directorate	City of Kwinana Resources	Outcomes
2. Work with WA Police and other key agencies to develop and implement a multi-agency co-ordinated response to localised anti-social behaviour and other community safety and crime prevention issues as they arise, taking into consideration the impact of factors such as enforcement responsibilities, resource and funding arrangements and delivery options.	MOU between the City of Kwinana and WA Police  Implement: <ul style="list-style-type: none"> <li>Youth Strategy</li> <li>Youth Diversion program, incl. Nightfields, Beatball, The Edge Skatepark activation</li> </ul>	Facilitate and actively contribute to: <ul style="list-style-type: none"> <li>Kwinana Youth Advisory Council (YAC)</li> <li>Youth Reference Groups</li> <li>Multicultural Action Group</li> <li>Aboriginal Advisory Group</li> </ul>	Ongoing	City Engagement  City Legal  City Regulation	Source new funding as it becomes available  Welcoming Diversity Strategy \$270,000 Community Engagement Service \$161,000 Youth Development Programmes \$145,500	Range of effective services and programmes in place  Increased perception of Kwinana communities being safe
3. Enter into a Memorandum of Understanding (MOU) with WA Police and other relevant agencies for the collection and exchange of data and other information.	<ul style="list-style-type: none"> <li>Club Development program</li> <li>Multicultural Action Plan</li> </ul>	Engage with: <ul style="list-style-type: none"> <li>P&amp;C Associations</li> <li>Local Residents Associations</li> <li>Sporting Clubs</li> <li>Cultural Groups</li> <li>Community groups and networks</li> </ul>	Ongoing	City Engagement  City Legal	Within current staff resources	Data collected, analysed and used to inform programme development
4. Regularly analyse and review data to determine trends and priorities.	<ul style="list-style-type: none"> <li>Local Events Funding Programme</li> <li>Kwinana Community Funding Program</li> </ul>		Annual and ongoing	City Engagement  City Legal	Within current staff/ proposed new staff resource	WA Police reported crime levels trending down
5. Investigate the process for the City of Kwinana to become a World Health Organisation "Safe City".	<ul style="list-style-type: none"> <li>Neighbour Day Neighbourhood Program</li> <li>Reconciliation Action Plan</li> </ul>	Provide platforms to engage through:	2018	City Engagement	Within proposed new staff resource	Assessment of benefits of "Safe City" accreditation
6. Support current and source new external community and Government programs and initiatives that deliver community safety and crime prevention outcomes.		<ul style="list-style-type: none"> <li>City of Kwinana website</li> <li>Zone Youth Space webpage</li> <li>Facebook page</li> <li>Twitter</li> </ul>	Ongoing	City Engagement	New funding to be sourced where appropriate – within proposed new staff resource	Range of effective services and programmes in place

Key Actions	Initiatives	Engagement Methods	Timeframe	Responsible Directorate	City of Kwinana Resources	Outcomes
7. Increase collaboration with the community to plan and develop more localised community safety and crime prevention programs.			Ongoing	City Engagement	Annual budget allocation for: Community Safety initiatives \$18,000 Youth Diversion Program \$22,000 Club Development Program \$98,000 Reconciliation Action Plan \$5,000 Multicultural Action Plan \$5,000 Local Events Funding Program \$50,000 Kwinana Community Funding Programme \$35,000 Neighbour Day/ Neighbourhood Program \$31,000 Community Arts Projects \$6,500	Range of effective services and programmes in place
8. Regularly review delivery of community safety and crime prevention programs with State Government and community organisations to determine effectiveness.			Annually	City Engagement	Within proposed new staff resource	Evidence based delivery of effective services and programmes
9. Ensure a range of culturally appropriate support services are readily accessible to City residents including: <ul style="list-style-type: none"> <li>financial counselling</li> <li>family support</li> <li>early year's intervention and prevention services</li> <li>drug and alcohol counselling</li> <li>family and domestic violence support services</li> <li>youth services</li> </ul>			Ongoing	City Engagement	Advocate for new funding where service delivery not adequate – within current/proposed new staff resource	Partnerships in place with key agencies
10. Ensure services that promote positive parenting skills, facilitate family cohesion and prevent abuse are readily accessible in the community.			Ongoing	City Engagement	Advocate for new funding where service delivery not adequate – within current/proposed new staff resource	Partnerships in place with key agencies

Key Actions	Initiatives	Engagement Methods	Timeframe	Responsible Directorate	City of Kwinana Resources	Outcomes
11. Work with the community to strengthen relationships within families and the Aboriginal community to increase community harmony.			Ongoing	City Engagement	Advocate for new funding where service delivery not adequate – within current/proposed new staff resource	Partnerships in place with key agencies
12. Undertake activities to ensure the adequate provision of local support initiatives and services to increase the confidence of victims to report incidents of family violence and criminal activity to the police			Ongoing	City Engagement	Advocate for new funding where service delivery not adequate – within current/proposed new staff resources	Partnerships in place with key agencies
13. Maintain a local database of community and Government programs that focus on community safety and crime prevention.			Ongoing	City Engagement	Within proposed new staff resource	Current data on existing programmes
14. Support the development of safe access routes and public transport provision within the City.			Ongoing	City Regulation City Infrastructure	Advocate where appropriate – within current staff resources	Increased perceptions of community safety Increased perceptions of adequate levels of public transport provision



# Safety and City Spaces

Objective: Reduce opportunities for crime through the design of safe places and spaces.

## KEY

Text = current initiative

Text = new initiative

Key Actions	Initiatives	Engagement Methods	Timeframe	Responsible Directorate	City of Kwinana Resources	Outcomes
15. Develop and adopt a Designing Out Crime Policy and associated planning mechanisms.	<b>Implement:</b> <ul style="list-style-type: none"> <li>CCTV Camera Installation Program</li> <li>Graffiti Management Plan and Rapid Response Graffiti Removal Team</li> <li>Bike Plan</li> <li>Natural Areas Management Plan</li> <li>Access Control</li> <li>Traffic Management and Monitoring Guidelines, including appropriate and relevant signage</li> <li>Youth Strategy</li> <li>Calista Oval Management Plan</li> <li>Homelessness Policy and Protocol</li> <li>Safety Audit Program of Public Spaces</li> </ul>	<b>Facilitate and actively contribute to:</b> <ul style="list-style-type: none"> <li>City of Kwinana Annual Events Program – Australia Day, Children's Festival, Youth Festival, Big Concert</li> <li>CALD Cultural Celebrations – Chinese New Year, Diwali</li> <li>Neighbour Day events</li> </ul>	2018	City Regulation	Within current staff resources	Policy and planning mechanisms developed and implemented
16. Consider CPTED principles in the design of all residential and commercial developments.			Ongoing	City Regulation City Infrastructure	Within current staff resources	Consistent application of CPTED principles to all developments
17. Promote the application of CPTED principles amongst local residents and relevant business owners.			Ongoing	All Directorates	Within current staff resources	Increased community awareness and application of CPTED principles
18. Develop and undertake a safety audit program and improve CPTED outcomes at City "hot-spots" to address perceived safety issues in public spaces (lighting, streetscape, CCTV).		<b>Participation in:</b> <ul style="list-style-type: none"> <li>LEMC – Local Emergency Management Committee</li> <li>Safe Schools Coalition</li> </ul>	2018/19	City Infrastructure	Specific purpose consultancy \$50,000 plus remedial works allocation of \$100,000 per year	Improved perceptions of community safety
19. Continue to develop and roll out the CCTV camera installation program at identified City "hot spots" and facilities including Rapid Deployment Kits and covert cameras at "hot spots" not suitable for fixed cameras (bush locations – litter dumping, off road vehicle usage).			Ongoing	City Legal City Infrastructure	See Appendix 2	Increased perceptions of community safety Increased levels of reporting and prosecution of offenders
20. Monitor the ongoing emergence of new and innovative technologies that can offer opportunities for improving community safety.			Ongoing	City Legal City Infrastructure	Within existing staff resources	Increased perception of community safety
21. Develop a Public Area Lighting Plan			2018	City Infrastructure	Specific purpose consultancy \$50,000 plus remedial works allocation \$100,000 per year	Increased perception of community safety

Key Actions	Initiatives	Engagement Methods	Timeframe	Responsible Directorate	City of Kwinana Resources	Outcomes
22. Continue to address road safety in Kwinana by constructing traffic calming devices where supporting data warrants implementation.	Develop: <ul style="list-style-type: none"> <li>Public Area Lighting Plan</li> <li>Designing Out Crime Policy</li> </ul> Support: <ul style="list-style-type: none"> <li>Local Activity Centre Improvement Fund</li> <li>Kwinana Community Funding Program</li> <li>Local Community Event Fund</li> <li>State and National Blackspot Program Capital infrastructure projects to provide a safe, integrated transport network</li> <li>Transportable Radar Speed Display Trailer</li> <li>Road Wise</li> <li>Seniors Security Subsidy Scheme</li> <li>Mobile and foot patrols of the City Centre, neighbourhoods and Council facilities.</li> <li>Youth Diversion program, incl. Nightfields, Beatball, The Edge Skatepark activation</li> </ul>	<ul style="list-style-type: none"> <li>Community Engagement Officers – Outreach Program</li> <li>Youth Engagement Program</li> </ul>	Ongoing	City Infrastructure	Within existing resources	Decrease in levels of reported hooning
23. Continue to undertake visual assessments for matters concerning safe intersection sight distances, line marking issues, speed zoning, street lighting issues, school speed zones and street lighting to prevent break-ins.			Ongoing	City Infrastructure	Within existing staff resources	Decrease in reported complaints and increased perception of community safety
24. Support the development of safe access routes to schools, shopping centres, recreation areas and within local neighbourhoods.			Ongoing	City Regulation City Infrastructure	Within existing staff resources	Increased perception of community safety
25. Deliver an ongoing program of events utilising a range of public space locations to develop a sense of belonging and ownership of place amongst residents.			Ongoing	City Engagement	Current budget allocation: Festivals and Events \$343,750 Chisham Square activation \$45,000 Village at Wellard activation \$2,000 Bertram activation \$2,000	Increased levels of community well-being as per Well Being Scorecard
26. Encourage and support community groups to develop and deliver local community focussed events.			Ongoing	City Engagement	Current Budget Allocation: Local Events Funding Program \$50,000 Neighbour Day/ Neighbourhood Programme \$31,000 Kwinana Community Funding Program \$35,000	Increased levels of community well-being as per Well Being Scorecard

Key Actions	Initiatives	Engagement Methods	Timeframe	Responsible Directorate	City of Kwinana Resources	Outcomes
27. Deliver a comprehensive program of youth based services and activities in public spaces.	<ul style="list-style-type: none"> <li>• Keep Australia Beautiful</li> <li>• Litter and illegal dumping prevention</li> <li>• Urban Art programs</li> <li>• Family friendly playgrounds</li> <li>• Club Development program</li> <li>• Parks Play program</li> <li>• Rapid Response Litter Removal program</li> </ul>		Ongoing	City Engagement	Current Budget Allocation: Youth Festival \$60,000 Youth Outreach Live Outdoors Programs \$8,000	Increased levels of youth engagement
28. Deter anti-social behaviours by providing an active presence to build relationships with young people, other community members and all local stakeholders.			2018/19	City Engagement	Welcoming Diversity Strategy \$270,000 Youth Engagement Program \$175,000 Community Engagement Program \$161,000	Decreased reporting of anti-social behaviour in the City Centre Increased levels of youth engagement
29. Continue to provide the Zone Youth Space "Drop in Service"			Ongoing	City Engagement	Drop in Centre Programme \$139,5000	Increased youth participation levels
30. Minimise the incidence of graffiti on both public and private property.			Ongoing	City Infrastructure	Current budget allocation to Graffiti Removal Program \$147,000.	Reduction in graffiti removal levels

# Safety Through Community Education and Awareness

**Objective:** Promote increased awareness in the community on issues relating to community safety and crime prevention.

## KEY

Text = current initiative

Text = new initiative

Key Actions	Initiatives	Engagement Methods	Timeframe	Responsible Directorate	City of Kwinana Resources	Outcomes
31. Develop an annual marketing plan for the promotion of community safety and crime prevention initiatives and services to the community.	Participation in: <ul style="list-style-type: none"> <li>National Safety Day/Week</li> <li>White Ribbon Day</li> <li>"Walk in Her Shoes" campaign</li> <li>Other monthly safety awareness campaigns</li> </ul> Supported programs and initiatives: <ul style="list-style-type: none"> <li>Seniors Security Subsidy Scheme</li> <li>Local Activity Centre Improvement Fund</li> <li>Cyber Safety Awareness</li> </ul>	Participate in: <ul style="list-style-type: none"> <li>Family and Domestic Violence Network</li> </ul> Facilitate and actively contribute to: <ul style="list-style-type: none"> <li>Healthy Lifestyles events</li> <li>Safety workshops eg. Seniors Safety Workshop</li> <li>CPTED principles workshops</li> <li>Family and Domestic Violence information and awareness workshops</li> </ul> Provide platforms to engage through: <ul style="list-style-type: none"> <li>City of Kwinana website</li> <li>The Spirit Quarterly Newsletter</li> <li>Facebook page</li> <li>Twitter</li> </ul>	Annually	City Engagement	Within proposed new staff resource \$60,000 marketing budget to support marketing plan implementation	Increased community awareness on community safety initiatives
32. Deliver a community perceptions and wellbeing scorecard survey in 2017/18 and every 2 years thereafter.			2018 2020 2022	City Engagement	Specific purpose consultancy \$40,000	Data used to inform review/evaluation of community safety plan
33. Develop and deliver a community safety survey in 2018/19 and every 2 years thereafter.			2018 2020 2022	City Engagement	Specific purpose consultancy \$20,000	Data used to inform review/evaluation of community safety plan
34. Continue to deliver the City's Traffic Survey Schedule to assess speeds of traffic identified as areas of concern.			Ongoing	City Infrastructure	Within current staff resources	Data used to inform program development
35. Identify and support external community and government agencies who develop programs that seek to educate and improve safety and crime prevention within the community.			Ongoing	City Engagement	Within proposed new staff resource	Increased perceptions of community safety
36. Co-ordinate and organise community safety workshops and awareness raising events with external stakeholders (including local schools), targeting specific community groups eg. older people, youth, women, parents with teenagers.			Ongoing	City Engagement	Within proposed new staff resource \$10,000 to conduct workshops	Increased perceptions of community safety
37. Promote early intervention and prevention programs about family violence.			Ongoing	City Engagement	Within proposed new staff resource	Decrease in level of family and domestic violence assaults

Key Actions	Initiatives	Engagement Methods	Timeframe	Responsible Directorate	City of Kwinana Resources	Outcomes
38. Raise awareness among residents of the impact of family violence on children and encourage linkages to appropriate referral services.			Ongoing	City Engagement	Within proposed new staff resource	Partnerships formed with key agencies
39. Develop an anti-bullying and anti-violence social media campaign in partnership with WA Police and other key stakeholders.			Ongoing	City Engagement	Within proposed new staff resource	Partnerships formed with key agencies
40. Disseminate safety awareness and crime prevention materials through the City's library and other community facilities.			Ongoing	City Engagement	Within proposed new staff resource	Increased community awareness on key community safety messages
41. Develop security awareness and crime prevention materials and resources on key issues – CPTED, burglary, theft, graffiti, anti-social behaviour, safe parking habits, compliance with City of Kwinana local laws, bush fire preparedness etc			Ongoing	City Engagement	Within proposed new staff resource	Increased community awareness on key community safety messages
42. Create opportunities for community members to express their concerns in order to understand the nature of the disparity between perception and reality of crime levels.			Ongoing	City Engagement	Within proposed new staff resource	Increased perceptions of community safety
43. Utilise the City's social media platforms and website to highlight internal and external safety and crime prevention materials and initiatives, programs and partnerships to share information and resources with the community.			Ongoing	City Engagement	Within proposed new staff resource	Increased perceptions of community safety
44. Provide an information and advice service to residents and business on a range of community safety and crime prevention measures including the application of CPTED principles, emergency management and community preparedness, etc			Ongoing	All directorates	Within proposed new staff resource	Increased perceptions of community safety

# Safety and Community Connection

**Objective 1:** Build a sense of community identity and foster community harmony to reduce feelings of isolation and vulnerability.

**Objective 2:** Promote community participation, foster civic pride and encourage collective responsibility.

## KEY

Text = current initiative

Text = new initiative

Key Actions	Initiatives	Engagement Methods	Timeframe	Responsible Directorate	City of Kwinana Resources	Outcomes
45. Foster an image of the community that truly reflects the diversity of the City through the arts, engagement and marketing	Implementation of the: <ul style="list-style-type: none"> <li>Multicultural Action Plan</li> <li>Reconciliation Action Plan</li> <li>Place Plans</li> </ul> Supported programs and initiatives:3	Facilitate and actively contribute to: <ul style="list-style-type: none"> <li>Harmony Day</li> <li>Neighbour Day events</li> <li>Active Resident Groups</li> <li>Club Development seminar series to help build skill levels and knowledge base of volunteers.</li> </ul> Provide platforms to engage through: <ul style="list-style-type: none"> <li>City of Kwinana website</li> <li>The Spirit Quarterly Newsletter</li> <li>Facebook page</li> <li>Twitter</li> </ul>	Ongoing	City Engagement	Implementation of the Place Management Program using existing program resources Cultural development initiatives \$30,000 Community Engagement \$25,000	Increased levels of community well being as per Wellbeing Scorecard
46. Develop and implement programs to support an inclusive community that values diversity.	<ul style="list-style-type: none"> <li>Kwinana Early Years Network and working group initiatives</li> <li>Volunteer Centre</li> <li>Kwinana Community Funding Program</li> <li>Local Community Events Fund</li> <li>Community Awards</li> <li>LyriK Awards</li> <li>Club Development program</li> <li>Community Centres program</li> <li>Culture, Arts, Exhibitions program</li> <li>Local History Collection and Stories</li> </ul>		Ongoing	City Engagement	Implementation of the Place Management Program using existing program resources Active Citizenship Program \$10,000 Volunteer Centre \$53,000 Sports Promotion Program \$5,000	Increased levels of community well being as per Wellbeing Scorecard
47. Provide opportunities through education to enhance community resilience			Ongoing	City Engagement	Within proposed new staff resource LYRIK Program \$98,000 Health Promotion initiatives \$20,000 Life Long Learning programs \$75,000	Increased levels of community well being as per Wellbeing Scorecard



# Reporting and Review

Progress against the Plan will be reported to Council and the community through the Strategic Community Plan Quarterly Reporting Progress Reports and the City's Annual Report.

A minor review of the Plan will take place in 2020, with a major review in 2022.





# Appendix 1: Existing Services and Infrastructure

The City's current community safety and crime prevention infrastructure and services include:

## ESSENTIAL SERVICES

### City Assist

The City Assist service commenced its current operations in April 2016 and operates 24 hours a day, 7 days a week, patrolling the Kwinana precinct. This service is an expansion of the previously run City Ranger service and mobile security patrol service.

The primary function of the City Assist service is to monitor, investigate and enforce local government law matters such as the Dog and Cat Act, parking, litter and verge compliance issues. Matters relating to reported commercial vehicle concerns, bushfire mitigation and untidy property complaints, as well as unauthorised signage on City owned and controlled verge and land areas are also managed by the team.

The City Assist team deals with local noise concerns relating to residential or commercial building construction noise, use of machinery outside normal operating hours as well as noise from parties or loud music outside normal business hours in an observe/record and report capacity. If required, the team will alert Police.

The team provides a "security response" type service to all of the City's owned and controlled facilities such as the Edge Skatepark, Adventure Park Kwinana, Darius Wells Library and Resource Centre, The Zone Youth Centre, the Recquatic Centre and the City's Administration Building.

### CCTV

The City's CCTV projects continue to expand with new CCTV installed in and around the following locations:

- Adventure Park Kwinana;
- The Edge Skatepark;
- Wellard CBD (incl. John Wellard Centre); and
- Upgrades to existing CCTV at key City facilities.
- Fixed and mobile CCTV units already exist in the following locations:
- The Zone Youth Space;
- Requatic Centre;
- City of Kwinana's Administration Building; and
- Kwinana CBD.

This brings the total number of cameras in operation within the City of Kwinana to more than 135 and growing.

## EMERGENCY MANAGEMENT

The City of Kwinana Emergency Management includes Bushfires and Fire Control, Emergency Preparation and Response and Animal Management (evacuation).

In partnership with internal and external agencies, the service aims to provide continual improvements to bushfire mitigation and protection services across the City to ensure community safety is maintained.

The City continuously promotes the importance of property preparedness during fire season highlighting the risks associated with not preparing your property. This continues to be a challenge as increased development occurs within the City. It is vital to ensure the City's land owners and occupiers are aware of their responsibilities when it comes to proactive mitigation processes needed to protect their property.


The City and key stakeholders continue to complete much needed hazard reduction burning and slashing/mulching of reserves and Crown land as well as the chemical treatment for bushfire mitigation on reserves.

The City has two Bushfire Brigades, Mandogalup and Kwinana South. Both Brigades continue to record many hours of volunteer time responding to reports of fires, community education, fire fighter training and enhancement, equipment maintenance and hazard reduction burning.

While it was considered a mild 2017/18 fire season within the City boundaries, the Brigades had heavy commitments at other locations throughout the State.

The Local Emergency Management Arrangements were reviewed by the Local Emergency Management Committee and endorsed by Council as an Interim Plan for 2018.

These arrangements ensure the City is compliant as required by the State's Office of Emergency Management (OEM) and the Emergency Management Act 2005, ensuring the City has the established support mechanisms in place for the benefit of the community during and following an emergency.



## YOUTH AND COMMUNITY SERVICES

The Youth and Community Services team includes Youth Engagement, Community Engagement and Community Liaison services.

### Youth Engagement

Youth engagement provides support to young people between the ages of 12-18 years and their families.

The team work flexible hours to assist young people in need and can meet with youth at the Zone, at home, in the community or at school.

The Youth Engagement team work in a case management framework offering support to young people to link them in with relevant services, advocate on young people's behalf and provide them with informal counselling if required.

### Community Engagement

Community engagement ensures that information is provided to vulnerable people, their families and the local community to increase their capacity to connect with appropriate health, wellbeing and social supports at the time they are needed.

The Community Engagement team conducts outreach work at various locations around the City to engage with people experiencing disadvantage. The team do not provide case management level support but focus on referral to other services.

### Community Liaison

The Community Liaison Officers (CLOs) help to address issues relating to anti-social behaviour by providing an increased presence, observing and reporting anti-social and other negative behaviours, as well as providing first hand support as required to resolve issues.

The CLOs patrol daily in known hotspots around the City's CBD. They refer people experiencing disadvantage into the Community Engagement and Youth Engagement teams.

## Appendix 2: CCTV Camera Installation Program

ADDITIONAL FUNDS REQUIRED FOR CCTV ROLLOUT AND UPGRADE					
	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022
<b>CCTV Upgrade:</b> Administration Building	\$20,200				
<b>CCTV Upgrade:</b> Darrius Wells	\$20,500				
<b>CCTV Upgrade:</b> Recquatic Centre Building	\$25,530				
<b>CCTV Upgrade:</b> Incubator	\$11,935				
<b>City Depot Redevelopment CCTV security network including CCTV room</b>					\$150,000
<b>City PAW between Admin Building, Incubator and DFES building</b>			\$60,000		
<b>CCTV City Assist Vehicles (\$12,000 per vehicle)</b>		\$50,000			
<b>Wellard CBD Project 2</b>				\$100,000	

*Please note:* These proposed programs are subject to change dependent on budget allocations, availability and environmental changes within the community at the time.



### **ADMINISTRATION**

Cnr Gilmore Ave and Sulphur Rd,  
Kwinana WA 6167  
PO Box 21, Kwinana WA 6966

Hours Mon-Fri 8am-5pm  
(Cashier hours 8am-4pm)

Telephone 08 9439 0200

[customer@kwinana.wa.gov.au](mailto:customer@kwinana.wa.gov.au)

[www.kwinana.wa.gov.au](http://www.kwinana.wa.gov.au)





### **13 Reports – Economic**

Nil

### **14 Reports – Natural Environment**

Nil

## 15 Reports – Built Infrastructure

### 15.1 Endorsement of Minister's Modifications to Scheme Amendment 144 to Local Planning Scheme No.2 – Rezone Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram from Residential R20 to R40 and inserting additional uses into Schedule VII of Local Planning Scheme No.2

#### DECLARATION OF INTEREST:

There were no declarations of interest declared.

#### SUMMARY:

On 20 December 2017, the City of Kwinana (City) received correspondence that the Minister for Planning (Minister) had made a determination requiring the City to make a number of minor modifications to the text of proposed Amendment 144 to the City's Local Planning Scheme No. 2 (LPS2) (refer **Attachment A**).

Amendment 144 was adopted by Council for final approval on 26 April 2017 and seeks to modify the density of Lot 54 Johnson Road and Lot 9001 Holden Close from R20 to R40, with additional provisions to allow for additional land uses, as well as density up to R60 where certain criteria are met. Please refer **Attachment B** for Council-adopted Scheme Text.

City Officers have considered the modifications required by the Minister and have determined that the intent of the Amendment is not materially altered.

It must be noted that Section 87(2) of the *Town Planning and Development Act 2005* (Act) and clause 62(2) of the *Planning and Development (Local Planning Scheme) Regulations 2015* (Regulations) impose a statutory obligation on the City to comply with the Minister's requirements. Notwithstanding, should Council wish to make a submission to the Minister with respect to the requirements stipulated and ask that the submission is considered when the modified Amendment documentation is returned to the Minister for final approval, then that option is available to Council.

City Officers recommend however that Council endorses the modifications to Amendment 144 and return the modified documents to the Western Australian Planning Commission (WAPC), such that the Amendment can progress towards gazettal.

#### OFFICER RECOMMENDATION:

That Council notes the Minister for Planning's direction, pursuant to Section 87(2) of the Act, to modify Amendment 144 to the Scheme as follows:

- i. Delete the following Development Standard/Condition from proposed Additional Uses No.3:
  - '5. Where the land use is not significantly detrimental to the amenity of adjoining properties.'

**15.1 ENDORSEMENT OF MINISTER'S MODIFICATIONS TO SCHEME AMENDMENT 144 TO LOCAL PLANNING SCHEME NO.2 – REZONE LOT 54 JOHNSON ROAD AND LOT 9001 HOLDEN CLOSE, BERTRAM FROM RESIDENTIAL R20 TO R40 AND INSERTING ADDITIONAL USES INTO SCHEDULE VII OF LOCAL PLANNING SCHEME NO.2**

- ii. Replace Point 6 with the following:
  - 6. Add the following special provisions into Schedule IV – Development Area 1a – Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram:
    - 1. Notwithstanding the density coding of the Scheme map, Council may permit development to a maximum residential density of R60 where:
      - a. The development site abuts Public Open Space, Johnson Road or Holden Close;
      - b. The development site does not abut existing Residential R20 development;
      - c. There is at least two-storey frontage to Public Open Space, Johnson Road or Holden Close; and
      - d. The development minimises the visual impact of garage doors and driveways on the streetscape.
    - 1. In considering subdivision applications, the Council may:
      - a. recommend the application not be approved unless:
        - i. Roads are located and designed to integrate and connect with the adjoining road network, and to maximise connectivity through the site;
        - ii. Public Open Space is centrally located within the site.
      - b. in the absence of built development, recommend approval for subdivision up to the maximum density depicted on the Scheme map.
- iii. Amend the Scheme Maps to ensure Development Contribution Area 'DCA1' includes Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram.

**BACKGROUND:**

Amendment 144 was initiated by Council for advertising on 23 November 2016, with Council resolving to approve Amendment 144 on 26 April 2017. The Amendment was subsequently forwarded to the WAPC for final review.

On 20 December 2017, the City received correspondence that the Minister had made a determination requiring the City to make a number of minor modifications to the text of the Amendment. These include the following:

- Delete the following Development Standards/Condition from proposed Additional Uses No.3:
  - *'5. Where the land use is not significantly detrimental to the amenity of adjoining properties.'*

**15.1 ENDORSEMENT OF MINISTER'S MODIFICATIONS TO SCHEME AMENDMENT 144 TO LOCAL PLANNING SCHEME NO.2 – REZONE LOT 54 JOHNSON ROAD AND LOT 9001 HOLDEN CLOSE, BERTRAM FROM RESIDENTIAL R20 TO R40 AND INSERTING ADDITIONAL USES INTO SCHEDULE VII OF LOCAL PLANNING SCHEME NO.2**

- Replace Point 6 with the following:
  - 6. Add the following special provisions into Schedule IV – Development Area 1a – Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram:
    - 1. Notwithstanding the density coding of the Scheme map, Council may permit development to a maximum residential density of R60 where:
      - a. The development site abuts Public Open Space, Johnson Road or Holden Close;
      - b. The development site does not abut existing Residential R20 development;
      - c. There is at least two-storey frontage to Public Open Space, Johnson Road or Holden Close; and
      - d. The development minimises the visual impact of garage doors and driveways on the streetscape.
    - 2. In considering subdivision applications, the Council may:
      - a. recommend the application not be approved unless:
        - i. Roads are located and designed to integrate and connect with the adjoining road network, and to maximise connectivity through the site;
        - ii. Public Open Space is centrally located within the site.
      - b. in the absence of built development, recommend approval for subdivision up to the maximum density depicted on the Scheme map.
- Amend the Scheme Maps to ensure Development Contribution Area 'DCA1' includes Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram.

City Officers consider these changes to be minor. The changes to the first dot point above are to remove any potential for ambiguity in land use permissibility in the context of amenity impacts. The changes to the second dot point above (replacement of Point 6) essentially represent a formatting change from what was adopted by Council, with the modification providing more clarity on development that may be permitted up to the maximum residential density of R60. The third dot point above is a standard modification to ensure the development site is accounted for within the respective Development Contribution Area.

Given Council has been directed to make the alterations by the Minister, no appeal right exists if Council is aggrieved by the changes required. Council is able to consider political advocacy if the changes are inconsistent with Council's position on this matter. In this regard, the City has sought general legal advice on the options available to Council should it not wish to progress the modifications to the Amendment as per the Minister's requirements. Whilst it is open to the Council to let the amendment 'lie on the table', this would mean the City would have to work with its existing scheme and forego the benefits of the amendment. The advice notes that compliance with the Minister's requirements is a 'mechanical' exercise and to refuse to comply with the Minister's requirements would be a direct breach of a statutory obligation. Should Council wish to make a submission to the Minister with respect to the requirements stipulated and ask that the submission is considered when the modified Amendment documentation is returned to the Minister for final approval, then that option is available to Council.

**15.1 ENDORSEMENT OF MINISTER'S MODIFICATIONS TO SCHEME AMENDMENT 144 TO LOCAL PLANNING SCHEME NO.2 – REZONE LOT 54 JOHNSON ROAD AND LOT 9001 HOLDEN CLOSE, BERTRAM FROM RESIDENTIAL R20 TO R40 AND INSERTING ADDITIONAL USES INTO SCHEDULE VII OF LOCAL PLANNING SCHEME NO.2**

As the changes required are generally administrative in nature and the intent of the Amendment remains unchanged, no further action is recommended by City Officers.

**LEGAL/POLICY IMPLICATIONS:**

**Acts and Regulations**

*Section 87(2) of the Town Planning and Development Act 2005 (Act) and clause 62(2) of the Planning and Development (Local Planning Scheme) Regulations 2015 (Regulations)*

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

**Strategies**

State Planning Strategy  
Directions 2031 and Beyond

**Schemes**

Metropolitan Region Scheme  
Local Planning Scheme 2

**FINANCIAL/BUDGET IMPLICATIONS:**

No financial/budget implications have been identified as a result of this report or recommendation.

**ENVIRONMENTAL IMPLICATIONS:**

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

**STRATEGIC/SOCIAL IMPLICATIONS:**

No strategic/social implications have been identified as a result of this report or recommendation.



**15.1 ENDORSEMENT OF MINISTER'S MODIFICATIONS TO SCHEME AMENDMENT 144 TO LOCAL PLANNING SCHEME NO.2 – REZONE LOT 54 JOHNSON ROAD AND LOT 9001 HOLDEN CLOSE, BERTRAM FROM RESIDENTIAL R20 TO R40 AND INSERTING ADDITIONAL USES INTO SCHEDULE VII OF LOCAL PLANNING SCHEME NO.2**

**RISK IMPLICATIONS:**

<b>Risk Event</b>	<b>Potential delay in WAPC approval of Amendment 144</b>
Risk Theme	Lack of administrative due process followed in relation to requisite modifications to Amendment 144
Risk Effect/Impact	Service Delivery
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Possible
Rating (before treatment)	Moderate
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Council resolving to note the modifications to Amendment 144 and City Officers advising WAPC of this resolution, thereby mitigating the risk.
Rating (after treatment)	Low

**COUNCIL DECISION**

099

**MOVED CR P FEASEY**

**SECONDED CR S MILLS**

**That Council notes the Minister for Planning's direction, pursuant to Section 87(2) of the Act, to modify Amendment 144 to the Scheme as follows:**

- i. Delete the following Development Standard/Condition from proposed Additional Uses No.3:**

- ***'5. Where the land use is not significantly detrimental to the amenity of adjoining properties.'***

**15.1 ENDORSEMENT OF MINISTER'S MODIFICATIONS TO SCHEME AMENDMENT 144 TO LOCAL PLANNING SCHEME NO.2 – REZONE LOT 54 JOHNSON ROAD AND LOT 9001 HOLDEN CLOSE, BERTRAM FROM RESIDENTIAL R20 TO R40 AND INSERTING ADDITIONAL USES INTO SCHEDULE VII OF LOCAL PLANNING SCHEME NO.2**

**ii. Replace Point 6 with the following:**

- **6. Add the following special provisions into Schedule IV – Development Area 1a – Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram:**
  - 1. Notwithstanding the density coding of the Scheme map, Council may permit development to a maximum residential density of R60 where:**
    - a. The development site abuts Public Open Space, Johnson Road or Holden Close;**
    - b. The development site does not abut existing Residential R20 development;**
    - c. There is at least two-storey frontage to Public Open Space, Johnson Road or Holden Close; and**
    - d. The development minimises the visual impact of garage doors and driveways on the streetscape.**
  - 2. In considering subdivision applications, the Council may:**
    - a. recommend the application not be approved unless:**
      - i. Roads are located and designed to integrate and connect with the adjoining road network, and to maximise connectivity through the site;**
      - ii. Public Open Space is centrally located within the site.**
    - b. in the absence of built development, recommend approval for subdivision up to the maximum density depicted on the Scheme map.**

**iii. Amend the Scheme Maps to ensure Development Contribution Area 'DCA1' includes Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram.**

**CARRIED  
8/0**



Your ref: 144  
Our ref: TPS/1994  
Enquiries: Sarah Chan (6551 9599)

Chief Executive Officer  
City of Kwinana  
PO Box 21  
Kwinana WA 6966

*Transmission via electronic mail to: [admin@kwinana.wa.gov.au](mailto:admin@kwinana.wa.gov.au)*

Dear Madam

**TOWN PLANNING SCHEME NO. 2 - AMENDMENT NO. 144**

The WAPC has considered Amendment No 144 and submitted its recommendation to the Minister in accordance with section 87(1) of the *Planning and Development Act 2005* (the Act).

The Minister has required the amendment to be modified in the manner specified in the attached schedule of modifications in accordance with section 87(2)(b) of the Act, before it is resubmitted under section 87(1):

In order for the amendment documents to be finalised in a timely manner, please ensure the following:

- the maps in the modified document accurately reflect the intentions of the amendment as detailed in the amending text; and
- in carrying out modification to the amendment document, previous Council resolutions pursuant to clauses 35(1), 41(3) and/or 50(3) are not to be modified.

Please forward two copies of the modified amendment document directly to the Perth office and email a modified text of the amendment, in word format, to [schemes@planning.wa.gov.au](mailto:schemes@planning.wa.gov.au) to assist in limiting Government Gazette publishing costs.

Please direct any queries about this matter to Sarah Chan on 6551 9599 or [Sarah.Chan@planning.wa.gov.au](mailto:Sarah.Chan@planning.wa.gov.au).

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Kerrine Blenkinsop'.

Kerrine Blenkinsop  
Secretary  
Western Australian Planning Commission

20/12/2017



## City of Kwinana TPS 2 Amendment No. 144 - Schedule of Modifications

- Delete the following Development Standards/Condition from proposed Additional Uses No. 3:
  - *'5. Where the land use is not significantly detrimental to the amenity of adjoining properties.'*
- Replace Point 6 with the following:
  - 6. Add the following special provisions into Schedule IV – Development Area 1a – Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram;
    - 1. Notwithstanding the density coding of the Scheme map, Council may permit development to a maximum residential density of R60 where:
      - a. The development site abuts Public Open Space, Johnson Road or Holden Close;
      - b. The development site does not abut existing Residential R20 development;
      - c. There is at least two-storey frontage to Public Open Space, Johnson Road or Holden Close; and
      - d. The development minimises the visual impact of garage doors and driveways on the streetscape.
    - 2. In considering subdivision applications, the Council may:
      - a. recommend the application not be approved unless:
        - i. Roads are located and designed to integrate and connect with the adjoining road network, and to maximise connectivity through the site;
        - ii. Public Open Space is centrally located within the site;
      - b. in the absence of built development, recommend approval for subdivision up to the maximum density depicted on the Scheme map.
- Amend the Scheme Maps to ensure Development Contribution Area 'DCA1' includes Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram

## 15 Reports – Built Infrastructure

### 15.1 Consideration to adopt Amendment 144 to Town Planning Scheme No.2 to Rezone Lot 54 Johnson Road and Lot 9001 Holden Close from Residential R20 and insert additional uses into Schedule VII of the Scheme

#### SUMMARY:

The purpose of this report is to consider submissions made on Amendment 144 and for Council to resolve whether to support the amendment with or without modification. The public submissions are included in Attachment C of this report.

Council, at its meeting of 23 November 2016, resolved to initiate an amendment to modify the density of Lot 54 Johnson Road and Lot 9001 Holden Close from R20 to R40, with additional provisions to allow for additional land uses, as well as density up to R60 where certain criteria area met. The amendment documentation is included in Attachment D.

The amendment was subsequently advertised with 12 comments received (10 from Government Agencies and 2 from nearby land owners). The comments from government departments were generally supportive in nature, with some advice given on future development. Submissions from nearby land owners raised issues around layout of the future development, road upgrading and access. These are discussed in greater detail in the body of the report.

City Officers maintain that the increase in density is warranted, given the proximity to the Kwinana Train Station. Further, the resulting mix of housing sizes and built form in the area will create a diversity of choices for future residents moving to the locality. It is recommended that Council support the proposal and that the amendment and a summary of the submissions be provided to the WAPC for its consideration.

#### OFFICER RECOMMENDATION:

That the Council resolve to:

1. Note the submissions received on proposed Amendment No.144 to the City of Kwinana Town Planning Scheme No.2.
2. Adopt proposed Amendment No.144 for final approval to the City of Kwinana Town Planning Scheme No.2, as initiated by Council at its meeting of 23 November, 2016, without modification by:
  - i. Modifying the density coding of Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram from R20 to R40;
  - ii. Adding Development Area 1a into Schedule IV – Development Areas of the Scheme;
  - iii. Removing Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram from Development Area No. 1 and including Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram into Development Area 1a;
  - iv. Adding Additional Uses No. 3 - Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram into Schedule VII – Additional Uses of the Scheme;



**15.1 CONSIDERATION TO ADOPT AMENDMENT 144 TO TOWN PLANNING SCHEME NO.2 TO REZONE LOT 54 JOHNSON ROAD AND LOT 9001 HOLDEN CLOSE FROM RESIDENTIAL R20 AND INSERT ADDITIONAL USES INTO SCHEDULE VII OF THE SCHEME**

No.	Land Particulars	Base Zone	Permitted Uses	Development Standards/Conditions
3.	Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram	Residential	Professional Office (AA)	<ol style="list-style-type: none"> <li>1. The development site directly abuts Johnson Road or Holden Close; and</li> <li>2. The Professional Office land use is provided in a Mixed Use development as defined by the Residential Design Codes of Western Australia; and</li> <li>3. The Professional Office land use is predominantly located on the ground floor level of the development; and</li> <li>4. Vehicle access and parking is coordinated to minimise the number of vehicle crossovers to Johnson Road or Holden Close; and</li> <li>5. Where the land use is not significantly detrimental to the amenity of adjoining properties.</li> </ol>

- v. Amend the Scheme Map accordingly;
- vi. Add the following special provisions into Schedule IV – Development Area 1a – Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram:
  1. Notwithstanding the density coding of the Scheme map, Council may permit development up to a maximum residential density of R60 where:
    - a) The development site abuts Public Open Space, Johnson Road or Holden Close (except where the site directly abuts existing Residential R20 development); and
    - b) The development provides the following design elements:
      - i. a two-storey frontage to the Public Open Space, Johnson Road or Holden Close; and
      - ii. The development minimises the visual impact of garage doors and driveways on the streetscape; and
      - iii. The development is not significantly detrimental to the amenity of adjoining properties.
  2. Subdivision of vacant land at a density greater than R40 will not be supported by the Council.

**15.1 CONSIDERATION TO ADOPT AMENDMENT 144 TO TOWN PLANNING SCHEME NO.2 TO REZONE LOT 54 JOHNSON ROAD AND LOT 9001 HOLDEN CLOSE FROM RESIDENTIAL R20 AND INSERT ADDITIONAL USES INTO SCHEDULE VII OF THE SCHEME**

3. Subdivision will not be supported by the Council unless the following requirements are satisfied:
  - i. Roads will be located and designed to integrate and connect with the adjoining road network, and to maximise connectivity through the site; and
  - ii. Public Open Space shall be centrally located within the site.
3. Forward the amendment documentation to the Western Australian Planning Commission with a request that the Hon. Minister for Planning approve its gazettal without modifications.
4. Advise those who lodged a submission of Council's decision accordingly.

**DISCUSSION:**

**Background**

The proponent is seeking an increase of density from the current Residential R20 density permitted under the scheme for Lot 54 Johnson Road and Lot 9001 Holden Close (Attachments A and B). The amendment seeks to make the following amendments to the Scheme with respect to the subject site:

- a) Change the density coding of the land from "R20" to "R40",
- b) Introduce incentivised criteria to allow development up to a density of R60 in certain locations and,
- c) Introduce an additional land use for the site to permit "Professional Offices" within the Residential zone.

Council previously considered the proposal to increase the residential density of this site in July 2015 as an amendment to the Casuarina Local Structure Plan (LSP). Council resolved to defer the application pending the resolution of a State Administrative Tribunal (SAT) matter regarding odour related issues associated with the Costa Mushroom Exchange located at Lot 1 Orton Road, Casuarina. Upon resolution of this matter in early 2016 and given the delay to the application as a result of the resolution of the SAT matter, the application was progressed and, as a matter of procedure, advertised to surrounding landowners for their comments.

With the introduction of the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations), local structure plans no longer have the force and effect of the Scheme. Instead decision makers must only have due regard to Local Structure Plans. City Officers held discussions with officers of the Department of Planning (DoP) to determine the best possible approach to progress the proposal. DoP Officers advised the City that the Western Australian Planning Commission (WAPC) are unlikely to support the LSP amendment application and advised the City to progress the proposal as a standard Scheme Amendment instead. Council subsequently resolved to initiate the Amendment on 23 November 2016.

**15.1 CONSIDERATION TO ADOPT AMENDMENT 144 TO TOWN PLANNING SCHEME NO.2 TO REZONE LOT 54 JOHNSON ROAD AND LOT 9001 HOLDEN CLOSE FROM RESIDENTIAL R20 AND INSERT ADDITIONAL USES INTO SCHEDULE VII OF THE SCHEME**

Advertising and Submissions Received.

The amendment was advertised for 42 days, with comments closing on the 10th of March 2017. The City received 12 submissions on the amendment, of which, 10 were from government agencies and 2 from nearby landowners. The Schedule of Submissions is shown in Attachment C.

Nearby residents raised issues relating to road standards, POS and access.

Road upgrades were raised as part of the submissions made, particularly the condition of Johnson Road from the subject land through to Thomas Road. This portion of Johnson Road is not upgraded by the Developer Contribution Plan, and will be the responsibility of land owners fronting Johnson Road to upgrade for the extent of their frontage when the land is developed. The portion of Johnson Road immediately abutting the subject land has already been upgraded.

A submission has suggested limiting frontages to Holden Close. City Officers do not support this submission as it would limit permeability of the design and impact upon access of the development. The roads will need to be constructed and upgraded to an urban standard, which will address safety concerns raised.

Other suggestions include moving the POS to the north of the site as a buffer to the land owner on the north of Holden Close. It is stated that this was in an earlier plan. The current Casuarina Local Structure Plan does not indicate POS in this position. The location indicatively shown in the amendment documents is supported by City Officers as it offers good access to the majority of residences to be constructed in the area. Where land uses have a pre-existing approval, they can continue unimpeded by the new development, subject to them continuing to adhere to existing conditions and conforming to relevant legislation and local laws.

An additional letter was received during the submission period relating to the quality of the plans that were sent out for public comment. The plans were not of high resolution and improved copies were referred to those people who requested further information. This submission is not included in the schedule, as it was not a submission on the proposal within the amendment itself. Similarly, plans available for public inspection were also replaced with improved quality reproductions during the advertising period.

Officer Comment

Overall, the amendment will result in a better variety of lot types near to the Kwinana Station. The development outcomes in the area are predominantly single residential at low density. The additional land uses allowed in the area will create opportunities for mixed use development, where the market will sustain such development.

The provision for two storey development overlooking the POS will create opportunities for passive surveillance and allow for design outcomes different from, but complimentary to, the surrounding development. This diversity is much needed in the City and therefore it is recommended that the Council recommended that the Minister approve the amendment with no changes.

**15.1 CONSIDERATION TO ADOPT AMENDMENT 144 TO TOWN PLANNING SCHEME NO.2 TO REZONE LOT 54 JOHNSON ROAD AND LOT 9001 HOLDEN CLOSE FROM RESIDENTIAL R20 AND INSERT ADDITIONAL USES INTO SCHEDULE VII OF THE SCHEME**

**LEGAL/POLICY IMPLICATIONS:**

For the purpose of Councillors considering a financial or impartiality interest only, the owner is Romano's Investment Holdings Pty Ltd.

**Acts and Regulations:**

Planning and Development Act 2005;

Planning and Development (Local Planning Schemes) Regulations 2015;

**Schemes:**

Town Planning Scheme No.2

**FINANCIAL/BUDGET IMPLICATIONS:**

The cost of the amendment and advertising is borne by the applicant. If developed at a higher density, Council will receive additional rates income.

**ENVIRONMENTAL IMPLICATIONS:**

There is no difference in the environmental outcome, in respect to clearing, from the original R20 outcome.

**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).

<b>Plan</b>	<b>Objective</b>	<b>Strategy</b>
Strategic Community Plan	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.

The increase in density will allow for a range of housing types and further diversity in built form in the area. The increased density near to a train station will give a greater number of people convenient access to the infrastructure.

**15.1 CONSIDERATION TO ADOPT AMENDMENT 144 TO TOWN PLANNING SCHEME NO.2 TO REZONE LOT 54 JOHNSON ROAD AND LOT 9001 HOLDEN CLOSE FROM RESIDENTIAL R20 AND INSERT ADDITIONAL USES INTO SCHEDULE VII OF THE SCHEME**

**RISK IMPLICATIONS:**

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

<b>Risk Analysis</b>	<b>Description</b>
Risk Event	The Minister may choose not to approve the amendment.
Risk Theme	Providing inaccurate advice/information
Risk Effect/Impact	Property
Risk Assessment Context	Strategic
Consequence	Moderate
Likelihood	Rare
Rating (before treatment)	Low
Risk Treatment in place	Accept
Response to risk treatment required/in place	The City's report notes some objections to the amendment from local residents, however it also notes the strategic need for greater density around train stations.
Rating (after treatment)	Low

**COUNCIL DECISION**

**472**

**MOVED CR D WOOD**

**SECONDED CR W COOPER**

**That the Council resolve to:**

- 1. Note the submissions received on proposed Amendment No.144 to the City of Kwinana Town Planning Scheme No.2.**
- 2. Adopt proposed Amendment No.144 for final approval to the City of Kwinana Town Planning Scheme No.2, as initiated by Council at its meeting of 23 November, 2016, without modification by:**
  - i. Modifying the density coding of Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram from R20 to R40;**
  - ii. Adding Development Area 1a into Schedule IV – Development Areas of the Scheme;**
  - iii. Removing Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram from Development Area No. 1 and including Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram into Development Area 1a;**
  - iv. Adding Additional Uses No. 3 - Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram into Schedule VII – Additional Uses of the Scheme;**



**15.1 CONSIDERATION TO ADOPT AMENDMENT 144 TO TOWN PLANNING SCHEME NO.2 TO REZONE LOT 54 JOHNSON ROAD AND LOT 9001 HOLDEN CLOSE FROM RESIDENTIAL R20 AND INSERT ADDITIONAL USES INTO SCHEDULE VII OF THE SCHEME**

<b>No.</b>	<b>Land Particulars</b>	<b>Base Zone</b>	<b>Permitted Uses</b>	<b>Development Standards/Conditions</b>
<b>3.</b>	<b>Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram</b>	<b>Residential</b>	<b>Professional Office (AA)</b>	<ol style="list-style-type: none"> <li><b>1. The development site directly abuts Johnson Road or Holden Close; and</b></li> <li><b>2. The Professional Office land use is provided in a Mixed Use development as defined by the Residential Design Codes of Western Australia; and</b></li> <li><b>3. The Professional Office land use is predominantly located on the ground floor level of the development; and</b></li> <li><b>4. Vehicle access and parking is coordinated to minimise the number of vehicle crossovers to Johnson Road or Holden Close; and</b></li> <li><b>5. Where the land use is not significantly detrimental to the amenity of adjoining properties.</b></li> </ol>

- v. Amend the Scheme Map accordingly;**
- vi. Add the following special provisions into Schedule IV – Development Area 1a – Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram:**
  - 1. Notwithstanding the density coding of the Scheme map, Council may permit development up to a maximum residential density of R60 where:**
    - a) The development site abuts Public Open Space, Johnson Road or Holden Close (except where the site directly abuts existing Residential R20 development); and**
    - b) The development provides the following design elements:**
      - ii. a two-storey frontage to the Public Open Space, Johnson Road or Holden Close; and**
      - ii. The development minimises the visual impact of garage doors and driveways on the streetscape; and**
      - iii. The development is not significantly detrimental to the amenity of adjoining properties.**
  - 2. Subdivision of vacant land at a density greater than R40 will not be supported by the Council.**

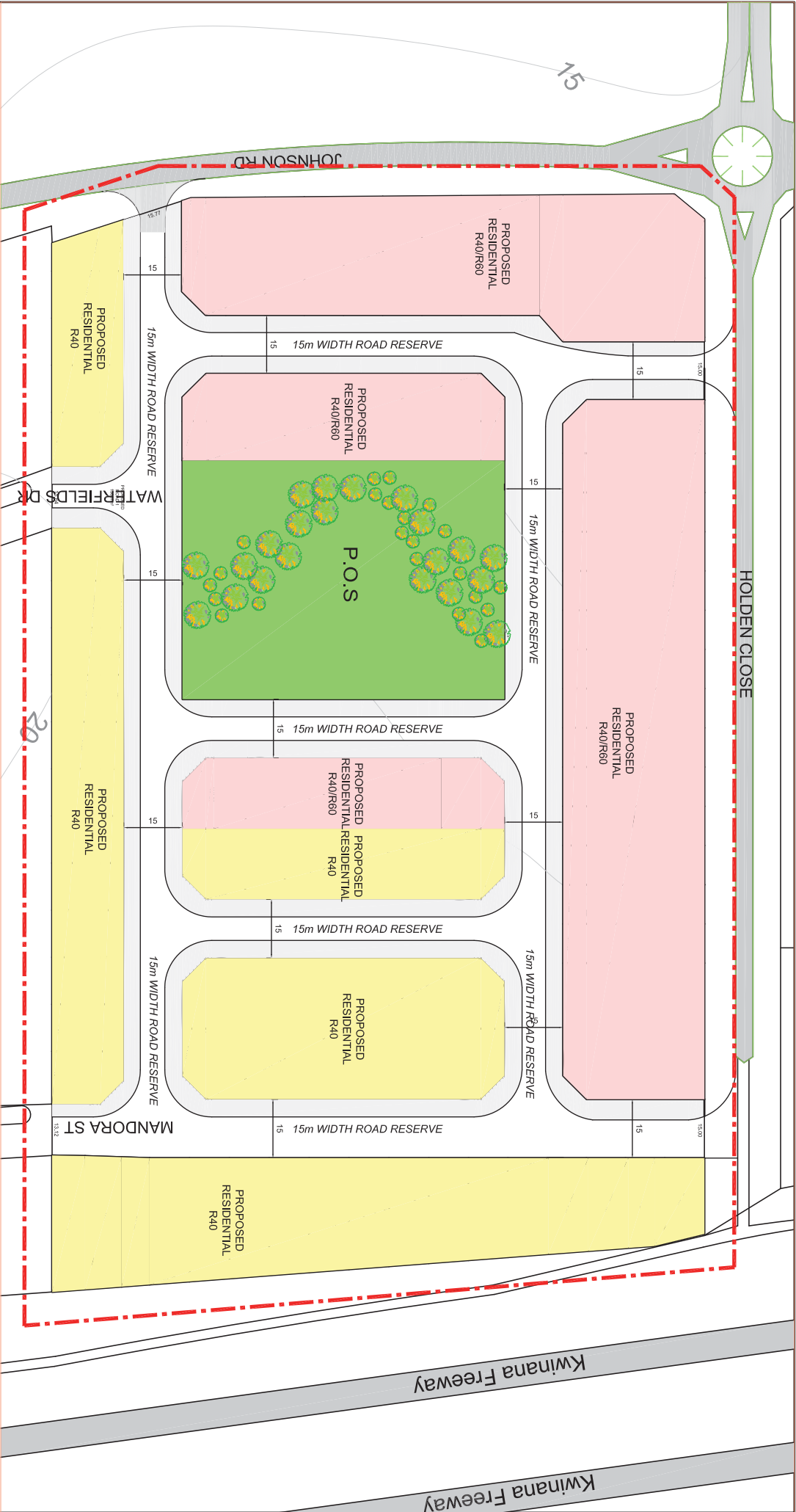
*15.1 CONSIDERATION TO ADOPT AMENDMENT 144 TO TOWN PLANNING SCHEME NO.2 TO REZONE LOT 54 JOHNSON ROAD AND LOT 9001 HOLDEN CLOSE FROM RESIDENTIAL R20 AND INSERT ADDITIONAL USES INTO SCHEDULE VII OF THE SCHEME*

- 3. Subdivision will not be supported by the Council unless the following requirements are satisfied:**
    - i. Roads will be located and designed to integrate and connect with the adjoining road network, and to maximise connectivity through the site; and**
    - ii. Public Open Space shall be centrally located within the site.**
- 3. Forward the amendment documentation to the Western Australian Planning Commission with a request that the Hon. Minister for Planning approve its gazettal without modifications.**
- 4. Advise those who lodged a submission of Council's decision accordingly.**

**CARRIED  
8/0**







PROPOSED CONCEPT PLAN OF LOT 54 JOHNSON ROAD, BERTRAM.

NOTE:

- 1. PERCENTAGE OF P.O.S. = 5000m²/45100m² = 11%
- 2. DESIGN AS ZONE R40 / R60
- 3. BOUNDARY SUBJECT TO SURVEY
- 4. NUMBER OF LOT = 110
- 5. NUMBER OF LOT PER HA = 110/4.51 = 24 LOT/HA

TOTAL AREA  
4.51ha

LOCAL AUTHORITY: CITY OF KWINANA

SCALE: 1:1000

TUSCOM SUBDIVISION CONSULTANTS Pty. Ltd. (93168388)

DATE: 10/04/15

DATUM: AHD(APPROX.)

DRAWN BY: JY

REV:7

Site survey only location of boundary pegs or fences in relation to the boundary is not guaranteed

**Legend:**

R40

R40/R60

Public Open Space

P.O.S

Structure Plan Boundary



No SUBMITTER AND ADDRESS	NATURE AND SUMMARY OF SUBMISSION	PLANNING COMMENT & RECOMMENDATION
Main Roads WA	No objection.  As Lot 9001 Holden Close abuts Kwinana Freeway and traffic noise should be considered when determining building heights for this portion of the scheme amendment area	1. That the comments are noted and no change required for the Scheme Amendment.
Housing Authority	Supports the amendment and the increase in density and diversity in land use given the proximity to public transport.	1. That the comments are noted and no change required for the Scheme Amendment.
Department of Transport	No objection	1. That the comments are noted.
Department of Parks and Wildlife	No comment	1. That the comments are noted.
Water Corporation	Water - Due to the upgrading of residential density, upgrading of the current system may be required.  Waste Water – Due to the increase of density that current system may be required to be upgraded.  Drainage – Will need to be maintained to predevelopment flows and additional flows managed on the land.  The developer will be expected to meet the cost of any upgrade.	1. That the comments are noted
ATCO Gas	No objection	1. That the comments are noted.
Department of Water	No comment.	1. That the comments are noted.
Department of Education	No objection	1. That the comments are noted.
Telstra	No objection	1. That the comments are noted.
Department of Aboriginal Affairs	There are no reported Aboriginal sites or Aboriginal heritage places in the area of the proposal.	1. That the comments are noted.



	Recommend that the proponent takes into consideration the DAA's Aboriginal Heritage Due Diligence Guidelines when planning specific developments.	
Resident 1	<p>The resident raised concerns regarding the lack of buffer on bush land to Holden Close and expectation of a similar buffer to the light industrial area in Medina.</p> <p>Would prefer no access on to Holden Close to minimise risk from cyclists and pedestrians accessing freeway at this point.</p> <p>Concerns raised over residential development impacts on existing business in the area.</p>	<p>1. The amendment proposes an increase in density from the existing approved area of development. The POS location as proposed creates good access for future residents.</p> <p>2. Access to Holden Close is essential for good traffic circulation and walkable access to train station.</p> <p>3. The development of residential housing will not impact upon the ability of existing residents to operate businesses which have been approved and continue to operate in accordance with conditions of approval and relevant legislation and by laws.</p> <p>4. The comments are noted and no change required for the Scheme Amendment.</p>
Resident 2	<p>Johnson Road (particularly between Thomas Road and Sulphur Road) should be upgraded before further traffic is brought in to the area.</p> <p>Need for footpaths along these arterial roads.</p>	<p>1. The section of road in question will be upgraded when the land fronting this section of road is developed.</p> <p>2. Further footpaths are planned as part of Developer Contribution Arrangements, south of Holden Close, which this development will contribute towards.</p> <p>3. The comments are noted and no change required for the Scheme Amendment.</p>

**CITY OF KWINANA**

**TOWN PLANNING SCHEME NO. 2**

**AMENDMENT NO. 144**

**PREPARED BY: TUSCOM SUBDIVISION CONSULTANTS  
PTY LTD**

**FOR ROMANO'S INVESTMENT HOLDINGS  
28 OCTOBER 2016**

*Planning and Development Act 2005*

**RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME**

City of Kwinana

Town Planning Scheme No. 2

Amendment No. 144

RESOLVED that the Council, in pursuance of section 75 of the *Planning and Development Act 2005*, amend the above local planning scheme by:

1. Modifying the density coding of Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram from “R20” to “R40”;
2. Adding “Development Area 1a” into Schedule IV – Development Areas of the Scheme;
3. Removing Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram from Development Area No. 1 and including Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram into Development Area 1a;
4. Adding Additional Uses No. 3 - Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram into Schedule VII – Additional Uses of the Scheme

No.	Land Particulars	Base Zone	Permitted Uses	Development Standards/Conditions
3.	Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram	Residential	Professional Office (AA)	<ol style="list-style-type: none"><li>1. The development site directly abuts Johnson Road or Holden Close; and</li><li>2. The Professional Office land use is provided in a Mixed Use development as defined by the Residential Design Codes of Western Australia; and</li><li>3. The Professional Office land use is predominantly located on the ground floor level of the development; and</li><li>4. Vehicle access and parking is coordinated to minimise the number of vehicle crossovers to Johnson Road or Holden Close; and</li><li>5. Where the land use is not significantly detrimental to the amenity of adjoining properties.</li></ol>

5. Amend the Scheme Map accordingly;
6. Add the following special provisions into Schedule IV – Development Area 1a – Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram:
  1. Notwithstanding the density coding of the Scheme map, Council may permit development up to a maximum residential density of R60 where:
    - i. The development site abuts Public Open Space, Johnson Road or Holden Close (except where the site directly abuts existing Residential R20 development); and
    - ii. The development provides the following design elements:
      - a. At least a two-storey frontage to the Public Open Space, Johnson Road or Holden Close; and
      - b. The development minimises the visual impact of garage doors and driveways on the streetscape; and
    - iii. The development is not significantly detrimental to the amenity of adjoining properties.
  2. Subdivision of vacant land at a density greater than R40 will not be supported by the Council.
  3. Subdivision will not be supported by the Council unless the following requirements are satisfied:
    - i. Roads will be located and designed to integrate and connect with the adjoining road network, and to maximise connectivity through the site.
    - ii. Public Open Space shall be centrally located within the site.

Dated this       day of       20

.....  
Chief Executive Officer

WAPC Ref:

## 1.0 PROPOSAL TO AMEND A TOWN PLANNING SCHEME

- 1.1 LOCAL AUTHORITY:** City of Kwinana
- 1.2 DESCRIPTION OF SCHEME:** Town Planning Scheme No. 2
- 1.3 TYPE OF SCHEME:** Local Planning Scheme
- 1.4 SERIAL NO. OF AMENDMENT:** Amendment No. 144

### 1.5 PROPOSAL:

1. To modify the density coding of Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram from "R20" to "R40";
2. Adding a new Development Area into Schedule IV – Development Areas being "Development Area 1a";
3. Removing Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram from Development Area No. 1 and including Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram into Development Area 1a;
4. Adding Additional Uses No. 3 - Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram into Schedule VII – Additional Uses of the Scheme

No.	Land Particulars	Base Zone	Permitted Uses	Development Standards/Conditions
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				<p>coordinated to minimise the number of vehicle crossovers to Johnson Road or Holden Close; and</p> <p>5. Where the land use is not significantly detrimental to the amenity of adjoining properties.</p>
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      - a. At least a two-storey frontage to the Public Open Space, Johnson Road or Holden Close; and
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  2. Subdivision of vacant land at a density greater than R40 will not be supported by the Council.
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    - i. Roads will be located and designed to integrate and connect with the adjoining road network, and to maximise connectivity through the site.
    - ii. Public Open Space shall be centrally located within the site.

# **REPORT ON SCHEME AMENDMENT NO. 144**

## **TOWN PLANNING SCHEME NO. 2**

### **CITY OF KWINANA**

#### **1.0 SUMMARY**

#### **2.0 SUBJECT SITE**

- 2.1 Location**
- 2.2 Site Descriptions**
- 2.3 Existing Land Use**

#### **3.0 BACKGROUND AND EXISTING ZONING AND POLICY**

- 3.1 Mushroom Exchange on No. 45 Orton Road, Casuarina**
- 3.2 Metropolitan Region Scheme**
- 3.3 Directions 2031 and Beyond**
- 3.4 Jandakot Structure Plan**
- 3.5 Draft City of Kwinana Local Planning Strategy**
- 3.6 WAPC DC 2.2 Residential Subdivision**
- 3.7 Draft Local Commercial and Activity Centres**
- 3.8 Environmental and Conservation Issues**
- 3.9 Planning for Bushfire Projection Guidelines**

#### **4.0 PROPOSED REZONING AND JUSTIFICATION**

- 4.1 Proposed Zoning**
- 4.2 Land Use and Subdivision Requirements**
- 4.3 Justification for the Scheme Amendment**
  - 4.3.1 Demographic Changes**
  - 4.3.2 Orderly and Proper Planning**
  - 4.3.3 Residential Density**
- 4.4 Proposed Concept Plan**
  - 4.4.1 Element 1 (Community Design)**
  - 4.4.2 Element 2 (Movement Network)**
  - 4.4.3 Element 3 (Lot Layout)**
  - 4.4.4 Element 4 (Public Parkland)**
  - 4.4.5 Element 5 (Urban Water Management)**
  - 4.4.6 Element 6 (Utilities)**
  - 4.4.7 Element 7 (Activity Centres and Employment)**
  - 4.4.8 Element 8 (Schools)**

#### **5.0 ENVIRONMENTAL ISSUES**

- 5.1 Soils**
- 5.2 Acid Sulphate Soils**
- 5.3 Topography**
- 5.4 Aboriginal Heritage**
- 5.5 Public Transport**

- 5.6 Roads
- 5.7 Water
- 5.8 Sewerage
- 5.9 Power
- 5.10 Telecommunication
- 5.11 Gas

## **6.0 CONCLUSION**

### **APPENDIX 1 CERTIFICATES OF TITLE**

### **APPENDIX 2 TOWN PLANNING SCHEME NO.2 AMENDMENT 144 SCHEME MAP**

### **APPENDIX 3 FLORA AND VEGETATION ASSESSMENT**

### **APPENDIX 4 BUSHFIRE MANAGEMENT PLAN**

## **1.0 SUMMARY**

The proposed 'standard' Scheme Amendment has been prepared in order to facilitate a modification to the density coding of Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram ("herein referred to as the subject site") from Residential 'R20' to Residential 'R40'.

The proposed Scheme Amendment is consistent and compliant with the relevant statutory and strategic planning considerations.

In summary, it is considered the proposed amendment will benefit the wider community by:

- capitalising on the subject site's proximity to existing infrastructure such as the Kwinana Train Station and future employment precinct;
- Introducing a diverse mix of housing sizes and types within the area through the resulting 'R40/60' development;
- Integrating with the existing residential development to the south by adopting good planning principles by having R40 lots abutting the existing R20 lots; and
- Increasing visual surveillance of the Public Open Space (POS) to the west of the subject site by increasing the number of dwellings orientated towards the public open space.

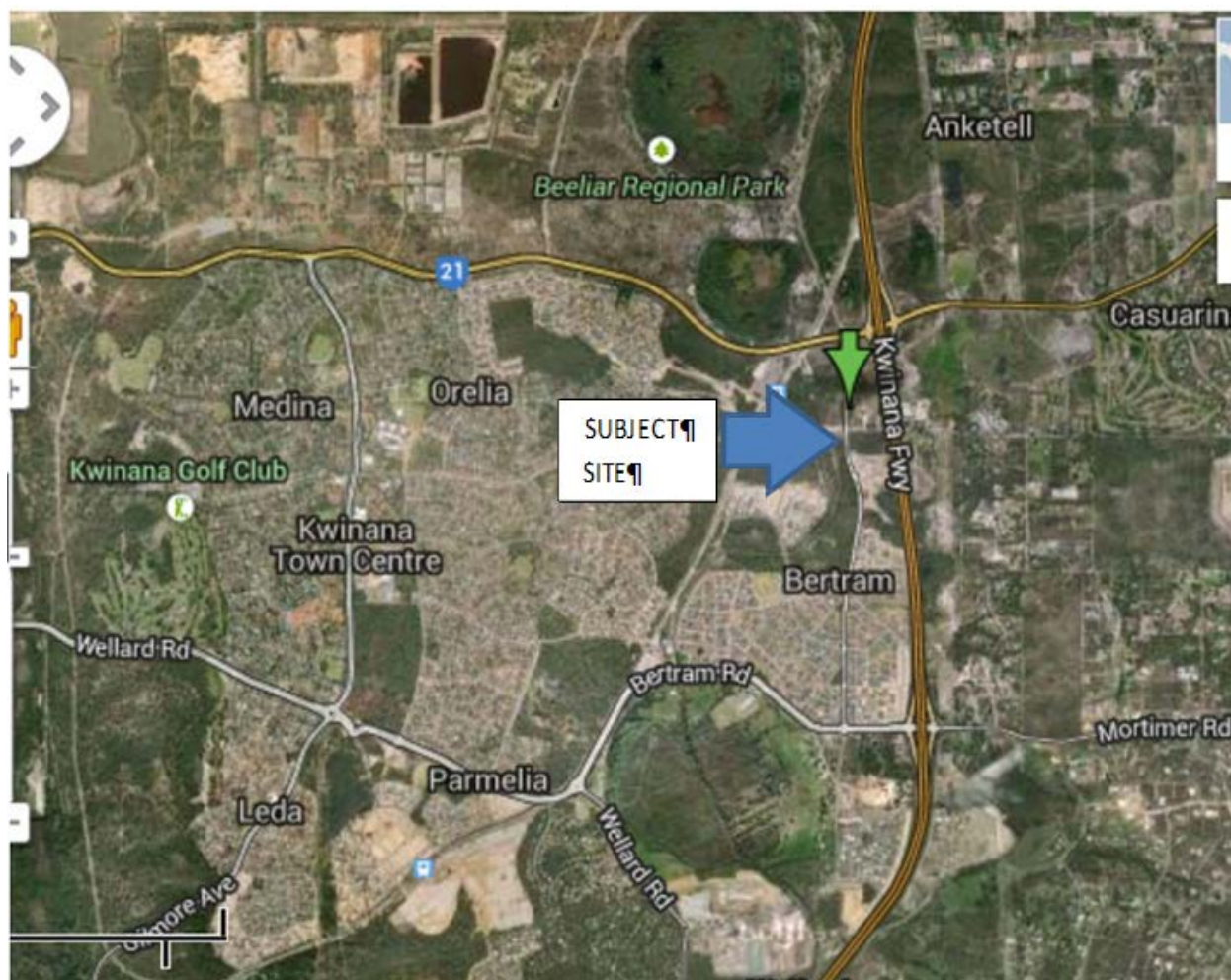
The proposed density coding of the subject site will result in achieving more sustainable development outcomes for such and thus warrants the support of the City of Kwinana.

## **2.0 SUBJECT SITE**

### **2.1 – LOCATION**

The subject site is located within the municipality of the City of Kwinana, approximately 30 kilometres due south of the Perth Central Business District (CBD).

The subject site is located on the southern side of Holden Close and bordered on its western boundary by Johnson Road, in the locality of Bertram. It is located approximately 6.6km east of the Kwinana Secondary Centre and is adjacent to Johnson Road and Holden Close. Johnson Road is a Class B Distributor Road whilst Holden Close is an access road. The subject site is also located approximately 650m south- east of the Kwinana – Parmelia Train Station. The combined area of the two (2) sites is approximately 4.51 ha.



**FIGURE 1 – LOCATION PLAN**

## 2.2 – SITE DESCRIPTIONS

The cadastral lots comprising the subject site have an area of 4.51h hectares. The Certificate of Title details for the lots are summarized in Table 1.

Lot Details	Certificate of Title details	Lot area
Lot 54 Johnson Road, Bertram	Vol 81, Fol 62A on Plan 8390	4.1646 Ha
Lot 9001 Holden Close, Bertram	Vol 2690 Fol 356 on Plan 59406	3,508m <sup>2</sup>
Subject Site Area (approx.)		4.51Ha

The above lots are all within a single ownership. An amalgamation process is proposed to combine Lot 9001 Holden Close with Lot 54 Johnson Road into a single lot.

## 2.3 – EXISTING LAND USE

The subject site is vacant and remnant native vegetation covers the majority of the site. Land to the south of the site has been developed for low density residential purposes whilst land to the west of, and abutting the major modification site is currently vacant and reserved under the Town Planning Scheme for 'Parks and Recreation'.

Directly north of the site (separated by Holden Close) is Ridley's Motor Museum (9 Holden Close). The museum was established in 1968 and houses a collection of vintage cars. The Kwinana Freeway abuts the eastern boundary of the major modification site. There are plans for redevelopment on No. 9 Holden Close, although a recent application for the construction of a Supermarket, Shops and "Speciality Tenancies" were refused by JDAP in February 2014.



**FIGURE 2 – AERIAL PHOTO**



### **3.0 BACKGROUND AND EXISTING ZONING AND POLICY**

#### **3.1 – MUSHROOM EXCHANGE ON NO. 45 ORTON ROAD, CASUARINA**

A fully operational mushroom farm is located 100m from the subject site (refer to Figure 1), to the north-east of such. There is no prescribed buffer zone associated with the mushroom farm under the City's Scheme, accordingly, the proposed Amendment would not be unduly prejudiced by the existence of the farm. In early 2016 the City endorsed an Environmental Management Plan for the mushroom farm which shows revised odour contours which do not impact the subject site.



**FIGURE 3 – MUSHROOM EXCHANGE ON NO. 45 ORTON ROAD, CASUARINA**

#### **3.2 – METROPOLITAN REGION SCHEME**

The subject site is zoned 'Residential' with a designated coding of R20 under the provisions of the Scheme. An 'Urban' zoning is afforded under the Metropolitan Region Scheme (MRS).

This amendment to the Scheme would not require the current zoning to change under the MRS.

### 3.3 – DIRECTIONS 2031 AND BEYOND (WAPC 2010)

Directions 2031 and Beyond is an important planning document that provides decision makers a framework that promotes housing affordability over the long term. The main ethos of such is to provide the following (inter alia);

*“Planning for adequate supply of housing and land in response to population growth and changing community needs;*

*Facilitating increased housing diversity, adaptability, affordability and choice...”*

The proposed amendment is consistent with the abovementioned objectives, as an increase in residential density will create more opportunity for future development on the subject site to enable the provision of diverse housing types and sizes.

The *Delivery Directions Report Card 2013* provides a progress report to inform the Government and the wider community at large about the effectiveness of Directions 2031 and how the various Government agencies and private industry have implemented the various initiatives recommended by such.

The report card found several areas still required improvement, of particular relevance to the subject proposal is Measure 4.1 which recommends changes in the number of household types by the number of bedrooms. It was found that *“...since 2006 the trend has shown a general decrease in the percentage of one and two bedroom dwellings and an increase in the percentage of dwellings with four or more bedrooms”*.

Directions 2031 continues *“...to promote the benefits of a diversity of housing types and the provision of affordable housing across the metropolitan Perth and Peel region.”* The increased residential density in particular for the R60 codes lots will allow various housing products to be made available to the community through the provision of multiple dwellings where single and two-bedroom units are envisaged.

Further to the above, a particularly pertinent objective of Directions 2031 and Beyond is applicable to the subject proposal as it states, where possible;

*“Planning and developing key public transport corridors, urban corridors and transit oriented developments to accommodate increased housing needs and encourage reduced vehicle use.”*

The proposed amendment is consistent with the abovementioned objective, as introducing a higher density for the subject site will improve public transport patronage and thus reduce private vehicle use.

In addition, given that the subject site is only a short two (2) minute walk to several high frequency bus routes and less than 800m walking distance to the Kwinana Rail Station, increased patronage of public transport will be achieved. Accordingly, the proposal promotes an improved sustainable development outcome by capitalising upon existing infrastructure.

### **3.4 – JANDAKOT STRUCTURE PLAN**

The Jandakot Structure Plan recognises the subject site as unconstrained and thus appropriate for ‘short-term urban development’.

### **3.5 – DRAFT CITY OF KWINANA LOCAL PLANNING STRATEGY**

The Draft City of Kwinana Local Planning Strategy, prepared by the City identifies the subject site as an area for Low to Medium density residential in the ‘long term’. The subject proposal is consistent with this designation in providing for medium density housing options for standard subdivision.

### **3.6 – WAPC DC 2.2 RESIDENTIAL SUBDIVISION**

The overall objectives of the Western Australian Planning Commission Development Control Policy 2.2 Residential Subdivision (DC Policy 2.2) are outlined below (in part):

*To adopt criteria for residential lots which will ensure that each lot is provided with a suitable level of amenity, services and access.*

*To facilitate the supply of residential lots of a wide range of sizes and shapes which reflect the statutory provisions of town planning schemes, the availability of reticulated sewerage and the need for frontage to public roads.*

The proposed amendment to modify the density coding at the subject site is consistent with the abovementioned objectives of DC Policy 2.2, as the increased density will provide the ability to deliver a diversity of housing stock (i.e. single houses and grouped/multiple dwellings), all of which shall have suitable access to public transport and local community amenities and facilities.

### **3.7 –LOCAL COMMERCIAL AND ACTIVITY CENTRES STRATEGY (LCACS)**

The City has adopted a Local Commercial and Activity Centres Strategy (LCACS) to ascertain the current commercial provisions within the City and also identify areas where future developments may occur, in order to accommodate the strong population growth. The LCACS has identified 31 centres within the City suitable for commercial development, including expansion of the Kwinana City Centre and Wandi District Centre.

The sites located directly north of the subject site (including the existing Ridley’s Motor Museum) are designated as Area 24 Thomas Road/ Holden Close – nominated for Mixed Business and Industrial use.

Table 3 of the LCACS identified retail floor space within the City will increase significantly by the year 2031. Specifically it identifies Area 24 – Thomas Road/ Holden Close as having a retail net lettable area of 20,000m<sup>2</sup> (NLA) by 2031 and Area 25 – Orton Road as 15,000m<sup>2</sup> (NLA). Orton Road Centre is located within 1km of the subject site, although physically separated by the Kwinana Freeway.

The proposal to increase the density of the subject site will enhance the economic viability of the proposed activity centres of various scales (especially small neighbourhood centres) by providing a higher resident population in the activity centre's immediate surrounds. Higher densities can also encourage the establishment and ongoing viability of small, diverse and human scale retail facilities servicing walkable catchments.

### **3.8 – ENVIRONMENTAL AND CONSERVATION ISSUES**

A Flora and Vegetation Assessment was undertaken on behalf of the registered owners by Coffey Environments Australia Pty Ltd in January 2014. The Assessment was conducted to determine the condition of vegetation within the subject site, as well as identify vegetation worthy of retention for environmental purposes. The assessment indicated that no wetlands occur within the subject site, however three (3) Conservation Category Wetlands (CCW) are located within close proximity (specifically to the north, east and west). The assessment found any development on the subject site would not have any direct or indirect impact to these Conservation Category wetlands.

The Assessment concluded that the impact of the proposed development on the vegetation recorded within the survey area is considered to be low. Although the vegetation is in good to very good condition and has some linkage to remnant bushland, the connection is not significant and terrestrial fauna would still be required to traverse Johnson Road. If possible, the design of the development within the survey area should retain remnant native vegetation, *in situ*.

Recommendations were made following the Assessment; these recommendations can be carried out during the development phase of the subdivision. Significantly, the Assessment found ‘...no threatened or priority listed flora were recorded from the survey area.’

### **3.9 – PLANNING FOR BUSHFIRE PROTECTION GUIDELINES**

A Bushfire Management Plan (BMP) has been prepared and assessed by the City in accordance with Clause 6.3 of *State Planning Policy 3.7 “Planning in Bushfire Prone Areas.”*

The BMP concluded that *“the proposed development site does not exhibit physical features, weather conditions or historical incidence of bushfire that suggests the site is at an increased threat from potential bushfire activity compared to the surrounding area.”*

It further stipulates the proposed development will not be subject to an unacceptable level of radiant heat impact, hazard level or bushfire related risk.

## **4.0 PROPOSED REZONING AND JUSTIFICATION**

### **4.1 – PROPOSED ZONING**

The proposal is to rezone the subject site by:-

- Increasing the density from “R20” to “R40”;

- Adding a new Development Area into schedule IV – Development Areas being Development Area 1a”;
- Removing the subject site from Development Area No. 1 and including such into Development Area 1a;
- Adding Additional Uses of Professional Offices for lots that directly abuts Johnson Road or Holden Close; and
- Where a site abuts a POS, Johnson Road or Holden Close (except where the site directly abuts existing Residential R20 development) a higher density of R60 may be permitted.

## **4.2 – LAND USE AND SUBDIVISION REQUIREMENTS**

At the time of subdivision, the following conditions may be recommended, as applicable, requiring the preparation and/or implementation of the following strategies:

1. Local Water Management Strategy
2. Stormwater Management Plan
3. Fire Management Plan
4. Mosquito and Midge Management Plan
5. Acoustic Assessment

## **4.3 – JUSTIFICATION FOR THE SCHEME AMENDMENT**

### **4.3.1 Demographic Changes**

Demographic and lifestyle trends are changing and hence this is generating an increase in proportionate demand for higher density development. In general, the increase in these type of higher density products come from three (3) main sources; young adults (first home buyers), older adults (around the pre-retirement age group) seeking to downsize, and dissolved families, where the displaced partner seeks to downsize but still wanting to remain within close proximity to the rest of the family.

The proposed higher density residential development will provide greater diversity in dwelling products and meet demand generated by smaller households comprising of the abovementioned sources.

The City’s draft Local Housing Strategy stated that there is “...a dominance of single residences and deficiency of housing choice within Kwinana with the high percentage of separate dwellings. Change needs to occur through appropriate density coding and policy reforms to refocus housing type to suite demand.” (Page 21)

### **4.3.2 Orderly and Proper Planning**

Orderly and proper planning principles require each development to be conducted in a logical manner, and are an efficient extension to the existing development. In addition, proposals are to be consistent with the future planning vision or intent of the area.

Importantly, proposals must not set an undesirable precedent. It is considered the subject proposal fully complies with the abovementioned principles in that:-

- The existing streetscape will be enhanced by providing viewing corridors from the building onto the street, thereby improving pedestrian enjoyment of the street;
- Efficient and Optimal use of the land;
- Within close proximity to compatible land uses, retail, commercial, civic and residential land uses;
- The provision of more intensive development within walking distance to local amenities and public transport; and
- The development of this site for medium density residential use is particularly appropriate given the State Government objective of accommodating additional dwelling numbers on Brownfield sites within existing urban areas.

#### **4.3.3 Residential Density**

Both *Directions 2031* and *Liveable Neighbourhoods* specify that new urban land is to achieve a target of 15 dwellings per zoned urban hectare. Based on a total zoned area of just over 4.51ha, the subject site is required to achieve a total of 67 dwellings. Liveable Neighbourhood further stipulates an average residential density of 22 dwellings per site hectare to be achieved in new urban areas. Based on the Urban Density definition in Liveable Neighbourhoods, the Structure Plan is therefore required to be achieved 99 dwellings at a density of 22 dwellings per site hectare.

Mixed-use developments that combines multiple uses brings vitality to the local community, adds life and safety to the streets, particularly during the normal business hours when the majority of residents are away from their homes. Mixed use projects at a medium-rise urban scale can create opportunities which can be readily accessed by more residents, worker, students and visitors.

Continuing technological advancements in building designs incorporating efficient 'green' techniques provide options for innovative mixing of uses, creating a more interesting streetscape, a more populated vibrant City environment, and greater opportunities to maximise under-utilised lots.

The mixed-use development fronting onto Johnson Road will create a good visual corridor to the future commercial development to the north of the subject site and provide a smooth transition between the different uses.

#### **4.4 – PROPOSED CONCEPT PLAN**

A concept plan has been prepared to illustrate how the site may be developed under the proposed zoning. Please note, this is a conceptual plan and not a final design solution for the subject site. Notwithstanding, the plan illustrates compliance with the proposed Scheme provisions and has observed Liveable Neighbourhood principles. The following discusses each principle in further detail:-



#### **4.4.1 Element 1 (Community Design)**

The concept plan has been specifically designed to maximise the number of lots to achieve solar passive design principles, in particular for lots contained within the northern half of the site.

The design provides for continuous street frontage for safe, attractive and efficient circulation of pedestrians, cyclists and drivers with vehicular access to these lots provide from internal subdivision roads. The two (2) north-south roads are designed in continuation of the existing roads to the south. The location of the centrally located public open space is beneficial both for the future residents on the subject site given it provides an attractive outlook for a number of central properties, and is also located within walking distance for the existing residents living directly south of the subject site. The coding will allow for a variety of group and multi- housing sites amongst predominately single residential development, thereby providing a mix of housing choices.

#### **4.4.2 Element 2 (Movement Network)**

Entrance into the subdivision will be via both Johnson Road and Holden close. Lots will be fronting onto both of these roads.

There are no cul-de-sacs proposed in the design, instead the internal subdivisional roads have been designed to connect the existing residential development to the south with the proposed development. The proposal will also allow for the existing southern residents to have access to the proposed public open space (POS) that will be created as part of this proposal.

Public transport will not be traversing through the subdivision area, however access is available to Transperth bus route 543 along Johnson Road.

#### **4.4.3 Element 3 (Lot Layout)**

It is envisaged that there will be combinations of single residential, and potentially some elements of grouped housing, and given the density of R40/60, the option of multiple dwellings is also available.

The proposed concept plan will ensure regular shaped lots will be developed without the need for battleaxe designs or right-of-ways (ROWs). Prior to development, Local Development Plans (formerly Detailed Area Plans) will need to be prepared for:

- a. All lots abutting areas of POS;
- b. All lots with a site area of less than 260m<sup>2</sup>;
- c. All grouped/multiple dwelling sites;
- d. All lots subject to quiet house design requirements; and

e. All lots subject to BAL construction standard.

Local Development Plans will address, but are not limited to design aspects such as:

- access and garage location to ensure the streetscape is not dominated by garages and driveways;
- dwelling orientation and addressing POS, primary and secondary streets;
- provision of visually permeable fencing;
- open space;
- location of outdoor living areas to optimize solar orientation;
- Bushfire Attack Levels;
- Quiet House Design requirements;
- Design Guidelines for mixed use and split coded sites.

Design Guidelines are required to be included within LDPs to consider design requirements to allow for mixed use developments with both residential development and Professional Offices. Design Guidelines will also be required to address issues related to split coded R40/60 areas, including but not limited to dwellings at the R60 density presenting two storey frontages and minimizing the impact of garages and driveways.

The proposed POS will be provided with road frontages on all sides with several lots overlooking the space, which will provide passive surveillance to such.

#### **4.4.4 Element 4 (Public Parkland)**

Only one (1) POS is proposed in the concept plan. In accordance with WAPC Development Control Policy 2.3 – Public Open Space in Residential Areas, a 5,000m<sup>2</sup> of POS is proposed which is approximately 10% of the total site area.

Vegetation worthy of retention will be identified and retained on site, where suitable.

The concept plan shows residential dwellings will overlook the POS, thereby providing passive surveillance to such.

#### **4.4.5 Element 5 (Urban Water Management)**

Details of drainage related issues and urban water management will be provided during the subdivision stage. The soils existing on the property are sandy/limestone which is likely to have limited capacity to filter nutrients. A Local Water Management Strategy (in accordance with 'Better Urban Water

Management') will be prepared at subdivision stage.

#### **4.4.6 Element 6 (Utilities)**

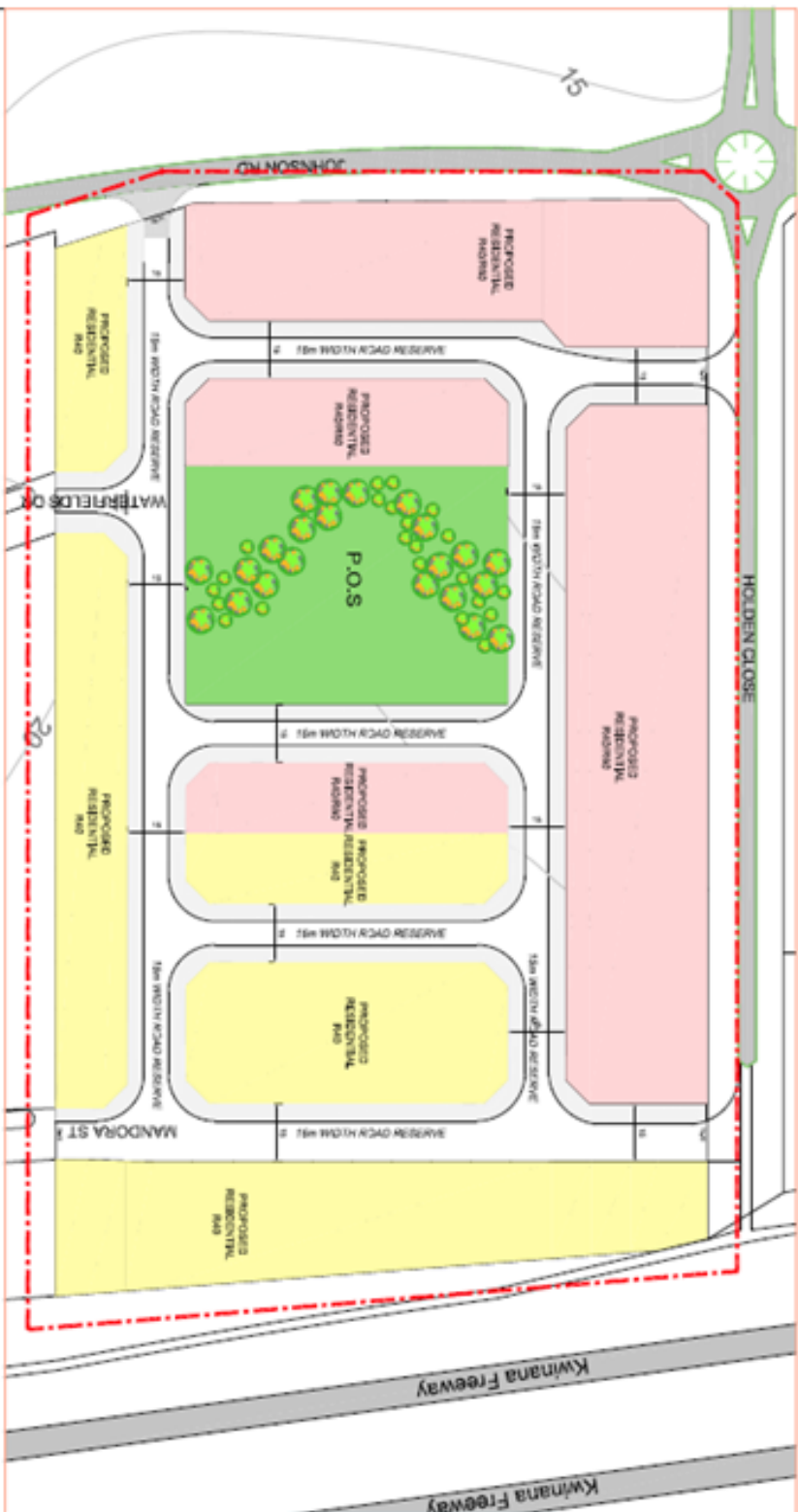
As discussed in Section 6 above, all basic utilities are available to the site and will be provided.

#### **4.4.7 Element 7 (Activity Centres and Employment)**

As discussed in Section 5.5 above, the subject site is situated within close proximity to future mixed business/industrial development. Please refer to Section 5.5 for benefits of increased density on commercial development.

#### **4.4.8 Element 8 (Schools)**

No schools are proposed on the subject site. The closest public school is located approximately 1.7km away, being Bertram Primary School. There are several other private schools located within close proximity to the subject site.



**PROPOSED CONCEPT PLAN OF LOT 54 JOHNSON ROAD, BERTRAM.**

**TOTAL AREA**  
4.87ha

- NOTE:**
1. PERCENTAGE OF P.O.S. = 800m<sup>2</sup>/100m<sup>2</sup> = 8%
  2. DESIGN AS ZONE R40 / R60
  3. BOUNDARY SUBJECT TO SURVEY
  4. NUMBER OF LOTS = 119

**LOCAL AUTHORITY:** CITY OF KWINANA

**SCALE:** 1:1000

**TUSCOM SUBDIVISION CONSULTANTS PTY. LTD.** (531663366)

**DATED:** 10/04/15

**DRAWN AND APPROVED:**

**DATE:** 10/04/15

**DESIGNER:** J. J. J.

**REVIEW:**

**DATE:** 10/04/15

**DESIGNER:** J. J. J.

**REVIEW:**

**DATE:** 10/04/15

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## **5.0 ENVIRONMENTAL ISSUES**

### **5.1 – SOILS**

The subject site comprises sand derived from tamala limestone which is used extensively for landscaping and building purposes in Western Australia and well suited to urban development as is evidenced by the extensive residential development in the immediate area.

### **5.2 – ACID SULPHATE SOILS**

Existing Acid Sulphate Soils (ASS) mapping identifies the site as having “*moderate risk of ASS occurring within 3m of natural soil surface*”. Given such, any ASS related issues will be manageable on site and it is likely a condition will be recommended on any subdivision approval for the preparation of an ASS management plan.

### **5.3 - TOPOGRAPHY**

The subject site is generally flat with the majority of the land being in the vicinity of 10 to 11m AHD. The western end of the site is approximately 16m AHD and rises to approximately 18m AHD in the east.

The subject site is approximately the same level as the constructed Johnson Road and Holden Close.

### **5.4 – ABORIGINAL HERITAGE**

No Aboriginal heritage sites specific to the major modification site were identified in a search of the Department of Indigenous Affairs ‘Register of Aboriginal Sites’, and as such, the major modification is not constrained in this regard.

### **5.5 – PUBLIC TRANSPORT**

The subject site is located approximately 850m from the Kwinana Parmelia Train Station which is about 10 minutes walking distance. In addition, bus route 920 provides strong bus linkage to Fremantle and Rockingham and Bus Route 543 provides services between the Kwinana Town Centre and Kwinana Train Station. Bus Route 543 is available along Johnson and Sulphur Roads.



**FIGURE 4 – MAP SHOWING PROXIMITY TO NEAREST TRAIN STATION**

## **5.6 - ROADS**

The subject site is bounded by Holden Close to the north and Johnson Road to the west. Holden Close is not currently of a standard capable of carrying residential traffic and that Holden Close will be required to be upgraded and extended as part of the development of the subject site.

## **5.7 - WATER**

Reticulated water is available to the site. Enquiries with the Water Corporation confirm that it is able to be serviced with water if rezoned and subdivided into residential lots.

## **5.8 - SEWERAGE**

Reticulated sewerage is available to the site although it is not currently connected. The Water Corporation has confirmed that the site is capable of being serviced should residential development occur.

## **5.9 - POWER**

Power is available to the site.



#### **5.10 - TELECOMMUNICATIONS**

Telstra is available to the site.

#### **5.11 - GAS**

Enquires with Atco Gas revealed that gas is available from Holden Close.

## **6.0 CONCLUSION**

In light of the above, the proposed Scheme Amendment is considered appropriate and justified.

Specifically, the proposed change to the existing 'R20' to 'R40' is warranted based on the following grounds;

- Is consistent with the provisions of the Metropolitan Region Scheme;
- Is consistent with the objectives of Directions 2031 and Beyond;
- Is not expected to cause any detrimental impacts to the surrounding area and existing infrastructure;
- Provides an opportunity to facilitate the development of a diverse mix of housing types and size;
- Is consistent with the objectives of the City of Kwinana Town Planning Scheme No. 2;
- Provides an opportunity to facilitate the development of a diverse mix of housing types and sizes; and
- Is consistent in land use with the surrounding locality.

The proposed Scheme Amendment is considered a 'Standard Amendment' as it satisfies the following criteria of Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

*An amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;*

*An amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment;*

*An amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment.*

Planning and Development Act 2005

City of Kwinana

Town Planning Scheme No. 2

Amendment No. 144

The City of Kwinana under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005* hereby amends the above local planning scheme by:

1. Modifying the density coding of Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram from “R20” to “R40”;
2. Adding “Development Area 1a” into Schedule IV – Development Areas of the Scheme;
3. Removing Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram from Development Area No. 1 and including Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram into Development Area 1a;
4. Adding Additional Uses No. 3 - Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram into Schedule VII – Additional Uses of the Scheme

No.	Land Particulars	Base Zone	Permitted Uses	Development Standards/Conditions
3.	Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram	Residential	Professional Office (AA)	<ol style="list-style-type: none"><li>1. The development site directly abuts Johnson Road or Holden Close; and</li><li>2. The Professional Office land use is provided in a Mixed Use development as defined by the Residential Design Codes of Western Australia; and</li><li>3. The Professional Office land use is predominantly located on the ground floor level of the development; and</li><li>4. Vehicle access and parking is coordinated to minimise the number of vehicle crossovers to Johnson Road or Holden Close; and</li><li>5. Where the land use is not significantly detrimental to the amenity of adjoining properties.</li></ol>

5. Amend the Scheme Map accordingly;

6. Add the following special provisions into Schedule IV – Development Area 1a – Lot 54 Johnson Road and Lot 9001 Holden Close, Bertram:
  1. Notwithstanding the density coding of the Scheme map, Council may permit development up to a maximum residential density of R60 where:
    - i. The development site abuts Public Open Space, Johnson Road or Holden Close (except where the site directly abuts existing Residential R20 development); and
    - ii. The development provides the following design elements:
      - a. At least a two-storey frontage to the Public Open Space, Johnson Road or Holden Close; and
      - b. The development minimises the visual impact of garage doors and driveways on the streetscape; and
    - iii. The development is not significantly detrimental to the amenity of adjoining properties.
  2. Subdivision of vacant land at a density greater than R40 will not be supported by the Council.
  3. Subdivision will not be supported by the Council unless the following requirements are satisfied:
    - iii. Roads will be located and designed to integrate and connect with the adjoining road network, and to maximise connectivity through the site.
    - iv. Public Open Space shall be centrally located within the site.

ADOPTION Regulation 13(1)

Adopted by resolution of the City of Kwinana at the  
Ordinary Meeting of the Council held on the     day of  
20 .

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CHIEF EXECUTIVE OFFICER**

EVIDENCE OF ADOPTION OF  
FINAL APPROVAL

Adopted for final approval by resolution of the City of  
Kwinana at the Ordinary Meeting of the Council held on the  
day of     20   and the Common Seal of the City of Kwinana  
was hereunto affixed by the authority of a resolution of the  
Council in the presence of:

\_\_\_\_\_  
**MAYOR**

SEAL

\_\_\_\_\_  
**CHIEF EXECUTIVE OFFICER**

RECOMMENDED/SUBMITTED  
FOR FINAL APPROVAL

\_\_\_\_\_  
**DELEGATED UNDER S.16 OF PD ACT 2005**

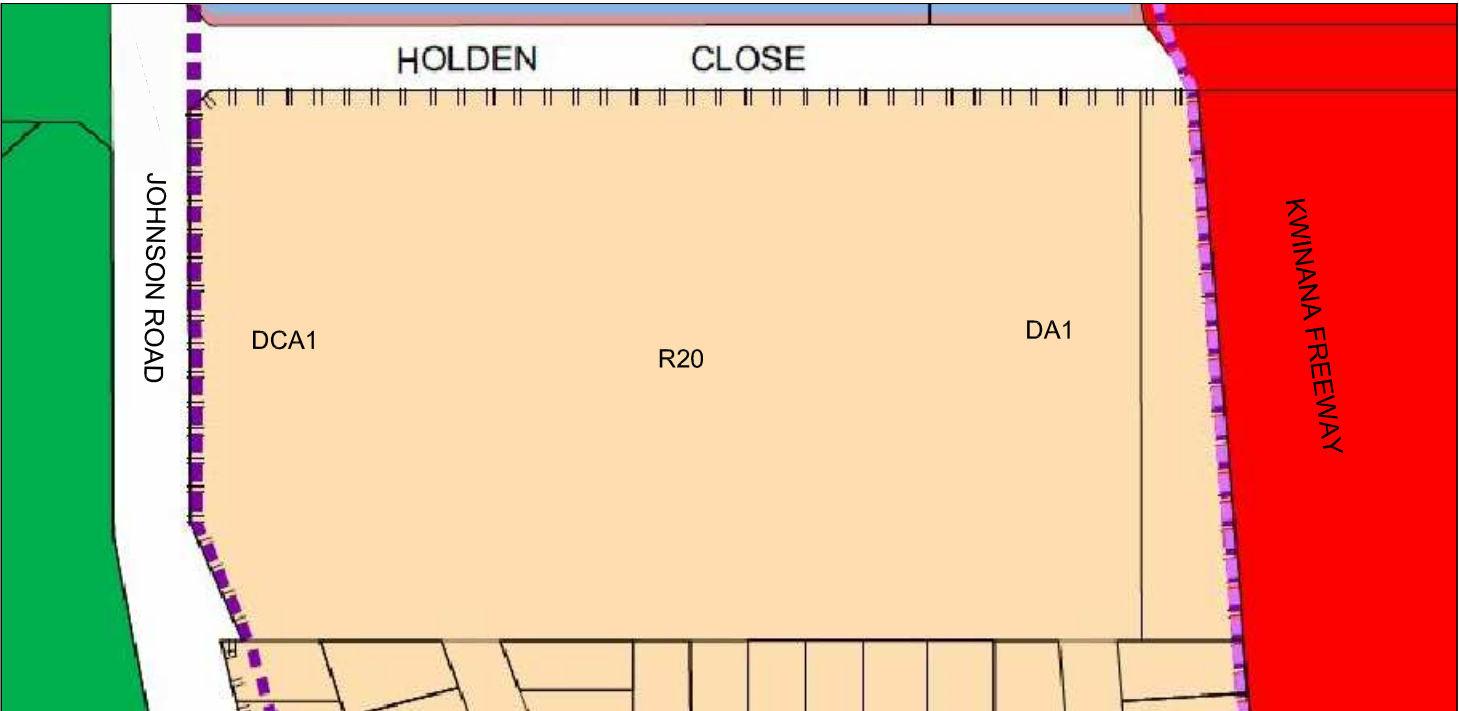
Date \_\_\_\_\_

FINAL APPROVAL GRANTED

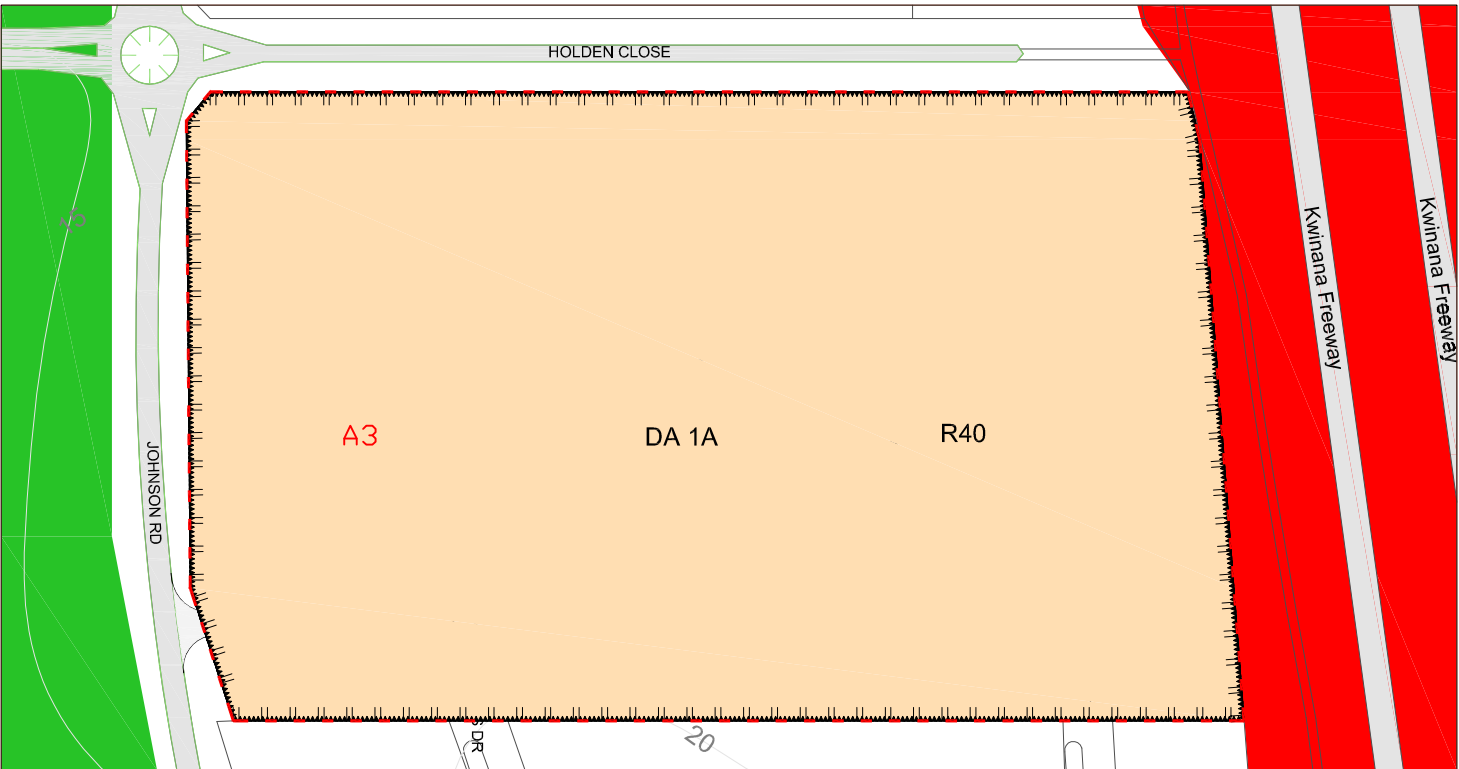
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**MINISTER FOR PLANNING**

Date \_\_\_\_\_

CITY OF KWINANA  
TOWN PLANNING SCHEME NO.2



EXISTING ZONING



PROPOSED ZONING

Legend:

- REGION SCHEME RESERVE (MRS)
- PRIMARY REGIONAL ROAD
  - PARK AND RECREATION

- LOCAL SCHEME ZONES
- RESIDENTIAL

- OTHER CATEGORIES
- R20 RESIDENTIAL CODE
  - DA1 DEVELOPMENT AREA
  - DCA1 DEVELOPMENT CONTRIBUTIOIN AREA

Legend:

- LOCAL SCHEME ZONES
- RESIDENTIAL
- OTHER CATEGORIES
- DA 1A DEVELOPMENT AREA
  - A3 ADDITIONAL USE
  - R40 RESIDENTIAL CODE



APPROVAL/ REFUSAL

ADOPTION [Regulation 35(1)]  
ADOPTED by resolution of the Council of the  
City of Kwinana at the Ordinary Meeting of the  
Council held on the \_\_\_ day of \_\_\_ 2016

MAYOR

CHIEF EXECUTIVE OFFICER

Meeting of Council held on the \_\_\_ day of \_\_\_ 2016.  
The Common Seal of the City of Kwinana was hereunto  
affixed by authority of a resolution of the Council in the  
presence of:

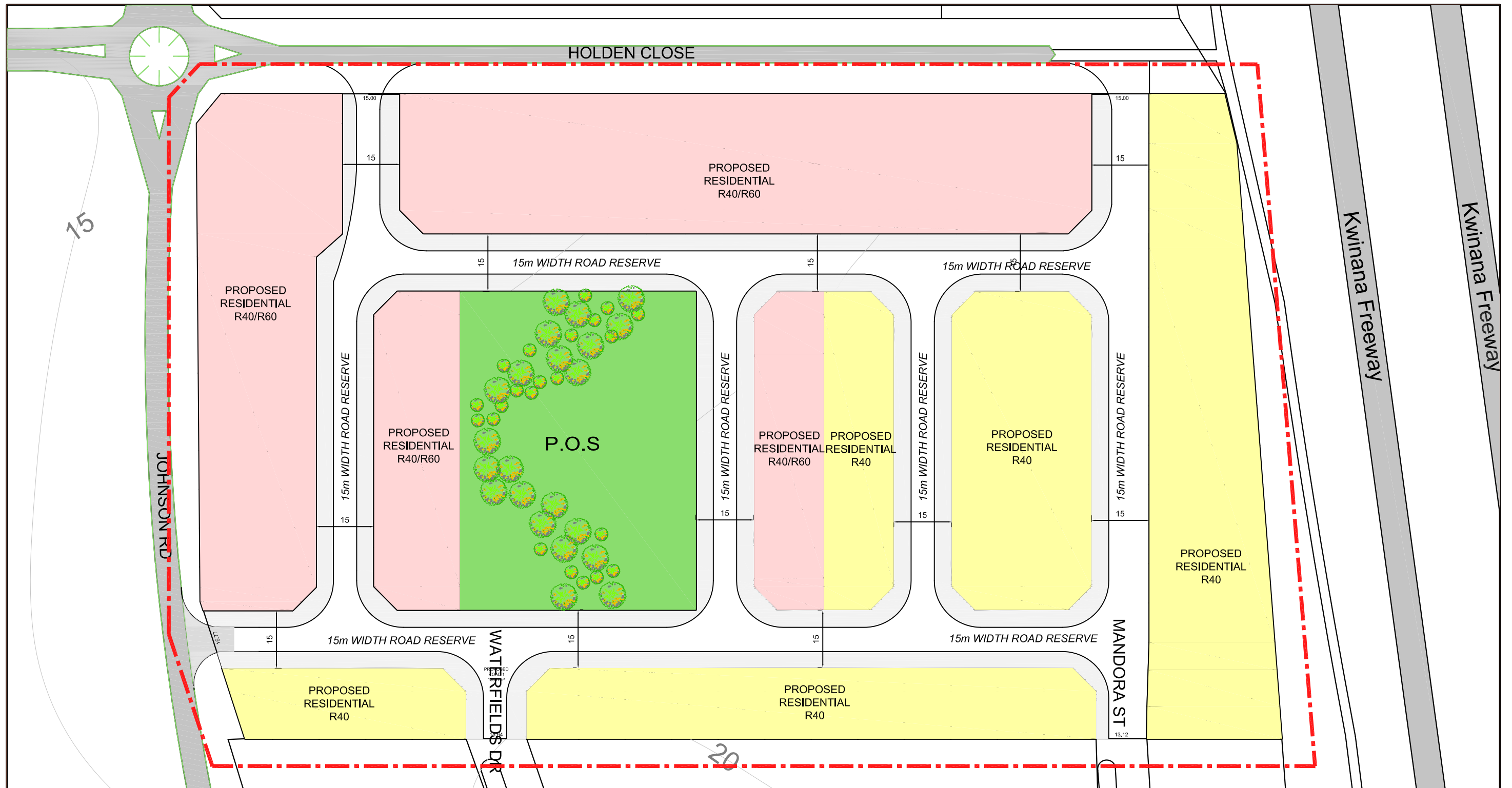
MAYOR

CHIEF EXECUTIVE OFFICER

2. RECOMMENDED/ SUBMITTED FOR FINAL  
APPROVAL:

3. FINAL APPROVAL GRANTED



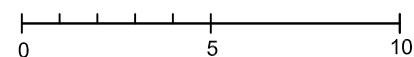


# PROPOSED CONCEPT PLAN OF LOT 54 JOHNSON ROAD, BERTRAM.

TOTAL AREA  
4.51ha

## NOTE:

1. PERCENTAGE OF P.O.S. =  $5000\text{m}^2 / 45100\text{m}^2 = 11\%$
2. DESIGN AS ZONE R40 / R60
3. BOUNDARY SUBJECT TO SURVEY
4. NUMBER OF LOT = 110
5. NUMBER OF LOT PER HA =  $110 / 4.51 = 24 \text{ LOT/HA}$



## Legend:

- R40
- R40/60
- P.O.S Public Open Space
- Structure Plan Boundary



LOCAL AUTHORITY: CITY OF KWINANA

SCALE: 1:1000

DATE: 10/04/15

TUSCOM SUBDIVISION CONSULTANTS Pty. Ltd. ( 93168388)

DATUM: AHD(APPROX.)

Site survey only location of boundary pegs or fences in relation to the boundary is not guaranteed

DRAWN BY: JY

REV.7

## 15.2 Adoption for Advertising of Local Planning Policy 8: Designing Out Crime

### DECLARATION OF INTEREST:

There were no declarations of interest declared.

### SUMMARY:

This report presents a draft Local Planning Policy (LPP) under the City's Local Planning Scheme No 2 (LPS2) that will provide guidance to landowners, developers and City of Kwinana (City) Officers on the principles regarding crime prevention through environmental design (CPTED) and their application in the assessment of planning and development applications.

The draft LPP is based on the document *Designing Out Crime Planning Guidelines* (WAPC, 2006) and forms one of the actions arising from the City's draft *Community Safety and Crime Prevention Plan 2018-2022*. This links directly to an objective identified in the City of Kwinana's *Community Strategic Plan 2017 – 2027* – '1.3 Facilitate improved community safety and reduced crime levels' and one of its subsequent strategies, being the preparation of a Community Security Strategy.

The draft LPP comprises a number of design measures that can be achieved via three identified 'levels of principle application', depicted in the table below:

Level of Principle Application	Planning Framework	Designing Out Crime Considerations
Large-scale	District Structure Plan	Land Uses
Large-scale	Local Structure Plan	Land Uses, Local Movement Networks and Location of Public Open Space
Medium-scale	Subdivision Referral	Detailed Movement Networks and Intensity of Urban Development
Medium and small-scale	Local Development Plan	Building Orientation
Small-scale	Development Application	Built Form, Materials, Fencing and Landscaping

Table 1 – Level of Principle Application

The preparation of this policy is considered necessary to guide land use planning and development to ensure the best planning outcomes vis a vis crime prevention become an intrinsic component in all proposals received and assessed by City Officers.

The need for a local planning policy has been the subject of briefing at an Elected Members' Forum within the broader context of the draft *Community Safety and Crime Prevention Plan 2018-2022*.

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 LPP back to Council for further consideration with a full assessment of submissions made.

## 15.2 ADOPTION FOR ADVERTISING OF LOCAL PLANNING POLICY 8: DESIGNING OUT CRIME

**OFFICER RECOMMENDATION:**

That Council:

1. Adopt draft Local Planning Policy 8: *Designing Out Crime*, as detailed in Attachment A, for the purpose of public advertising.
2. Publically advertise draft Local Planning Policy 8: *Designing Out Crime* for a period of 21 days.
3. Require a report back to Council that details the submissions received during the advertising period and make a recommendation that draft Local Planning Policy 8: *Designing Out Crime* be either adopted with or without modification, or not to proceed.

**DISCUSSION:**

Good urban and environmental planning directly contributes towards safer communities. In this regard, the proper design of places, spaces and built form incorporating CPTED principles reduces crime and fear by reducing criminal opportunity. The development process requires consideration of numerous elements – environmental, social and economic - which shape and in turn are shaped by the resultant planning instrument or development. The City is cognisant of the need to adopt environmental design principles to lessen the likelihood of crime occurring.

Draft Local Planning Policy

The objectives of the draft LPP are to:

- Encourage urban development within the City to incorporate ‘designing out crime principles’;
- Provide guidance in relation to built outcomes that support the reduction in actual and perceived crime and anti-social behaviour; and
- Offer guidance on design and assessment of planning proposals.

There is no prescriptive method to designing out crime, as each planning application is required to be dealt with on a case-by-case basis. That being said, there are five key principles which inform CPTED in all instances, as follows:

- **Surveillance** - when people perceive that they can be seen, they are less likely to engage in anti-social behaviour and crime
- **Access Control** - important to provide wayfinding and directional guidance for legitimate users, while denying access to targets during non-use and reducing escape opportunities
- **Territorial Reinforcement** - People are more likely to take pride in a space they feel they have a level of ownership over
- **Target Hardening (securing measures)** - to ensure that buildings are secure and access is denied to offenders
- **Management and Maintenance** - management and maintenance seeks to remove indicators of crime and acts as a deterrent to anti-social behaviour

## 15.2 ADOPTION FOR ADVERTISING OF LOCAL PLANNING POLICY 8: DESIGNING OUT CRIME

When a planning application is made to the City, the proposal shall take into account the aforementioned five key CPTED principles.

The City will require a statement to be prepared detailing how the proposal responds to the five CPTED principles for the following types of development:

- New construction within the Kwinana Town Centre Zone, Commercial Zone, Mixed Business Zone, Service Commercial Zone, General Industry and Light Industry Zones;
- Multiple Dwelling development of over 10 units;
- Any other development with an estimated cost exceeding \$2 million; or
- Any other development, which in the opinion of City Officers, may affect the perception of public safety.

The statement shall be prepared by a suitably qualified consultant (for example a Town Planner or Urban Designer) and be accompanied by the Designing Out Crime checklist described in further detail below.

The 'Designing Out Crime' checklist, appended to the draft LPP, aims to assist City Officers, landowners and developers during the preparation and assessment of planning and development applications. The checklist includes such categories as Open and Public Space, Design, Landscaping, Car Parking and Footpaths/Walkways, amongst others, to ensure that crime prevention principles are actively considered and incorporated within all aspects of the early design phase of the structure plan, local development plans, subdivision or development.

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

### **LEGAL/POLICY IMPLICATIONS:**

#### City of Kwinana Local Planning Scheme No. 2

Clause 8.6 of LPS2 sets out general preparation and operational aspects of a Local Planning Policy.

#### Planning and Development (Local Planning Schemes) Regulations 2015

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.

## 15.2 ADOPTION FOR ADVERTISING OF LOCAL PLANNING POLICY 8: DESIGNING OUT CRIME

**ENVIRONMENTAL IMPLICATIONS:**

No direct environmental implications are associated with the draft LPP.

**STRATEGIC/SOCIAL IMPLICATIONS:**

Plan	Objective	Strategy
Corporate Business Plan	1.3 – Facilitate improved community safety and reduced crime levels.	1.3.1 – Develop a Community Safety and Crime Prevention Plan ( <i>within which CPTED principles are referenced</i> ).

**COMMUNITY ENGAGEMENT:**

Should Council resolve to initiate the proposed Scheme Amendment it will be advertised in accordance with the requirements of the *Planning and Development Act 2005* in conjunction with the City's Community Engagement Policy.

The advertising of this draft LPP will involve:

- Advertising the LPP for 21 days;
- Notices in the local newspapers,
- A Media Release detailing the objectives and nature of the draft LPP; and,
- Written letters to key stakeholders such as the WA Police, major developers in the City including landowners within the Kwinana Town Centre advising of the opportunity to provide a submission on the draft LPP.

**RISK IMPLICATIONS:**

Council approves development under its Scheme to meet its statutory obligations and facilitate proper and orderly development of the municipality to accommodate development in accordance with the objectives of Council's Strategic Plan.

RISK ANALYSIS	DESCRIPTION
Risk Event	Lack of a local policy focus in relation to the CPTED principles to highlight the importance of early consideration and incorporation of these into the early design stage of planning and development applications.
Risk Theme	Reactive land use planning and retrofitting of places and built form in aid of crime prevention
Risk Effect/Impact	Property
Risk Assessment Context	Operational
Consequence	Moderate
Likelihood	Possible

## 15.2 ADOPTION FOR ADVERTISING OF LOCAL PLANNING POLICY 8: DESIGNING OUT CRIME

Rating (before treatment)	Moderate
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Adoption of the draft LPP provides greater clarity and guidance to developers and the City regarding the principles of crime prevention through environmental design that are applicable during the development assessment and approvals process, thereby mitigating the risk.
Rating (after treatment)	Low

**COUNCIL DECISION**

100

MOVED CR S LEE

SECONDED CR M ROWSE

That Council:

1. Adopt draft Local Planning Policy 8: *Designing Out Crime*, as detailed in Attachment A, for the purpose of public advertising.
2. Publically advertise draft Local Planning Policy 8: *Designing Out Crime* for a period of 21 days.
3. Require a report back to Council that details the submissions received during the advertising period and make a recommendation that draft Local Planning Policy 8: *Designing Out Crime* be either adopted with or without modification, or not to proceed.

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# Local Planning Policy 8

## Designing Out Crime



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# Local Planning Policy 8

## Designing Out Crime

D18/6557

### 1. Title

Local Planning Policy 8: Designing Out Crime

### 2. Purpose

This Policy sets out design guidelines to reduce the likelihood of crime and anti-social behavior in the City of Kwinana.

The design guidelines are to be implemented by City Officers, landowners and developers during the design and assessment of structure plans, subdivision applications, detailed area plans and development applications.

### 3. Objectives

The objectives of this Policy are to:

- Encourage urban development within the City to incorporate “designing out crime principles”;
- Provide guidance in relation to built outcomes that support the reduction in actual and perceived crime and anti-social behaviour; and
- Offer guidance on design and assessment of planning proposals.

### 4. Definitions

#### *Open and Public Space*

**Open space** is any open piece of land that is undeveloped (has no buildings or other built structures) and is accessible to the public<sup>1</sup>. **Public Space** refers to land that has been reserved for the purpose of formal and informal sport and recreation, preservation of natural environments, provision of green space and/or urban storm water management<sup>2</sup>.

### 5. Background

Good urban and environmental planning directly contributes to a safer community. Among many considerations during the development process, the City of Kwinana recognises the need to adopt environmental design principles to reduce the likelihood of crime occurring.

Crime Prevention Through Environmental Design or CPTED is a crime prevention strategy that focuses on the design, planning and structure of cities and neighbourhoods. The proper design of buildings and plans using CPTED principles reduces crime and fear by reducing criminal opportunity.

Supporting the reduction in anti-social behaviour through appropriate design decisions improves the liveability, vitality, accessibility, diversity and social wellbeing of both residents and those who do business in the City. This is particularly important for vulnerable groups as

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<sup>1</sup> Definition sourced from <https://www3.epa.gov/region1/eco/uep/openspace.html>

<sup>2</sup> Definition sourced from <https://www.healthyplaces.org.au/userfiles/file/Parks%20and%20Open%20Space%20June09.pdf>

the fear of crime inhibits their ability to move freely and enjoy the opportunities that should be available to everyone.

There is no prescriptive method to designing out crime and as such, each planning application will be dealt with on a case by case basis. However, there are five key principles which inform CPTED in all instances. These are:

- Surveillance.
- Access control.
- Territorial reinforcement.
- Target hardening (securing measures).
- Management and maintenance.

These principles can be applied to all planning applications ranging from structure plans through to individual development applications. To achieve the objectives of the policy, the combined effort of the community, developers and the City will be required to encourage crime prevention within our community.

## **6. Policy Application and Interpretation**

The principles contained within this Policy apply to all applications for planning approval, including structure plans, local development plans, subdivision and development.

The use of terminology within this policy shall have the same meaning as the Western Australian Planning Commission document entitled 'Designing Out Crime Planning Guidelines' (2006).

## **7. Policy Statement**

This policy is written in the context of establishing a set of key principles that all applications and proposals which are submitted or referred to the City will need to address.

To ensure that all planning proposals are captured, the following Planning Framework has been established to take into account the various applications and plans:

<b>Level of Principle Application</b>	<b>Planning Framework</b>	<b>Designing Out Crime Considerations</b>
Large-scale	District Structure Plan	Land Uses
Large-scale	Local Structure Plan	Land Uses, Local Movement Networks and Location of Public Open Space
Medium-scale	Subdivision Referral	Detailed Movement Networks and Intensity of Urban Development
Medium and small-scale	Local Development Plan	Building Orientation

Small-scale	Development Application	Built Form, Materials, Fencing and Landscaping
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*Table 1 – Planning Framework*

The City will use this policy as one of the many tools that guide the preparation and assessment of planning proposals. For example, a proponent that prepares a Local Structure Plan will be guided by the large-scale principles within the policy concerning land uses, local movement networks and location of public open space, whereas a Development Application will be guided by small-scale principles of built form, materials, fencing and landscaping. Plans and all other associated planning documents will be prepared and assessed in the context of their implications to subsequent phases of design and the impact in this regard.

### **PRINCIPLE 1 - SURVEILLANCE**

Surveillance is one of the most simple and effective principles of crime prevention. In this regard, when people perceive that they can be seen, they are less likely to engage in anti-social behaviour and crime. Most environmental settings can be designed to have opportunities for natural surveillance whereby clear sightlines are created. Placing physical features, activities and people (for example, through design which promotes increased pedestrian activity) in ways that maximise the ability to see what is happening discourages crime, encourages a feeling of openness, provides neighbourhood surveillance and a perception of increased risk of detection for intruders and of increased surveillance for legitimate uses.

Barriers such as blank walls or building facades without windows that reduce visual permeability can make it difficult to observe non-desirable activities.

Large-scale	Medium-scale	Small-scale
Land uses should be compatible with neighbouring uses.	Lots should be located to ensure adequate surveillance of public realm spaces.	Ensure clear sightlines to public realm areas from adjacent buildings.
Streets, footpaths and cycleways to be in view of adjacent land uses.	Locate uses that can provide natural surveillance wherever possible.	Illuminate primary pedestrian routes.
'Big box uses' should be arranged to have no public access to the sides of buildings.	Effective lighting of public places	Ensure level changes do not obscure public places.
Avoid over use of buffer and security zones which push land uses apart to the point of isolation.	Avoid concave building envelopes.	Front boundary fencing should be visually permeable.
Design out unwanted congregation areas and entrapment spots.		Avoid 'seas of car parks'.
Provide overlooking opportunities for power line easements.		Effective lighting of public places
Landscaping is designed to maximise sightlines with lighting to prevent opportunity.		Avoid concave building envelopes.

Locate uses that can provide natural surveillance wherever possible.		Lots should be located to ensure adequate surveillance of public realm spaces.
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*Table 2 - Surveillance Principles*

## PRINCIPLE 2 – ACCESS CONTROL

Natural and built access control involves the use of the environment and built form to clearly mark borders and transitional zones to physically and psychologically deter movement of illegitimate users into protected space. Access control is important to provide wayfinding and directional guidance for legitimate users, while denying access to targets during non use and reducing escape opportunities.

Large-scale	Medium-scale	Small-scale
Avoid culs-de-sac linked by pedestrian routes unless part of a wider open space connection with surveillance.	Create places and streets that support legitimate uses in full view of the community.	Secure access to property with gates and defining structures.
Delineation and alignment of public access routes away from inappropriate environments.	Avoid culs-de-sac linked by pedestrian routes unless part of a wider open space connection with surveillance.	Ramps and steps can create effective local access controls.
	Avoid use of back lanes.	Restrict access to internal areas by fences, gates, doors and shrubs.
	Link all bicycle, pedestrian paths and staged development.	Integrate security screens, bollards and bars as design elements not afterthoughts
	Design of public spaces to attract people into the area (eg. Lighting and fencing).	Careful consideration of scalable fences and bollards which may inhibit pursuit of offenders.
		Design of public spaces to attract people into the area (eg. Lighting and fencing).

*Table 3 – Access Control Principles*

## PRINCIPLE 3 – TERRITORIAL REINFORCEMENT

People are more likely to take pride in a space they feel they have a level of ownership over. It is therefore important to identify private and public land through the use of appropriate territorial reinforcement measures.

Territorial reinforcement is the use of physical features designed to express ownership and control of the environment and delineate, semi-private and public spaces. Territorial reinforcement reduces the ambiguity of space ownership.

People usually maintain territory that they feel is their own and have a certain respect for the territory of others. Identifying intruders is much easier in well-defined space. An area that looks protected gives the impression that greater effort is required to commit a crime.

Large-scale	Medium-scale	Small-scale
Define public and private land use areas and ownership boundaries clearly.	Create sub-neighbourhoods to engender local character areas.	Clearly define private ownership by structures and surface materials.
Align major transport infrastructure to minimise land take.	Plan and design communities with supporting facilities and land uses.	Avoid ambiguity of ownership and responsibility.
Plan and design communities with supporting facilities and land uses.		
Create sub-neighbourhoods to engender local character areas.		

Table 4 – Territorial Reinforcement

#### PRINCIPLE 4 – TARGET HARDENING (SECURITY MEASURES)

Target hardening is often provided for at the detailed planning stage and usually includes security doors, roller shutters, security cameras and security fencing. The objective of this Principle is to ensure that buildings are secure and access is denied to offenders. By incorporating these elements into the urban form, it can actively discourage antisocial behaviour. It is important to strike a balance between designing out crime principles and other outcomes to ensure the amenity of an area is not adversely affected.

If required, target hardening elements including fencing and roller shutters should be utilised as sparingly as possible, be visually permeable and sympathetic to the built form design. Target hardening should be the last approach taken, after all other designing out crime principles have been utilised.

Primary Principles	Secondary Principles	Tertiary Principles
No elements at the primary level other than the potential to address increased security through policy statements on land use mix, access arrangements, building design and site planning.	Consider the installation of traffic management elements to discourage vehicle-enhanced break-ins to shops and commercial premises in streetscapes.	Should be based on and justified by individual need assessment.
	Ensure individual site security measures do not adversely affect local area security considerations.	Incorporate shuttering and window barring as integral design elements where openings are susceptible to break-in and concealed crime exit.
		Ensure building parapets do not conceal unlawful access
		Install closed circuit television where natural surveillance is poor.
		Where fencing is required for security it should be no less than 1.8 metres in height, though visually permeable above 1.2 metres.



*Table 5 – Target Hardening (Security Measures)*

### PRINCIPLE 5 – MANAGEMENT AND MAINTENANCE

Good management and consistent maintenance of a space will be a deterrent to anti-social behaviour. If areas are run down and subject to graffiti and vandalism it is likely they will be less visited by the community and generally more intimidating to those users. Management and maintenance seeks to remove indicators of crime and the use of lighting, painting and vegetation management creates a cared for environment that can reduce the fear of crime and induce legitimate behaviour.

Large-scale	Medium-scale	Small-scale
Establish effective maintenance plans for public spaces.	Incorporate management conditions such as shopping trolley collection points where practical in planning approvals.	Remove graffiti as soon as possible after occurrences.
Consider durability, adaptive re-use and robustness of built form and open spaces in the design and decision-making process.	Ensure spatial management responsibility is clear between public and private sector organisations.	Establish effective maintenance plans for public spaces.
	Establish systems for reporting of problems and fixing them.	Maintain plants to retain visibility where required.
	Establish effective maintenance plans for public spaces.	Train maintenance staff to identify and report potential problems.

*Table 6 – Management and Maintenance*

### IMPLEMENTATION

When a planning or development application is made to the City, the proposal shall take into consideration the five principles of crime prevention through environmental design.

In the event that a planning or development application has the potential to affect the surrounding community's safety or perception of safety, the City will require an applicant to provide a statement, in the context of the scale of development proposed as per *Table 1 – Planning Framework* of this Policy, detailing how the development responds to the five CPTED principles. The statement provided to the City must be prepared by a suitably qualified consultant, for example a Town Planner or Urban Designer. Appendix A contains a checklist to assist in this regard, which should accompany the statement.





Statements **must** be provided for the following types of development:

- New construction within the Kwinana Town Centre Zone, Commercial Zone, Mixed Business, Service Commercial Zone, General Industry and Light Industry Zones;
- Multiple Dwelling development of over 10 units;
- Any other development with an estimated cost exceeding \$2 million; or
- Any other development which in the opinion of City Officers may affect the perception of public safety.

## APPENDIX A

### Designing Out Crime Checklist

The purpose of this checklist is to assist City Officers, landowners and developers in the preparation and assessment of planning and development applications to ensure that crime prevention principles are incorporated within the design of the development or subdivision.

<b>DESIGN</b>	
The design encourages natural surveillance by people and activities	
The design allows clear sightlines and visibility	
Adequate security lighting is provided	
The design achieves an aesthetically pleasing environment which addresses safety and security concerns	
If there is an entrapment spot, can it be eliminated? Or can it be closed after hours?	
Architectural elements (down pipes, bin storage, balconies, timber fences etc) are placed in such a way that they prevent access to windows or upper storeys	
Shopfront security bars, shutters and doors allow observation of the street (i.e. they are see-through)	
<b>OPEN AND PUBLIC SPACE</b>	
The area is designed to encourage natural surveillance	
If there is more than one entry point, are these visible from nearby streets and footpaths?	
Signage is provided for easy identification of nearby amenities and help points, parking areas and the intended uses of the space	
<b>FOOTPATHS/WALKWAYS</b>	
Safe pedestrian routes are adequately signed and lit after dark	
Footpaths and walkways are visible from nearby residences/buildings, parking areas and the street	
Sharp corners or sudden changes that reduce sight lines are avoided or modified	
Barriers along paths are visually permeable/see-through where possible	
<b>LANDSCAPING</b>	
The design and landscaping encourages solutions which maintain natural surveillance	
The landscaping clearly defines public and private space	
The landscaping is designed to reduce spaces where intruders can hide	
The landscaping allows for entrances/exits that are clearly visible from the street and from parking areas	
<b>CAR PARKING</b>	
The most commonly used car parking area is visible from the main entrance	
The parking area is adequately lit	
Parking is satisfactorily integrated with the building and landscaping	
<b>LIGHTING</b>	
If the place is intended to be used at night – does the lighting allow adequate visibility (comply with Australian Standards)?	
A sensor or automated lighting is installed near entrances/exits and walkways to provide safety after hours	
Lighting provides uniform spread and reduces contrast between shadow and illuminated areas	
The location of lighting fixtures illuminates pedestrian routes, entrapment areas or other areas requiring visibility	
Lighting is protected against vandalism or uses vandal resistant materials	
<b>SIGNAGE</b>	
Entrance, car parking and other significant uses have been identified with a suitable sign	
Signage is clearly visible, easy to read and simple to understand	
Signage in the parking area is advising users to lock their cars	
If exits are closed after hours – does signage provide this information at the car parking entrance?	

<b>BUILDING IDENTIFICATION</b>		✓
The building address/number is clearly visible from the street by both pedestrians and vehicles		
Street numbers are made of durable materials, preferably reflective or luminous		
<b>FENCING</b>		✓
The fencing allows natural surveillance from the street to the building and from the building to the street		
<b>ENTRANCE/EXITS</b>		✓
The main entrances/exits are clearly visible from the street and from nearby parking areas		
<b>MAINTENANCE/MANAGEMENT</b>		✓
The design allows for easy maintenance		
The signage in the public domain displays how maintenance problems are reported		
Garbage and recycling bins are adequately located and proper lighting is installed		

Name of Policy	Local Planning Policy 8: Designing Out Crime
Date of Adoption and resolution No	<i>Insert the date on which the Policy was first adopted by Council and the resolution No</i>
Review dates and resolution No #	<i>List the dates on which the Policy was reviewed by Council and the resolution Nos</i>
Next review due date	<i>Insert the date on which the next review should be completed by</i>
Legal Authority	Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2 deemed provisions (Division 2)
Directorate	City Regulation
Department	Planning
Related documents	<i>This Policy shall be read in conjunction with Designing Out Crime – Planning Guidelines (WAPC 2006)</i>

### **15.3 Adoption of an Amended Local Development Plan – Cassia Rise Estate – Lot 9237 Parmelia Avenue, Parmelia**

#### **DECLARATION OF INTEREST:**

Deputy Mayor Peter Feasey declared an impartiality interest due to his supervisor being the Minister for Housing and this project is a joint venture with Satterley.

#### **SUMMARY:**

A request to amend the Local Development Plan (LDP) for Lot 9237 Parmelia Avenue, Parmelia (Cassia Rise Estate), has been received for consideration under the City of Kwinana's Local Planning Scheme No. 2 (LPS2) (refer Attachment B). The original LDP for Stage 1 of the development was approved by Council on 8 July 2015 and the first amendment to this LDP was approved by Council on 14 September 2016 (refer Attachment C).

The proponent now seeks the approval of Council to further amend the adopted amended LDP to vary the primary street setbacks for some of the lots in the north eastern portion of the LDP which are not able to meet the minimum and maximum primary street setbacks stipulated on the current LDP. Due to the steep gradients in this locality, retaining walls and retaining wall returns have been required for Lots 1089 to 1104 and 1106 to 1116, which require the dwellings to be further setback to allow for vehicle entry and ease of construction of the dwellings. A minimum and maximum dwelling setback of 4 metres and 6 metres respectively is being sought for these lots.

The proponent also seeks to update the lots that are subject to Quiet House Design provisions relating to noise emanating from the Perth to Mandurah railway line. The lots affected by Quiet House Design provisions are as per the Lloyd George Acoustics Noise Report which was submitted with the proposed LDP amendment.

All the other provisions on the current amended LDP relating to open space requirements and Bushfire Attack Levels (BALs) remain unchanged.

This LDP, initially adopted in July 2015 and amended in September 2016, contains a total of 424 lots with 71 lots within Stage 1 now sold and in private ownership. Building permits have been issued for these lots and the dwellings have been constructed or are under construction. Subdivision works (road design and levels) have been completed with landscaping commenced and landscaping drawings approved for much of the LDP site. Whilst the Local Planning Policy No. 2 – Streetscapes – (LPP No.2) does not apply retrospectively to the approved subdivision and engineering approvals, City Officers are in liaison with the proponents about how relevant objectives of the policy can apply such as early tree planting and landscaping.

The draft amended LDP (refer Attachment B) has been assessed and is supported by City Officers. It is recommended that Council approves the draft amended LDP in accordance with Clause 51(1)(a) of *Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015*.

#### **OFFICER RECOMMENDATION:**

That Council approves the Amended Local Development Plan for Lot 9237 Parmelia Avenue, Parmelia (Cassia Rise Estate) (as per Attachment B), pursuant to Clause 52(1)(a) of *Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015*.

**15.3 ADOPTION OF AN AMENDED LOCAL DEVELOPMENT PLAN – CASSIA RISE ESTATE – LOT 9237  
PARMELIA AVENUE, PARMELIA****DISCUSSION:****Land Status**

Metropolitan Region Scheme:  
Local Planning Scheme No. 2:

'Urban' Zone  
Residential R20

**Background**

The LDP for the Cassia Rise Estate was originally approved by Council on 8 July 2015. An amended LDP was adopted by Council on 14 September 2016 (refer Attachment C). The first amendment to the LDP was to combine the Stage 1 and Stage 2 developments into a single LDP. The amended LDP identified lots that were subject to Bushfire Attack Levels (BALs) and Quiet House Design provisions as outlined in the Fire Management Plan and Acoustic Report respectively.

**Primary Street Setbacks**

The proponent now seeks to further amend a portion of the adopted amended LDP to vary primary street setbacks for Lots 1089 to 1104 and 1106 to 1116 (within Stage 2 of the development) which are not able to meet the minimum and maximum primary street setbacks stipulated on the current LDP. The current approved LDP stipulates dwelling minimum and maximum primary street setbacks of 3 metres and 5 metres respectively for all lots.

Due to the steep gradients in this locality, retaining walls and retaining wall returns have been required for Lots 1089 to 1104 and 1106 to 1116 which require the dwellings to be further setback from the retaining walls to allow for vehicle entry and ease of construction of the dwellings. The retaining walls encroach into the front setback as shown in the photo below.



Given the depth of the retaining wall within the properties, a minimum and maximum dwelling setback of 4 metres and 6 metres respectively is being sought.



**15.3 ADOPTION OF AN AMENDED LOCAL DEVELOPMENT PLAN – CASSIA RISE ESTATE – LOT 9237 PARMELIA AVENUE, PARMELIA**

City Officers take the view that the proposed 4 metre minimum primary street setback should be supported due to the site constraints for these lots. The affected properties have a minimum frontage width of 15 metres and the LDP requires that all garages be setback a minimum of 4.5m from the primary street. This is in accordance with LPP No. 2 which requires that for all lots where a footpath adjoins the boundary, the garage be setback a minimum of 4.5m from that boundary.

As a result, garages on these lots (and all lots within Stage 2) are to be setback a minimum of 4.5 metres (in order to comply with the LDP) from the primary street, thus allowing for cars to be parked adequately in the driveways.

**Quiet House Design**

The proponent also seeks to update the lots (Lots 1116-1120, 1129-1144, 973-976, 901, 914 and 1158) that are subject to Quiet House Design provisions as per an updated Lloyd George Acoustics Report dated 23 June 2016. These lots are affected by noise emanating from the Perth to Mandurah Railway Line. Previously, the ground floor of dwellings on Lots 1129 -1144 and 973 - 976 were not subject to Noise Package requirements. These lots have now been identified as requiring 'Package A' noise insulation requirements for the ground floor. The noise requirements for the upper floors remain unchanged for these lots.

The Acoustic report also identified additional lots (Lots 1116-1120, 901, and 914) as requiring 'Package A' noise requirements for the Upper Floor and none for the ground floor. The details of the quiet house design requirements for the affected lots are shown on Attachment B to this report.

The amended Acoustics Report was reviewed by the City's Environmental Health team and is supported.

**Other LDP Requirements**

All the other provisions on the current amended LDP relating to open space and BAL requirements for all lots remain unchanged.

As detailed previously, subdivision works (road design and levels) have been completed for the lots in question with landscaping commenced and landscaping drawings approved for much of the LDP site. Whilst LPP No.2 does not apply retrospectively to the approved subdivision and engineering approvals, City Officers are working in liaison with the proponents to enable relevant objectives of the policy to apply such as early tree planting and landscaping.

**COMMUNITY ENGAGEMENT:**

The current amended LDP was approved on 14 September 2016. The lots that are subject to the setback amendments and Quiet House Design changes are still in the ownership of the developer (Department of Communities). No other persons are considered to be affected by these changes except the developer and future landowners. In this regard, it was considered that the draft amended LDP does not require advertising.

**15.3 ADOPTION OF AN AMENDED LOCAL DEVELOPMENT PLAN – CASSIA RISE ESTATE – LOT 9237  
PARMELIA AVENUE, PARMELIA**

**LEGAL/POLICY IMPLICATIONS:**

For the purpose of Councillors considering a financial or impartiality interest only, the applicant is CLE Town Planning & Design and the landowner is Department of Communities with Satterley Property Group developing the site.

The following strategic and policy based documents were considered in assessing the application;

- City of Kwinana Local Planning Scheme No. 2;
- City of Kwinana Local Planning Policy No. 2;
- State Planning Policy No. 3.1 (*Residential Design Codes of Western Australia*);
- Liveable Neighbourhoods Operational Policy; and
- Guidelines for Planning in Bushfire Prone Areas & Appendices 2015.

**FINANCIAL/BUDGET IMPLICATIONS:**

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

**ENVIRONMENTAL IMPLICATIONS:**

There are no environmental implications as a result of this application. Quiet house design provisions are included in the LDP.

**STRATEGIC/SOCIAL IMPLICATIONS:**

LDPs allow for variations to the Scheme and R-Codes which take into account specific site characteristics and configuration of lots, particularly smaller lots. The use of such mechanisms is common practice, and is encouraged to allow for the most optimal form of urban development to occur. LDPs are only one tool in the suite of those used to create urban places and communities and should be considered in conjunction with other subdivision requirements, social and environmental policy.

It could be argued that the proposal stimulates economic development in the City as the draft amended LDP results in residential development in the Cassia Rise Estate.

**RISK IMPLICATIONS:**

<b>Risk Event</b>	<b>Appeal of Council's decision on the draft LDP Amendment.</b>
Risk Theme	Failure to fulfil statutory regulations or compliance requirements Providing inaccurate advice/ information.
Risk Effect/Impact	Reputation Compliance

**15.3 ADOPTION OF AN AMENDED LOCAL DEVELOPMENT PLAN – CASSIA RISE ESTATE – LOT 9237 PARMELIA AVENUE, PARMELIA**

Risk Assessment Context	Strategic
Consequence	Minor
Likelihood	Possible
Rating (before treatment)	Low
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	<ul style="list-style-type: none"> <li>• Work instructions in place and checklists used when assessing the application.</li> <li>• Consideration of the application within the statutory timeframes.</li> <li>• Compliance of the proposal with Local Planning Scheme No. 2, R-Codes, Bushfire Guidelines and relevant Policies.</li> <li>• Liaising with the applicant throughout the application process.</li> </ul>
Rating (after treatment)	Low

**COUNCIL DECISION**

**101**

**MOVED CR W COOPER**

**SECONDED CR D WOOD**

**That Council approves the Amended Local Development Plan for Lot 9237 Parmelia Avenue, Parmelia (Cassia Rise Estate) (as per Attachment B), pursuant to Clause 52(1)(a) of *Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015*.**

**CARRIED  
8/0**

## Attachment A - Location Plan





# cassia RISE



## RESIDENTIAL DESIGN CODE VARIATIONS

- The provisions detailed below constitute as 'deemed-to-comply' provisions of the Residential Design Codes (R Codes).
- Unless provided for below, the provision of the City of Kwinana Town Planning Scheme 2 and the R-Codes apply.
- Compliance with the Local Development Plan (LDP) provisions will not require consultation with adjoining and/or nearby landowners.
- The City may vary the provisions of the LDP where considered appropriate to achieve a specific design outcome.
- The density coding of the lots contained within the LDP is R20.
- This LDP shall be read in conjunction with the approved Fire Management Plan.

### Street Setback

- 3m minimum and 5m maximum (no average) from the primary street to the dwelling (as defined by the R Codes, excluding garages and carports).
- Notwithstanding Provision 1 above, for Lots 1089 to 1104 (inclusive) and 1106 to 1116 (inclusive), a 4m minimum and 6m maximum setback from the primary street to the dwelling (as defined by the R-Codes, excluding garages and car ports) shall apply.
- 1m minimum to a secondary street.

### Garage/Carport Setback

- For lots designated as Stage 1 (as shown on this LDP) the garage setback will be a minimum of 0.5m behind the dwelling (as defined by the R-Codes, including any porch, verandah or balcony).
- For all lots not within Stage 1 (as shown on this LDP) a minimum of 4.5m from the primary street.
- Garages shall have doors that enclose them.

### Site Cover

- Site cover may be increased to 60% subject to the provision of 30m<sup>2</sup> of outdoor living area with a minimum dimension of 4m, two thirds of this area uncovered and located behind the street setback area.

### Fire Management

- All properties are subject to compliance with the approved Fire Management Plan. Dwellings constructed on lots identified as being at risk of bushfire attack under the approved Fire Management Plan or within 100m from any bushland, equal to or greater than 1ha in area, shall be constructed to the appropriate BAL rating, in accordance with AS3959.
- A proposed reduction to the nominated BAL rating as specified within the Fire Management Plan for any development will require a planning application for consideration. The applicant will be required to undertake a new BAL assessment by a suitably qualified consultant, as part of the building and planning approval process to determine the bushfire attack level in accordance with AS3959 and WAPC Guidelines Planning for Bushfire Protection Policy.
- For all lots, where an incursion into the building setback area is proposed, a reassessment of the Bushfire Attack Level is required.

### Public Open Space Interface

- Where lots abut Public Open Space the design of the dwelling shall consist of at least one major opening to a habitable room overlooking the Public Open Space and its view not obstructed by visually impermeable fencing.

### Noise Affected Lots

- Quiet house design requirements are applicable to all noise affected lots identified on this Local Development Plan. Details of quiet house design requirements (A & B) are included as Attachment 1.
- Modifications to the quiet house design requirements may be approved by the City where it can be demonstrated that proposed development will be provided within the acceptable level of acoustic amenity and subject to the development proposal being accompanied by a Noise Assessment undertaken by a suitably qualified professional.

## LEGEND

- Subject Area
- Stage 1
- Public Open Space
- Bushfire Attack Level 12.5
- Bushfire Attack Level 19
- Bushfire Attack Level 29
- Retaining Wall
- Designated Garage Location

## QUIET HOUSE DESIGN

- Upper Floor - Package B  
Ground Floor - Package B
- Upper Floor - Package B  
Ground Floor - Package A
- Upper Floor - Package A  
Ground Floor - Not Required

This Local Development Plan has been adopted by Council and signed by the Manager Planning and Development.

City of Kwinana

Date



## PROVISIONS IN ACCORDANCE WITH LLOYD GEORGE PASSENGER TRAIN NOISE &amp; VIBRATION AND ROAD TRAFFIC ASSESSMENTS, DATED JUNE 2016

**Package A: Noise levels within the "margin"**

The following noise insulation package is designed to meet indoor noise standards for residential developments in areas where noise levels exceed the noise "target" but are within the "limit".

Area	Orientation to Road/Rail Corridor	Noise Control Measures
Bedrooms	Facing road/rail corridor	<ul style="list-style-type: none"> <li>6mm (minimum) laminated glass</li> <li>Fixed, casement or awning windows with seals</li> <li>No external doors</li> <li>Closed eaves</li> <li>No vents to outside walls/eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Side-on to corridor	<ul style="list-style-type: none"> <li>6mm (minimum) laminated glass</li> <li>Closed eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Away from corridor	No requirements
Living and work areas <sup>2</sup>	Facing corridor	<ul style="list-style-type: none"> <li>6mm (minimum) laminated glass</li> <li>Fixed, casement or awning windows with seals</li> <li>35mm (minimum) solid core external doors with acoustic seals<sup>3</sup></li> <li>Sliding doors must be fitted with acoustic seals</li> <li>Closed eaves</li> <li>No vents to outside walls/eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Side-on to corridor	<ul style="list-style-type: none"> <li>6mm (minimum) laminated glass</li> <li>Closed eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Away from Corridor	No requirements
Other indoor areas	Any	No requirements

**Package B: Noise levels within 3dB of the "limit".**

The following noise insulation package is designed to meet the indoor noise standards for residential developments in areas where noise levels exceed the "limit" but by no more than 3dB.

Area	Orientation to Road/Rail Corridor	Noise Control Measures
Bedrooms	Facing road/rail corridor	<ul style="list-style-type: none"> <li>10mm (minimum) laminated glass</li> <li>Fixed, casement or awning windows with seals</li> <li>No external doors</li> <li>Closed eaves</li> <li>No vents to outside walls/eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Side-on to corridor	<ul style="list-style-type: none"> <li>10mm (minimum) laminated glass</li> <li>Closed eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Away from corridor	No requirements
Living and work areas <sup>2</sup>	Facing corridor	<ul style="list-style-type: none"> <li>10mm (minimum) laminated glass</li> <li>Fixed, casement or awning windows with seals</li> <li>40mm (minimum) solid core external doors with acoustic seals<sup>3</sup></li> <li>Sliding doors must be fitted with acoustic seals</li> <li>Closed eaves</li> <li>No vents to outside walls/eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Side-on to corridor	<ul style="list-style-type: none"> <li>6mm (minimum) laminated glass</li> <li>Closed eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Away from Corridor	No requirements
Other indoor areas	Any	No requirements

**NOTES**

- See section on Mechanical ventilation/air-conditioning for further details and requirements.
- These deemed-to-comply guidelines adopted the definitions of indoor spaces used in AS2107-2000. A comparable description for bedrooms, living and work areas is that defined by the Building Code of Australia as a "habitable room". The Building Code of Australia may be referenced if greater clarity is needed. A living or work area can be taken to mean any "habitable room" other than a bedroom. Note that there are no noise insulation requirements for utility areas such as bathrooms. The Building Code of Australia describes these utility spaces as "non-habitable rooms".
- Glazing panels are acceptable in external doors facing the transport corridor. However, these must meet the minimum glazing requirements.

**Mechanical Ventilation Requirement**

Where outdoor noise levels are above the "target", both Packages A and B require mechanical ventilation or air-conditioning to ensure that windows can remain closed in order to achieve the indoor noise standards.

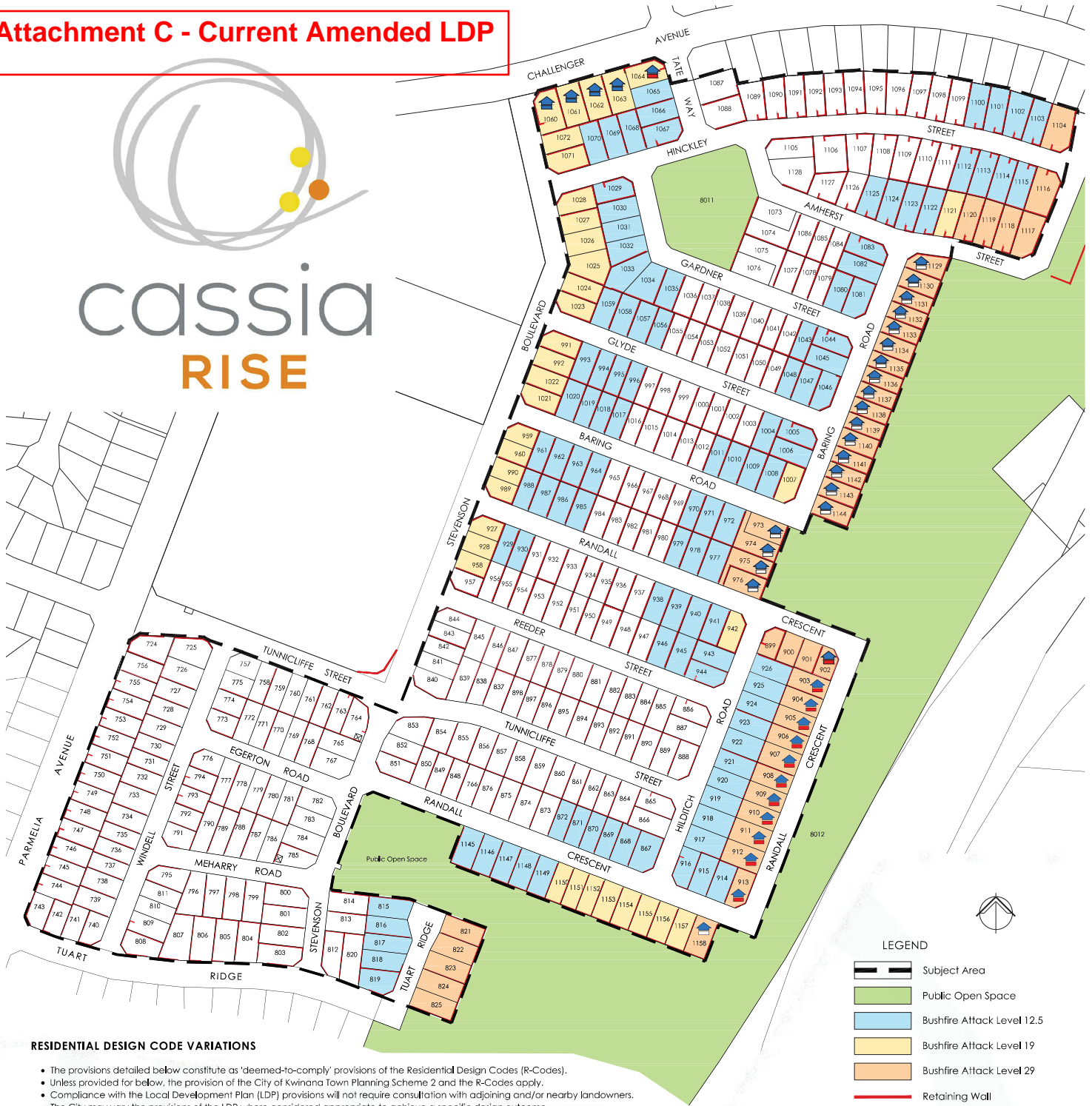
In implementing Packages A and B, the following must be observed:

- Evaporative air conditioning systems will not meet the requirements for Packages A and because windows need to be opened.
- Refrigerative air conditioning systems need to be designed to achieve fresh air ventilation requirements.
- Air inlets need to be positioning facing away from the transport corridor where practicable.
- Duct needs to be provided with adequate silencing to prevent noise intrusion.



# Attachment C - Current Amended LDP

## cassia RISE



### LEGEND

- Subject Area
- Public Open Space
- Bushfire Attack Level 12.5
- Bushfire Attack Level 19
- Bushfire Attack Level 29
- Retaining Wall
- Designated Garage Location

### QUIET HOUSE DESIGN

- Upper Floor - Package B  
Ground Floor - Not Required
- Upper Floor - Package B  
Ground Floor - Package B
- Upper Floor - Package B  
Ground Floor - Package A

### RESIDENTIAL DESIGN CODE VARIATIONS

- The provisions detailed below constitute as 'deemed-to-comply' provisions of the Residential Design Codes (R-Codes).
- Unless provided for below, the provision of the City of Kwinana Town Planning Scheme 2 and the R-Codes apply.
- Compliance with the Local Development Plan (LDP) provisions will not require consultation with adjoining and/or nearby landowners.
- The City may vary the provisions of the LDP where considered appropriate to achieve a specific design outcome.
- The density coding of the lots contained within the LDP is R20.
- This LDP shall be read in conjunction with the approved Fire Management Plan.

#### Street Setback

1. 3m minimum and 5m maximum (no average) from the primary street to the dwelling (as defined by the R-Codes, excluding garages and carports).
2. 1m minimum to a secondary street.

#### Garage/Carport Setback

3. Minimum of 0.5m behind the dwelling (as defined by the R-Codes, including any porch, verandah or balcony).
4. Garages shall have doors that enclose them.

#### Site Cover

5. Site cover may be increased to 60% subject to the provision of 30m² of outdoor living area with a minimum dimension of 4m, two thirds of this area uncovered and located behind the street setback area.

#### Fire Management

6. All properties are subject to compliance with the approved Fire Management Plan. Dwellings constructed on lots identified as being at risk of bushfire attack under the approved Fire Management Plan or within 100m from any bushland, equal to or greater than 1ha in area, shall be constructed to the appropriate BAL rating, in accordance with AS3959.
7. A proposed reduction to the nominated BAL rating as specified within the Fire Management Plan for any development will require a planning application for consideration. The applicant will be required to undertake a new BAL assessment by a suitably qualified consultant, as part of the building and planning approval process to determine the bushfire attack level in accordance with AS3959 and WAPC Guidelines Planning for Bushfire Protection Policy.
8. For all lots, where an incursion into the building setback area is proposed, a reassessment of the Bushfire Attack Level is required.

#### Public Open Space Interface

9. Where lots abut Public Open Space the design of the dwelling shall consist of at least one major opening to a habitable room overlooking the Public Open Space and its view not obstructed by visually impermeable fencing.

#### Noise Affected Lots

10. Quiet house design requirements are applicable to all noise affected lots identified on this Local Development Plan. Details of quiet house design requirements (A & B) are included as Attachment 1.
11. Modifications to the quiet house design requirements may be approved by the City where it can be demonstrated that proposed development will be provided within the acceptable level of acoustic amenity and subject to the development proposal being accompanied by a Noise Assessment undertaken by a suitably qualified professional.

This Local Development Plan has been adopted by Council and signed by the Manager Planning and Development.

City of Kwinana  
19/09/2016  
Date

## LOCAL DEVELOPMENT PLAN

Lot 9237 Parmelia Avenue, Parmelia

## PROVISIONS IN ACCORDANCE WITH LLOYD GEORGE PASSENGER TRAIN NOISE &amp; VIBRATION AND ROAD TRAFFIC ASSESSMENTS, DATED JUNE 2016

**Package A: Noise levels within the "margin"**

The following noise insulation package is designed to meet indoor noise standards for residential developments in areas where noise levels exceed the noise "target" but are within the "limit".

Area	Orientation to Road/Rail Corridor	Noise Control Measures
Bedrooms	Facing road/rail corridor	<ul style="list-style-type: none"> <li>6mm (minimum) laminated glass</li> <li>Fixed, casement or awning windows with seals</li> <li>No external doors</li> <li>Closed eaves</li> <li>No vents to outside walls/eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Side-on to corridor	<ul style="list-style-type: none"> <li>6mm (minimum) laminated glass</li> <li>Closed eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Away from corridor	No requirements
Living and work areas <sup>2</sup>	Facing corridor	<ul style="list-style-type: none"> <li>6mm (minimum) laminated glass</li> <li>Fixed, casement or awning windows with seals</li> <li>35mm (minimum) solid core external doors with acoustic seals<sup>3</sup></li> <li>Sliding doors must be fitted with acoustic seals</li> <li>Closed eaves</li> <li>No vents to outside walls/eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Side-on to corridor	<ul style="list-style-type: none"> <li>6mm (minimum) laminated glass</li> <li>Closed eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Away from Corridor	No requirements
Other indoor areas	Any	No requirements

**Package B: Noise levels within 3dB of the "limit".**

The following noise insulation package is designed to meet the indoor noise standards for residential developments in areas where noise levels exceed the "limit" but by no more than 3dB.

Area	Orientation to Road/Rail Corridor	Noise Control Measures
Bedrooms	Facing road/rail corridor	<ul style="list-style-type: none"> <li>10mm (minimum) laminated glass</li> <li>Fixed, casement or awning windows with seals</li> <li>No external doors</li> <li>Closed eaves</li> <li>No vents to outside walls/eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Side-on to corridor	<ul style="list-style-type: none"> <li>10mm (minimum) laminated glass</li> <li>Closed eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Away from corridor	No requirements
Living and work areas <sup>2</sup>	Facing corridor	<ul style="list-style-type: none"> <li>10mm (minimum) laminated glass</li> <li>Fixed, casement or awning windows with seals</li> <li>40mm (minimum) solid core external doors with acoustic seals<sup>3</sup></li> <li>Sliding doors must be fitted with acoustic seals</li> <li>Closed eaves</li> <li>No vents to outside walls/eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Side-on to corridor	<ul style="list-style-type: none"> <li>6mm (minimum) laminated glass</li> <li>Closed eaves</li> <li>Mechanical ventilation/air conditioning<sup>1</sup></li> </ul>
	Away from Corridor	No requirements
Other indoor areas	Any	No requirements

**NOTES**

- See section on Mechanical ventilation/air-conditioning for further details and requirements.
- These deemed-to-comply guidelines adopted the definitions of indoor spaces used in AS2107-2000. A comparable description for bedrooms, living and work areas is that defined by the Building Code of Australia as a "habitable room". The Building Code of Australia may be referenced if greater clarity is needed. A living or work area can be taken to mean any "habitable room" other than a bedroom. Note that there are no noise insulation requirements for utility areas such as bathrooms. The Building Code of Australia describes these utility spaces as "non-habitable rooms".
- Glazing panels are acceptable in external doors facing the transport corridor. However, these must meet the minimum glazing requirements.

**Mechanical Ventilation Requirement**

Where outdoor noise levels are above the "target", both Packages A and B require mechanical ventilation or air-conditioning to ensure that windows can remain closed in order to achieve the indoor noise standards.

In implementing Packages A and B, the following must be observed:

- Evaporative air conditioning systems will not meet the requirements for Packages A and because windows need to be opened.
- Refrigerative air conditioning systems need to be designed to achieve fresh air ventilation requirements.
- Air inlets need to be positioning facing away from the transport corridor where practicable.
- Duct needs to be provided with adequate silencing to prevent noise intrusion.

#### **15.4 Refusal of Retrospective Home Occupation – Health Studio / Wellness Centre – Lot 202 (83) Banksia Road, Wellard**

##### **DECLARATION OF INTEREST:**

There were no declarations of interest declared.

##### **SUMMARY:**

A development application has been received for a retrospective Home Occupation – Health Studio / Wellness Centre on Lot 202 (83) Banksia Road, Wellard (Refer Attachments A - D).

Council has considered the application at its Ordinary Council Meetings of 22 November 2017 and 17 January 2018. On both occasions, Council resolved to defer the item to allow time for City Officers to engage with the business operator with regard to finding possible alternative sites to accommodate the Health Studio / Wellness Centre (if any). In this respect, City Officers have met with the business operator to suggest and explore alternative sites for the use. The option preferred by the operator was the use of Lot 32, 11 Barker Road, Casuarina, which is the site of the Wellard Casuarina Hall. The feasibility of the Health Studio / Wellness Centre or any other such use relocating to this lot is the subject of a separate report on this agenda.

It is considered appropriate that Council now reconsiders the retrospective application for the Home Occupation on Lot 202 (83) Banksia Road, Wellard.

In January 2017, the City's Compliance Officer received an enquiry into the operation of a gym on the subject land, and subsequently undertook a site inspection to investigate the use being carried out on the property. In this regard, the City's Compliance Officer noted that a portion of the shed on the property had been sectioned off and was being used as a gym with training equipment being located within an area of approximately 120m<sup>2</sup> split across the ground floor and a mezzanine upper floor. Upon further investigation, the City's Compliance and Planning Officers were able to determine that a business was being operated from the premises under the name of "Fearwot Fitness" offering group fitness and metafit classes in morning and afternoon sessions.

The applicant states that the Home Occupation should not be considered as a generic gym however it should be considered as a 'Wellness Centre'. The applicant states that the business is not open to the public on the basis that they can come at any time and all sessions need to be booked prior through appointments and all class times are limited. Furthermore, the applicant states that the Wellness Centre caters for patrons living locally and who are unable to attend a regular gym due to a number of personal factors such as body dysmorphia. The applicant proposes to operate the business six (6) days a week – Monday to Saturday offering classes at the following times:

- Monday to Friday: 6am-7am, 9am-10am and 5pm-6:30pm
- Saturday: 8:30am-9:30am

The applicant proposes that session / class times will vary depending on the class from between 30-50 minutes however would not exceed a 50 minute time frame. The applicant also proposes that sessions would accommodate between 4-8 (8 maximum) participants per session. Music is intended to be played within the shed during sessions / classes however the applicant has stated that this will be kept to a low volume and the outbuilding will be completely closed to ensure minimal impact on the neighbouring properties. The applicant has also stated that the business will be wholly contained within the shed, and no classes / sessions or part thereof will be conducted outside the confines of the shed.

**15.4 REFUSAL OF RETROSPECTIVE HOME OCCUPATION – HEALTH STUDIO / WELLNESS CENTRE  
– LOT 202 (83) BANKSIA ROAD, WELLARD**

In regards to the application and its compliance with the definition of a home occupation it is apparent that the development does not comply with the definition prescribed under the Scheme, in particular parts (c) and (f). As the home occupation is carried out in an area of approximately 120m<sup>2</sup>, the development does not comply with the definition of a home occupation under part (c) as it occupies an area greater than 20m<sup>2</sup>. In addition, the application proposes a maximum of 8 participants in classes over three sessions per weekday which equates to up to 48 vehicle movements (24 movements into the property and 24 movements out of the property) per day. This number of vehicle movements is considered significantly higher than the normal traffic movements generated from other properties in the locality.

The City has received legal advice in regards to whether Council has the discretion to modify the definition of a land use under the Scheme. In this regard, the advice received has stated that Council are not afforded the ability to modify the land use definitions under the Scheme and as such, would not be in a position to consider this application as a Home Occupation (Refer to Confidential Attachment A).

It is the view of City Officers that the proposal is more properly characterised as a “Health Studio” under the Scheme which *“means a building designed and equipped for recreation and sporting activities and includes outdoor recreation if especially approved by Council.”* The subject land is zoned Special Rural (SR15) under the Scheme and land use permissibility is defined in accordance with Schedule II of the Scheme. Schedule II specifies that a “Dwelling House” is a permitted use (P), Home Occupation and Public Utility are discretionary uses (AA), and all other land uses are not permitted (X). In this regard, the use cannot be considered a Home Occupation for the reasons discussed above, the Scheme does not allow for any other uses within the Special Rural (SR15) Zone (other than those uses listed above) and as such the application cannot be supported.

**OFFICER RECOMMENDATION:**

That Council refuse the retrospective application for a Home Occupation – Wellness Centre on Lot 202 (No. 83) Banksia Road, Wellard on the following grounds;

- (a) The use as proposed does not constitute a “home occupation” as defined in the City of Kwinana Local Planning Scheme No.2 as it occupies an area more than 20m<sup>2</sup> in area, and would give rise to traffic substantially beyond which is normal to the locality;
- (b) The City does not have discretion to vary the maximum area of a home occupation use as stipulated in the definition of “home occupation”;
- (c) The proposed use is more properly characterized as a “Health Studio”, being “a building designed and equipped for recreation and sporting activities”, which is not permitted in the Special Rural (SR15) zone.
- (d) The proposed development is not considered to be consistent with the orderly and proper planning of the locality or the preservation of amenity of the locality.

**15.4 REFUSAL OF RETROSPECTIVE HOME OCCUPATION – HEALTH STUDIO / WELLNESS CENTRE  
– LOT 202 (83) BANKSIA ROAD, WELLARD**

Advice notes

1. Should the applicant be aggrieved by the decision, then a right of review should be lodged with the State Administrative Tribunal within 28 days of the date of this decision.

**DISCUSSION:**

A development application has been received for a retrospective Home Occupation – Health Studio / Wellness Centre on Lot 202 (83) Banksia Road, Wellard (“subject land”) (Refer Attachment A - D). The application is retrospective insofar as the applicant has stated that they have been operating training sessions on the subject land for the last 6 years.

In March 2016, the landowner received building approval for the construction of a 250m<sup>2</sup> shed on the property to be used for the storage of items in conjunction with the dwelling on the property. In January 2017, the City’s Compliance Officer received an enquiry into the operation of a gym within the newly constructed shed on the subject land, and subsequently undertook a site inspection to investigate the use being carried out on the property. In this regard, the City’s Compliance Officer noted that a portion of the shed had been sectioned off and was being used as a gym with training equipment being located within an area of approximately 120m<sup>2</sup> split across the ground floor and a mezzanine upper floor. Upon further investigation the City’s Compliance and Planning Officers were able to determine that a business was being operated from the premises under the name of “Fearwot Fitness” offering group fitness and metafit classes in morning and afternoon sessions.

Proposal

The applicant proposes to operate a home occupation - wellness centre from within the existing shed on the property six (6) days a week – Monday to Saturday offering classes at the following times:

- Monday to Friday: 6am-7am, 9am-10am and 5pm-6:30pm
- Saturday: 8:30am-9:30am

The applicant proposes that session / class times will vary depending on the class from between 30-50 minutes however would not exceed a 50 minute time frame. The applicant also proposes that sessions would accommodate between 4-8 (8 maximum) participants per session. Music is intended to be played within the shed during sessions / classes however the applicant has stated that this will be kept to a low volume and the outbuilding will be completely closed to ensure minimal impact on the neighbouring properties. The applicant has also stated that the business will be wholly contained within the shed, and no classes / sessions or part thereof will be conducted outside the confines of the shed.

Additionally, the applicant states that the Home Occupation should not be considered as a generic gym however it should be considered as a ‘Wellness Centre’. The applicant states that the business is not open to the public on the basis that they can come at any time and all sessions need to be booked prior through appointments and all class times are limited. Furthermore the applicant states that the Wellness Centre caters for patrons living locally and who are unable to attend a regular gym due to a number of personal factors such as body dysmorphia.



**15.4 REFUSAL OF RETROSPECTIVE HOME OCCUPATION – HEALTH STUDIO / WELLNESS CENTRE  
– LOT 202 (83) BANKSIA ROAD, WELLARD**

Site and surrounds

The subject site and the surrounding area is zoned Special Rural and is within the SR15 zone. The subject site has been partially cleared and contains a dwelling, 250m<sup>2</sup> shed, driveways and associated vehicle parking areas, and a swimming pool. The swimming pool is currently not approved and is being considered by the City's Building team.

Assessment under Local Planning Scheme No.2

In the context of assessing the proposal against the requirements of the City's Local Planning Scheme No.2, the Scheme defines a "Home Occupation" as an occupation or profession carried on in a dwelling house by a person resident therein that:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury or prejudicial affection due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water, or waste products;
- (b) does not entail the employment of any person not a member of the occupier's family except in the case of a professional person;
- (c) does not occupy an area greater than 20 square metres;
- (d) does not require the provision of any essential service main of greater capacity than normally required in the Zone in which it is located;
- (e) is not advertised by a sign exceeding 0.2 square metres in area;
- (f) does not give rise to any pedestrian or vehicular traffic substantially beyond that which is normal to the neighbourhood in which the business is located;
- (g) is so conducted that, with the exception of a sign complying with paragraph (e) hereof, no indication is given that the house is used for other than residential purposes;
- (h) does not involve the use of commercial vehicles exceeding 1 tonne in weight for the delivery and collection of materials to or from the premises;
- (i) does not require the outdoor storage of materials or supplies; and
- (j) has been granted planning approval of Council for a specified period.

In regards to the application and the definition of a Home Occupation above it is apparent that the development does not comply with the definition in particular parts (c) and (f). As the Home Occupation is carried out in an area of approximately 120m<sup>2</sup>, the development does not comply with the definition of a home occupation under part (c) as it occupies an area greater than 20m<sup>2</sup>. In addition, the application proposes a maximum of 8 participants in classes over three sessions per weekday which equates to up to 48 vehicle movements (24 movements into the property and 24 movements out of the property) per day. This number of vehicle movements is considered significantly higher than the normal traffic movements generated from other properties in the locality.

The City has received legal advice in regards to whether Council has the discretion to modify the definition of a land use under the Scheme. In this regard, the advice has stated that Council are not afforded the ability to modify the land use definitions under the Scheme and as such, would not be in a position to consider this application as a Home Occupation (Refer to Confidential Attachment A).



**15.4 REFUSAL OF RETROSPECTIVE HOME OCCUPATION – HEALTH STUDIO / WELLNESS CENTRE  
– LOT 202 (83) BANKSIA ROAD, WELLARD**

It is the view of City Officers that the proposal is more properly characterised as a “Health Studio” under the Scheme which *“means a building designed and equipped for recreation and sporting activities and includes outdoor recreation if especially approved by Council.”* The subject land is zoned Special Rural (SR15) under the Scheme and land use permissibility is defined in accordance with Schedule II of the Scheme. Schedule II specifies that a “Dwelling House” is a permitted use (P), Home Occupation and Public Utility are discretionary uses (AA), and all other land uses are not permitted (X). In this regard, the use cannot be considered a Home Occupation for the reasons discussed above, the Scheme does not allow for any other uses within the Special Rural (SR15) Zone (other than those uses listed above) and as such the application cannot be supported.

Council deferral pending discussion of possible alternative sites.

As noted, Council has considered the application at its Ordinary Council Meetings of the 22 November 2017 and the 17 January 2018.

On both occasions, Council resolved to defer the item to allow time for City Officers to engage with the business operator with regard to finding possible alternative sites to accommodate the Health Studio / Wellness Centre (if any).

In this respect, City Officers met with the business operator on the 30 November 2017 to discuss alternative sites for the use.

- Officers discussed land use zones that are compatible with a Health Studio / Wellness Centre use. In this respect, it was noted that there are a number of sites east of the Kwinana Freeway (at least in the short to medium term) but more options exist to the west in commercial zones, mixed business zones, light industry, and general industry zones respectively.
- The discussion also raised the possibility of relocating the Fearwot Gym to Lot 32, 11 Barker Road which is a lot owned by the City of Kwinana and is the site of the Wellard Casuarina Hall and Kwinana South Volunteer Bush Fire Brigade. The operator did not seek to use the existing hall but sought to construct a shed/building on portion of the lot, use the existing grassed area, share toilets, and, would not seek to increase the size from the current gym.

The possibility of relocating the Fearwot Gym to Lot 32 Barker Road is the subject of a separate report on this agenda.

**LEGAL/POLICY IMPLICATIONS:**

For the purpose of Councillors considering a financial or impartiality interest only, the applicants is Altus Planning and the landowners are Shane Lehman and Jodie Caverzan.

*Planning and Development Act 2005;*  
Metropolitan Region Scheme; and  
City of Kwinana Local Planning Scheme No. 2.

**15.4 REFUSAL OF RETROSPECTIVE HOME OCCUPATION – HEALTH STUDIO / WELLNESS CENTRE  
– LOT 202 (83) BANKSIA ROAD, WELLARD**

**FINANCIAL/BUDGET IMPLICATIONS:**

Should the applicant choose to appeal Council's decision to the State Administrative Tribunal there would be a cost associated with engaging the City's solicitors in the process.

**ASSET MANAGEMENT IMPLICATIONS:**

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

**ENVIRONMENTAL IMPLICATIONS:**

There are no environmental implications as a result of this application.

**STRATEGIC/SOCIAL IMPLICATIONS:**

Approving the application may well set an undesirable precedent for future applications which do not comply with the land use permissibility and definitions of the Scheme.

Plan	Objective	Strategy
Corporate Business Plan	10.1 Planning	10.1.1 To implement the long term strategic land use planning for the social, economic and environmental wellbeing of the City

**RISK IMPLICATIONS:**

Council approves development under the Local Planning Scheme to meet its statutory obligations and facilitate proper and orderly planning and development of the municipality, in accordance with the objectives of the Strategic Community Plan. Development approvals, Scheme amendments, subdivision and structure plans allow land use to change over time, in order to meet Council and State Government policies and practices, community values and provide protection to the environment.

Council are advised that any decision made is subject to appeal rights to the State Administrative Tribunal. The applicant may also request reconsideration by Council as per Clause 2.4.4 of Local Planning Scheme No. 2.

**15.4 REFUSAL OF RETROSPECTIVE HOME OCCUPATION – HEALTH STUDIO / WELLNESS CENTRE  
– LOT 202 (83) BANKSIA ROAD, WELLARD**

<b>Risk Event</b>	<b>Negative impact on neighbourhood amenity. Appeal of Council's decision on the draft LDP.</b>
Risk Theme	Failure to fulfil statutory regulations or compliance requirements Community Disruption Providing inaccurate advice/ information.
Risk Effect/Impact	Reputation Compliance
Risk Assessment Context	Strategic
Consequence	Moderate
Likelihood	Likely
Rating (before treatment)	High
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Work instructions in place and checklists used when assessing the application. Consideration of the application within the statutory limitations of the Local Planning Scheme. Liaising with the applicant throughout the application process.
Rating (after treatment)	Moderate

**COUNCIL DECISION**

102

**MOVED CR M KEARNEY**

**SECONDED CR S MILLS**

**That Council refuse the retrospective application for a Home Occupation – Wellness Centre on Lot 202 (No. 83) Banksia Road, Wellard on the following grounds;**

- (a) The use as proposed does not constitute a “home occupation” as defined in the City of Kwinana Local Planning Scheme No.2 as it occupies an area more than 20m<sup>2</sup> in area, and would give rise to traffic substantially beyond which is normal to the locality;**
- (b) The City does not have discretion to vary the maximum area of a home occupation use as stipulated in the definition of “home occupation”;**
- (c) The proposed use is more properly characterized as a “Health Studio”, being “a building designed and equipped for recreation and sporting activities”, which is not permitted in the Special Rural (SR15) zone.**
- (d) The proposed development is not considered to be consistent with the orderly and proper planning of the locality or the preservation of amenity of the locality.**

**15.4 REFUSAL OF RETROSPECTIVE HOME OCCUPATION – HEALTH STUDIO / WELLNESS CENTRE  
– LOT 202 (83) BANKSIA ROAD, WELLARD**

**Advice notes**

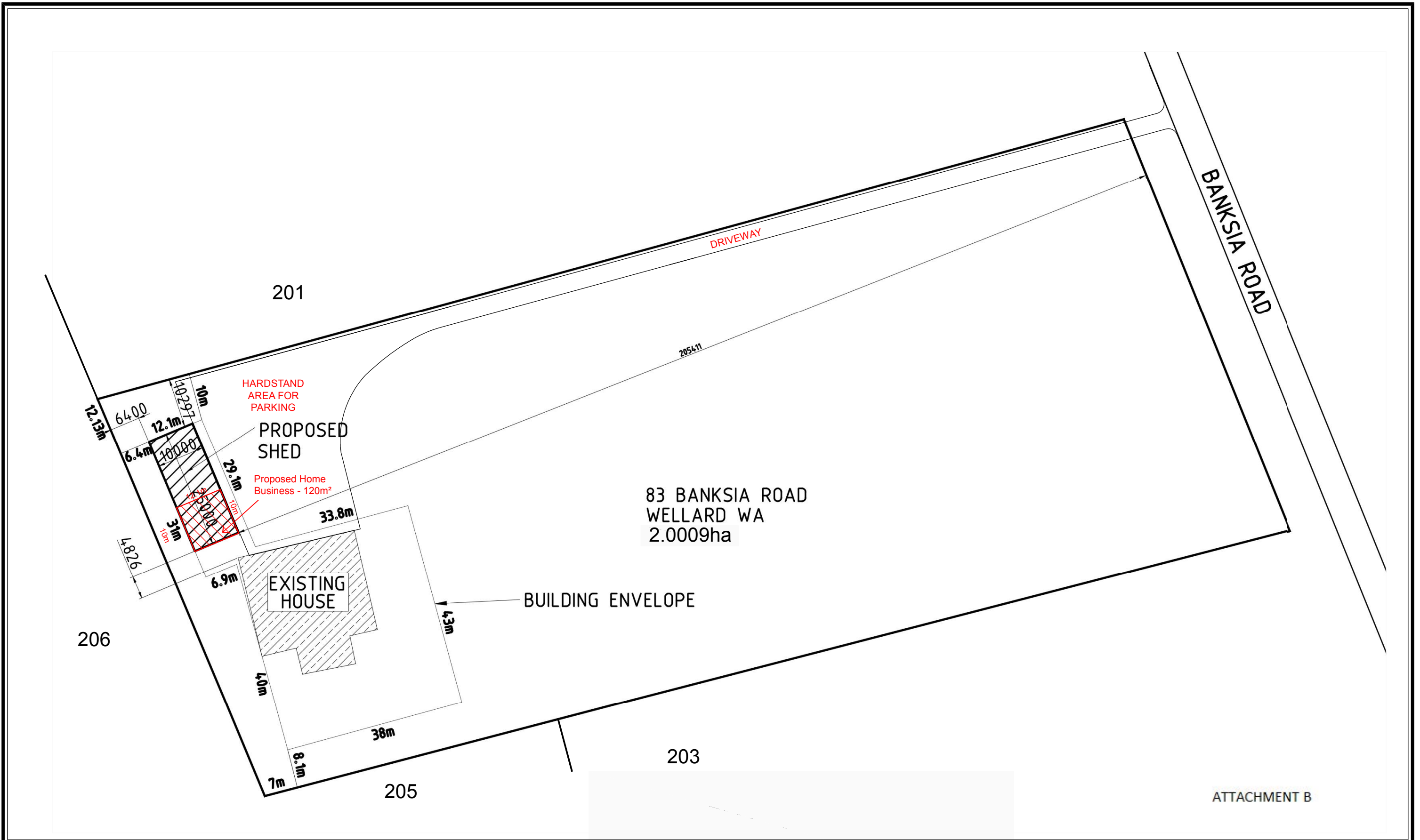
- 1. Should the applicant be aggrieved by the decision, then a right of review should be lodged with the State Administrative Tribunal within 28 days of the date of this decision.**

**CARRIED  
8/0**









ATTACHMENT B

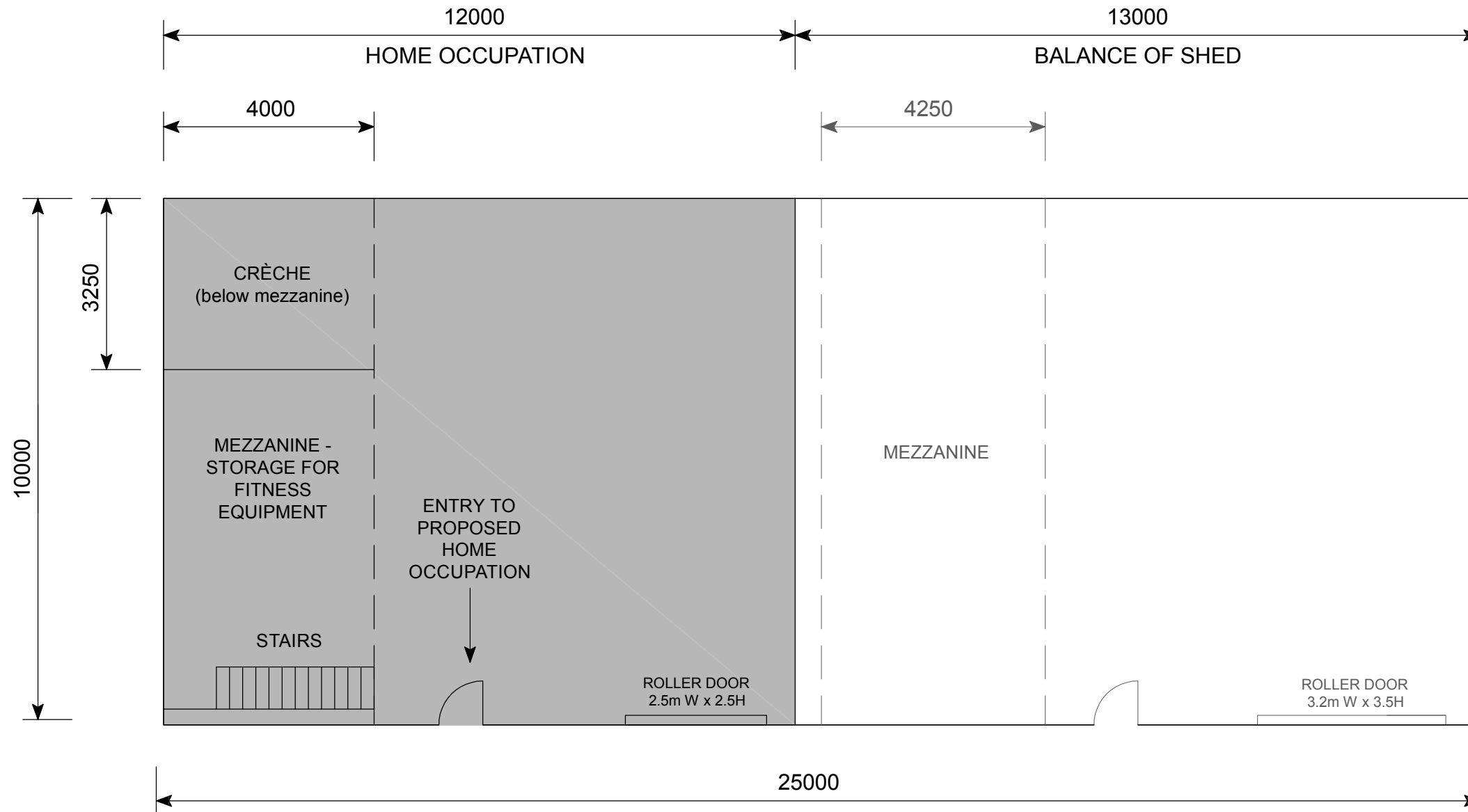
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<p>Base Mapping Prepared By Roys Steel</p>	<p>DATE: 18.08.2017</p>	<p>REV 1</p>			<p>LOT 202 (No. 83) BANKSIA ROAD WELLARD City of Kwinana</p>	



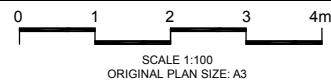
**ALTUS**  
PLANNING

Altus Planning  
68 Canning Highway  
South Perth WA 6151  
t. 9474 1449 m. 0400 069 037  
w. www.altusplan.com.au





ATTACHMENT C



Base Mapping Prepared  
By Roys Steel

DATE:  
18.09.2017

REV  
1



NORTH

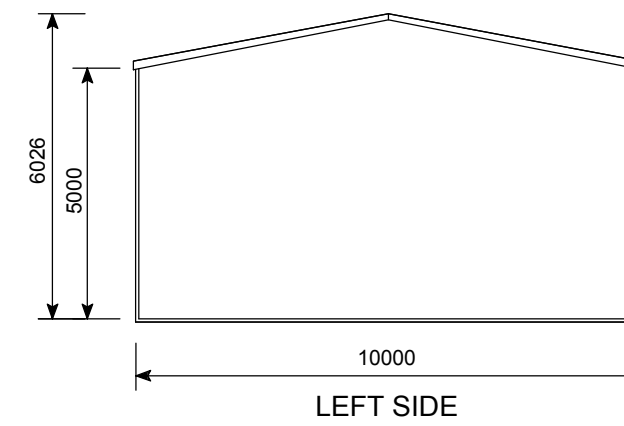
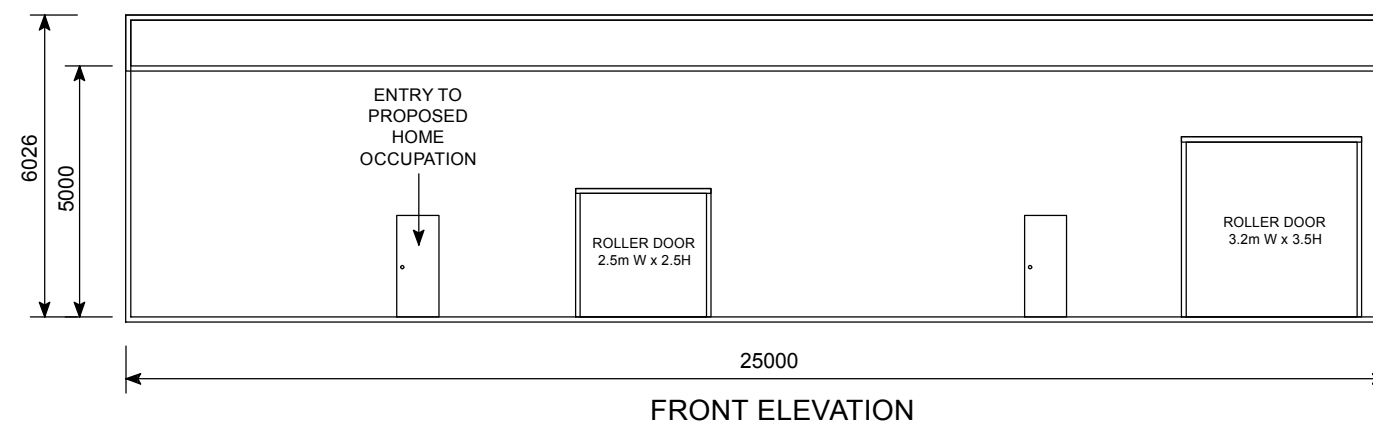
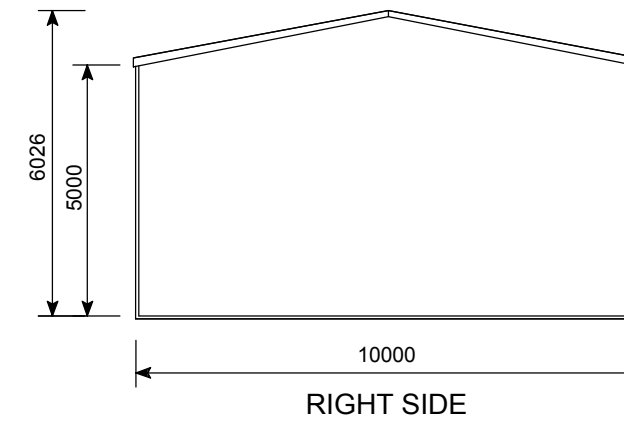
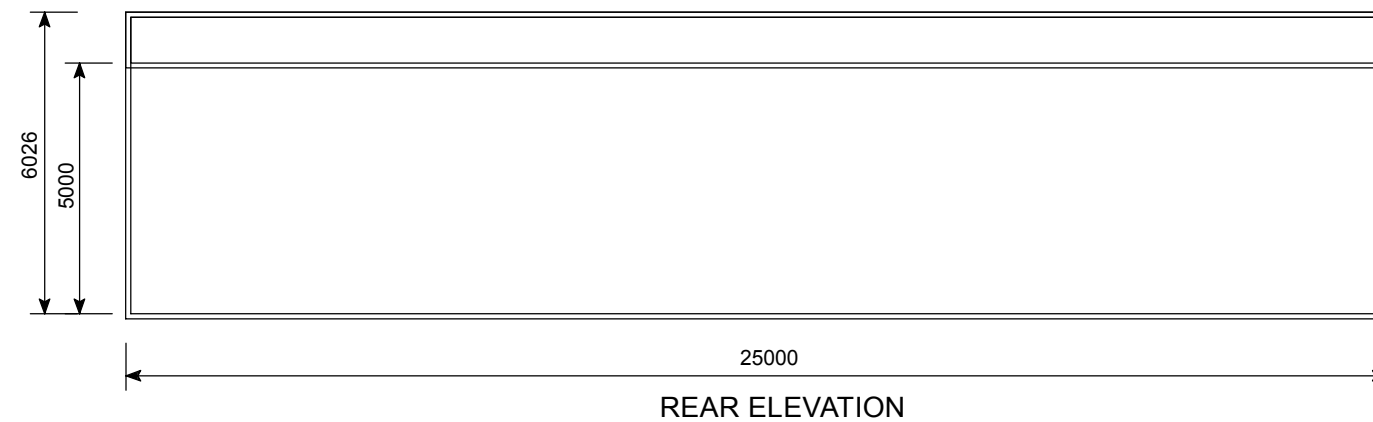
Altus Planning  
68 Canning Highway  
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NOTE: Areas and dimensions are subject to survey.

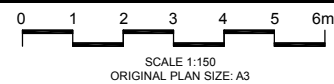
DISCLAIMER: This plan has been prepared under instruction of the client, Altus Planning bears no responsibility for any inaccuracies or errors.

## FLOOR PLAN

LOT 202 (No. 83) BANKSIA ROAD  
WELLARD  
City of Kwinana



ATTACHMENT D



Base Mapping Prepared  
By Roys Steel

DATE:  
18.09.2017

REV  
1



Altus Planning  
68 Canning Highway  
South Perth WA 6151  
t. 9474 1449 m. 0400 069 037  
w. www.altusplan.com.au

NOTE: Areas and dimensions are subject to survey.

DISCLAIMER: This plan has been prepared under instruction of the client, Altus Planning bears no responsibility for any inaccuracies or errors.

## ELEVATIONS

LOT 202 (No. 83) BANKSIA ROAD  
WELLARD  
City of Kwinana

## **15.5 Refusal of Retrospective Building Envelope Variation – Lot 202 (83) Banksia Road, Wellard**

### **DECLARATION OF INTEREST:**

There were no declarations of interest declared.

### **SUMMARY:**

A development application has been received for a retrospective Building Envelope Variation at Lot 202 (83) Banksia Road, Wellard ("subject land") (Refer Attachments A - F). The application proposes modifications to the Building Envelope to include a portion of the existing shed into the building envelope and also to allow space for a future awning. The application proposes a building envelope setback of 7.1 metres to the northern boundary, which is less than the minimum setback of 10m specified in the City's 'Development within Special Rural Zones Local Planning Policy' (Special Rural Zones LPP). A separate Council report has also been prepared for a retrospective planning application for a Health Studio in the subject shed by Fearwot Fitness.

In January 2016, the applicant requested a similar Building Envelope Variation to that currently proposed in order to construct a proposed shed. This application was advertised to surrounding landowners, with two objections being received. The application was subsequently amended to increase the setback adjacent to the objector's property to comply with the minimum setback specified under the City's Special Rural Zones LPP. The proponent subsequently obtained a Building Permit for the proposed shed and the shed was constructed between March and May 2016. The City's Compliance Officer undertook an investigation following the completion of the shed and discovered that the shed had not been constructed in accordance with the approved plans. The building had been constructed with a setback of approximately 7 metres to the northern boundary, in lieu of the 10 metre setback shown on the approved plans.

City Officers have assessed the proposed Building Envelope Variation and have advertised the application to the affected landowners, with two objections being received citing concerns regarding the loss of rural amenity, the distance between the shed and the resident's house, noise, light spill, loss of vegetation and the loading and parking of trucks in close proximity to the boundary. City Officers have considered these submissions and the proposed setback of the Building Envelope against the provisions of the Scheme and Special Rural Zones LPP and are not supportive of the proposal. The proposed setback of 7.1 metres to the northern boundary does not comply with the minimum setback of 10 metres specified in the City's Special Rural Zones LPP. City Officers hold concerns that should the application be supported, this will result in an unacceptable loss of amenity and privacy for adjoining rural residential residents as has been evidenced by the number of complaints received from adjacent landowners in respect to the use and development at 83 Banksia Road, Wellard. It is considered that the proposed setback of 7.1 metres is not in keeping with the purpose of the Special Rural setbacks. The proposed reduced setback will also set an undesirable precedent for other Special Rural properties should the City support the application.

City Officers recommend that Council refuse the retrospective development application for a Building Envelope Variation based on the reasons set out in the Officer Recommendation. Should Council refuse the application, the applicant may request Council reconsider the decision as per Clause 2.4.4 of the Scheme or the applicant may lodge an appeal with the State Administrative Tribunal.

**15.5 REFUSAL OF RETROSPECTIVE BUILDING ENVELOPE VARIATION – LOT 202 (83) BANKSIA ROAD, WELLARD**

**OFFICER RECOMMENDATION:**

That Council refuse the retrospective application for a Building Envelope Variation on Lot 202 (No. 83) Banksia Road, Wellard on the following grounds;

- (a) The proposed Building Envelope is setback less than the minimum setback specified under Clause 3.1 of the City's 'Development within Special Rural Zones Local Planning Policy';
- (b) The proposed Building Envelope Variation would have an adverse impact on the rural residential amenity of the locality, the privacy of adjoining residences and does not provide adequate separation between the Building Envelope and adjacent properties;
- (c) The proposed Building Envelope Variation is not consistent with the purpose of the Special Rural Zone.

Advice notes

1. Should the applicant be aggrieved by the decision, then a right of review should be lodged with the State Administrative Tribunal within 28 days of the date of this decision.

**DISCUSSION:**

A development application has been received for a building envelope variation at Lot 202 (83) Banksia Road, Wellard ("subject land") (Refer Attachment A - F). The application proposes modifications to the existing building envelope to add an additional section onto the building envelope to include the following:

- A portion of an existing shed (which is currently constructed outside the envelope);
- Additions to the building envelope for a future awning onto the existing shed and;
- Modification to the envelope to compensate for the proposed additional envelope area proposed.

Background

In January 2016, the City received an application for a Building Envelope Variation for the subject property. That application proposed amendments to the Building Envelope in order to construct a proposed shed in the north west corner of the property. The shed was proposed to be setback less than the minimum 10 metres specified under the policy for Special Rural Zones. The application was advertised to neighbouring landowners for submissions and two submissions were received objecting. The applicant subsequently revised the building envelope to increase the building envelope setback to comply with the minimum setback. The Building Envelope Variation was approved in February 2016 with a setback to the northern boundary of 10 metres to the closest point of the Building Envelope. In March 2016, the landowner received building approval for the construction of a 250m<sup>2</sup> shed on the property to be used for the storage of items in conjunction with the dwelling on the property. The plans submitted for the shed show a setback of 10 metres between the northern boundary and the closest corner of the shed.

### 15.5 REFUSAL OF RETROSPECTIVE BUILDING ENVELOPE VARIATION – LOT 202 (83) BANKSIA ROAD, WELLARD

In May 2016, the City's Compliance Officer undertook a site inspection of the subject property and discovered the shed had been constructed with a setback of approximately 7 metres to the northern boundary at its closest point. In January 2017, the City's Compliance Officer received an enquiry into the operation of a gym within the newly constructed shed on the subject land, and subsequently undertook an investigation into the use being carried out on the property. Upon further investigation, the City's Compliance and Planning Officers were able to determine that a business was being operated from the premises under the name of "Fearwot Fitness" offering group fitness and metafit classes in morning and afternoon sessions. The use of the shed is subject to a separate report on this agenda.

#### Site and surrounds

The subject site and the surrounding area is zoned Special Rural and is within the SR15 Zone. The subject site has been partially cleared and contains a dwelling, 250m<sup>2</sup> shed, driveways and associated vehicle parking areas, and a swimming pool. The swimming pool is currently not approved and is being considered by the City's Building Department. Earthworks have been undertaken on the eastern portion of the property. The City's Compliance Officer is investigating these works and there is currently no approval in place for these works to be carried out. The subject site is adjacent to a number of other Special Rural properties containing dwellings and other ancillary outbuildings.

#### Proposal

This application proposes to extend the approved building envelope to include additional areas towards the north west corner of the subject site. This portion of the site includes the 250m<sup>2</sup> shed, located in the corner of the lot. To the east of the shed is a sealed area of approximately 800m<sup>2</sup> which is used for car parking. Areas to the north and west of the existing shed are mostly cleared of vegetation and appear to be used for the storage of equipment and materials and the parking of a truck.

The applicant proposes a retrospective Building Envelope Variation including the following amendments to the approved Building Envelope:

- Additions to the building envelope to include a portion of the existing shed into the building envelope. This includes reducing the Building Envelope setback to the northern boundary from 10 metres to 7.1 metres;
- Additions to the building envelope to allow space for a future awning to be constructed onto the existing shed;
- Additions to the building envelope to the north of the existing dwelling to add a 1 metre strip onto the envelope;
- Removal of a 5 metre strip off the building envelope to the east of the existing dwelling to compensate for the proposed additions to the building envelope;
- Expands the size of the building envelope from 1990.2m<sup>2</sup> to 1995m<sup>2</sup>.



## 15.5 REFUSAL OF RETROSPECTIVE BUILDING ENVELOPE VARIATION – LOT 202 (83) BANKSIA ROAD, WELLARD

### Consultation

The proposal was advertised to the affected landowners inviting submissions within a 14 day period in accordance with Clause 6.3.4 of the Scheme and the provisions of the City's Special Rural Zones LPP. The City received two objections to the proposal. These objections cite concerns regarding the loss of rural amenity, the distance between the shed and the resident's house, noise, light spill, loss of vegetation and the loading and parking of trucks in close proximity to the boundary. A Schedule of Submissions is included in Attachment D.

### Assessment under Local Planning Scheme No.2

#### Land Status

Local Planning Scheme No. 2: Special Rural Zone No. 15  
Metropolitan Region Scheme: Rural

In the context of assessing the proposal against the requirements of LPS2, the Scheme specifies the following development standards for lots with Building Envelopes within the Special Rural Zone:

#### ***Building Envelopes***

- (g) *All buildings shall be constructed within the confines of the building envelope as shown on the Subdivision Guide Map.*

*Notwithstanding the provisions of this clause, Council may permit a variation in the requirements of the approved plan if it is shown to the satisfaction of Council at the time of application for planning approval that a proposed relocation of a building envelope is desirable or necessary.*

The City's Special Rural Zones LPP provides further guidance regarding how Building Envelope Variations should be considered. The policy provides the following provisions in relation to the size, location and setbacks of Building Envelopes:

- *Except for 'Marri Park' (Special Rural Zone No. 14), building envelopes should be of about 2000m<sup>2</sup> in area.*
- *When considering a request to vary building envelopes Council will have regard to the effect of such variation on the rural residential amenity of the locality, privacy of adjoining residences, existing vegetation, areas of landscape protection, bush fire protection and rural landscape proximity to drains, wetlands, the associated fringing vegetation and the need to maintain separation between areas of inundation and drains.*
- *Building envelopes shall not be defined or varied in location or dimension to the extent that their external border is less than 10 metres from side or rear lot boundaries or 15 metres from the front lot boundary.*

City Officers have considered the proposal against the provisions of the policy listed above. The proposed Building Envelope Variation will result in the Building Envelope being setback less than 10 metres from the northern (side) boundary of the lot. The Building Envelope is proposed to be setback 7.1 metres to the northern boundary at its closest point.

**15.5 REFUSAL OF RETROSPECTIVE BUILDING ENVELOPE VARIATION – LOT 202 (83) BANKSIA ROAD, WELLARD**

As the proposed variation does not comply with the minimum setback requirement for Building Envelopes set out in the policy, City Officers have also considered the proposal against the other policy provisions listed above. In relation to dot point 2, above, City Officers have considered the impact of the proposed variation. City Officers hold concerns regarding the impact of the reduced Building Envelope setback on the rural residential amenity of the locality and the privacy of adjoining residences. Should the City support the proposed setback, there is potential for an adverse effect on the rural residential amenity of the area.

It is considered that the proposed variation does not provide adequate separation between the Building Envelope and the northern boundary, and adjoining residents. The Building Envelope is proposed to be setback 7.1 metres from this boundary, with an existing shed constructed on the boundary of the Building Envelope. The proponent also proposes the construction of an 18 x 10 metre awning onto the existing shed, which will result in greater building bulk in close proximity to the boundary. The City has also received two objections to the proposal. These objections raise concerns regarding the following:

- The separation between the Building Envelope and the submitter's home;
- Concerns regarding the parking of trucks near the property boundary; and
- Noise and light spill from activities in and near to the existing shed, which are impacting on the objector's privacy.

City Officers have considered these submissions and consider the concerns regarding the privacy of the neighbouring property to the north are valid. These are discussed as part of City Officer's consideration below.

City Officers have also considered the size of the proposed Building Envelope. The envelope proposed has a total area of 1995m<sup>2</sup>, less than the 2000m<sup>2</sup> stated for Special Rural lots (except for those in Marri Park). In order to comply with this requirement, the proponent has needed to remove part of the existing Building Envelope in order to ensure the total area is less than 2000m<sup>2</sup>. This has resulted in an area of lawn, to the east of the existing dwelling being removed from the envelope to allow for the expansion of the envelope to the north of the property. Extensive areas of lawn have already been developed outside the existing Building Envelope and the proposal would result in additional areas of lawn being located outside the existing envelope. The City's Special Rural Zones LPP Clause 3.2 states that all gardens and orchards are to be located wholly within the Building Envelope. Should the City support the proposed variation, this would result in additional areas of gardens being located outside the envelope, which is at variance to Clause 3.2 of the Special Rural Zones LPP.

The proposed variation has also been considered against the provisions of the Scheme relating to the City exercising discretion to modify development standards. Clause 6.2 of the Scheme states:

**15.5 REFUSAL OF RETROSPECTIVE BUILDING ENVELOPE VARIATION – LOT 202 (83) BANKSIA ROAD, WELLARD****6.2 DISCRETION TO MODIFY DEVELOPMENT STANDARDS**

*If a development, other than a residential development, the subject of an application for Planning Approval, does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this clause may only be exercised if the Council is satisfied that:-*

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenity of the locality;*
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and*
- (c) the spirit and purpose of the requirement or standard will not be unreasonably departed from thereby.*

City Officers have considered the implications of the proposed variation on the amenity of the locality and the impacts of approving the development on the surrounds based on the objections received. City Officers have also assessed the outlined proposal in the context of the purpose of the Building Envelope setbacks outlined in Clause 6.2 (c) of the Scheme above.

The Special Rural Zone is intended to facilitate low density residential development in a rural setting. Development Standards, such as Building Envelopes, restrictions on the clearing of native vegetation and large setbacks are adopted for Special Rural Zones. These development standards aim to limit development on Special Rural lots to a specific building envelope on the property, which is well setback from the boundaries of the property, and other adjacent dwellings. The remainder of the lot (areas outside the Building Envelope) are not permitted to be developed or cleared and these areas provide necessary separation between dwellings on adjacent lots.

It is considered that the proposed variation does not provide adequate separation between the Building Envelope and the northern boundary, and adjoining residents consistent with the development standards for the Special Rural Zone. The Building Envelope is proposed to be setback 7.1 metres from the northern boundary which will result in building bulk and the carrying out of activities related to the shed being carried out in close proximity to the boundary. City Officers do not consider the approval of the proposed setback to be in keeping with the purpose of requiring Building Envelopes, in addition the two objections to the proposal raise concerns regarding noise and light spill, suggesting that the rural residential amenity of the area has already been adversely affected by the encroachment.

**15.5 REFUSAL OF RETROSPECTIVE BUILDING ENVELOPE VARIATION – LOT 202 (83) BANKSIA ROAD, WELLARD**

In conclusion, City Officers do not consider the proposed Building Envelope Variation should be supported. The application does not comply with the minimum setback requirements for Building Envelopes within the Special Rural Zone. The proposal would also result in additional areas of garden being located outside the Building Envelope, which is not permitted by the City's Special Rural Zones LPP. The City advertised the proposed Building Envelope Variation to the affected landowners, and objections were received. City Officers hold concerns that should the application be supported, this will result in an unacceptable loss of amenity and privacy for adjoining rural residential residents. It is considered that the proposed setback of 7.1 metres is not in keeping with the spirit and purpose of the Special Rural setbacks. In this instance, City Officers believe supporting the proposed reduced setback, without adequate justification and given valid objections have been received, will set an undesirable precedent for other Special Rural properties.

City Officers recommend that Council refuse the retrospective development application for a Building Envelope Variation based on the reasons set out in the Officer Recommendation.

**LEGAL/POLICY IMPLICATIONS:**

For the purpose of Councillors considering a financial or impartiality interest only, the landowners are Shane Lehman and Jodie Caverzan.

**Legislation**

*Planning and Development Act 2005;*  
Metropolitan Region Scheme;  
City of Kwinana Local Planning Scheme No. 2;  
Development within Special Rural Zones Local Planning Policy

**FINANCIAL/BUDGET IMPLICATIONS:**

Should the applicant choose to appeal Council's decision to the State Administrative Tribunal there would be a cost associated with engaging the City's solicitors in the process.

**ASSET MANAGEMENT IMPLICATIONS:**

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

**ENVIRONMENTAL IMPLICATIONS:**

There are no environmental implications as a result of this application.

### 15.5 REFUSAL OF RETROSPECTIVE BUILDING ENVELOPE VARIATION – LOT 202 (83) BANKSIA ROAD, WELLARD

#### STRATEGIC/SOCIAL IMPLICATIONS:

City Officers consider all applications for Building Envelope Variations against the Scheme and relevant policy framework. Whilst the Scheme allows the City to consider some variations to the required building envelope setbacks, City Officers only support such applications where the proposal is justified against the applicable criteria. City Officers hold concerns that should the City approve the application this may well set an undesirable precedent for future applications which do not comply with the minimum setback requirements and are not supported by adequate justification.

Plan	Objective	Strategy
Corporate Business Plan	10.1 Planning	10.1.1 To implement the long term strategic land use planning for the social, economic and environmental wellbeing of the City

#### RISK IMPLICATIONS:

Council approves development under the Local Planning Scheme to meet its statutory obligations and facilitate proper and orderly planning and development of the municipality, in accordance with the objectives of the Strategic Plan. Development approvals, Scheme amendments, subdivision and structure plans allow land use to change over time, in order to meet Council and State Government policies and practices, community values and provide protection to the environment.

Council are advised that any decision made is subject to appeal rights to the State Administrative Tribunal. The applicant may also request reconsideration by Council as per Clause 2.4.4 of Local Planning Scheme No. 2.

Risk Event	Negative impact on neighbourhood amenity.
Risk Theme	Failure to fulfil statutory regulations or compliance requirements Business and Community Disruption
Risk Effect/Impact	Reputation Compliance
Risk Assessment Context	Strategic
Consequence	Moderate



**15.5 REFUSAL OF RETROSPECTIVE BUILDING ENVELOPE VARIATION – LOT 202 (83) BANKSIA ROAD, WELLARD**

Likelihood	Likely
Rating (before treatment)	High
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Work instructions in place and checklists used when assessing the application. Consideration of the application within the statutory limitations of the Local Planning Scheme. Liaising with the applicant throughout the application process.
Rating (after treatment)	Moderate

**COUNCIL DECISION****103****MOVED CR M KEARNEY****SECONDED CR M ROWSE**

**That Council refuse the retrospective application for a Building Envelope Variation on Lot 202 (No. 83) Banksia Road, Wellard on the following grounds;**

- (a) The proposed Building Envelope is setback less than the minimum setback specified under Clause 3.1 of the City's 'Development within Special Rural Zones Local Planning Policy';**
- (b) The proposed Building Envelope Variation would have an adverse impact on the rural residential amenity of the locality, the privacy of adjoining residences and does not provide adequate separation between the Building Envelope and adjacent properties;**
- (d) The proposed Building Envelope Variation is not consistent with the purpose of the Special Rural Zone.**

**Advice notes**

- 1. Should the applicant be aggrieved by the decision, then a right of review should be lodged with the State Administrative Tribunal within 28 days of the date of this decision.**

**CARRIED**  
**7/1**





Attachment A - Location Plan

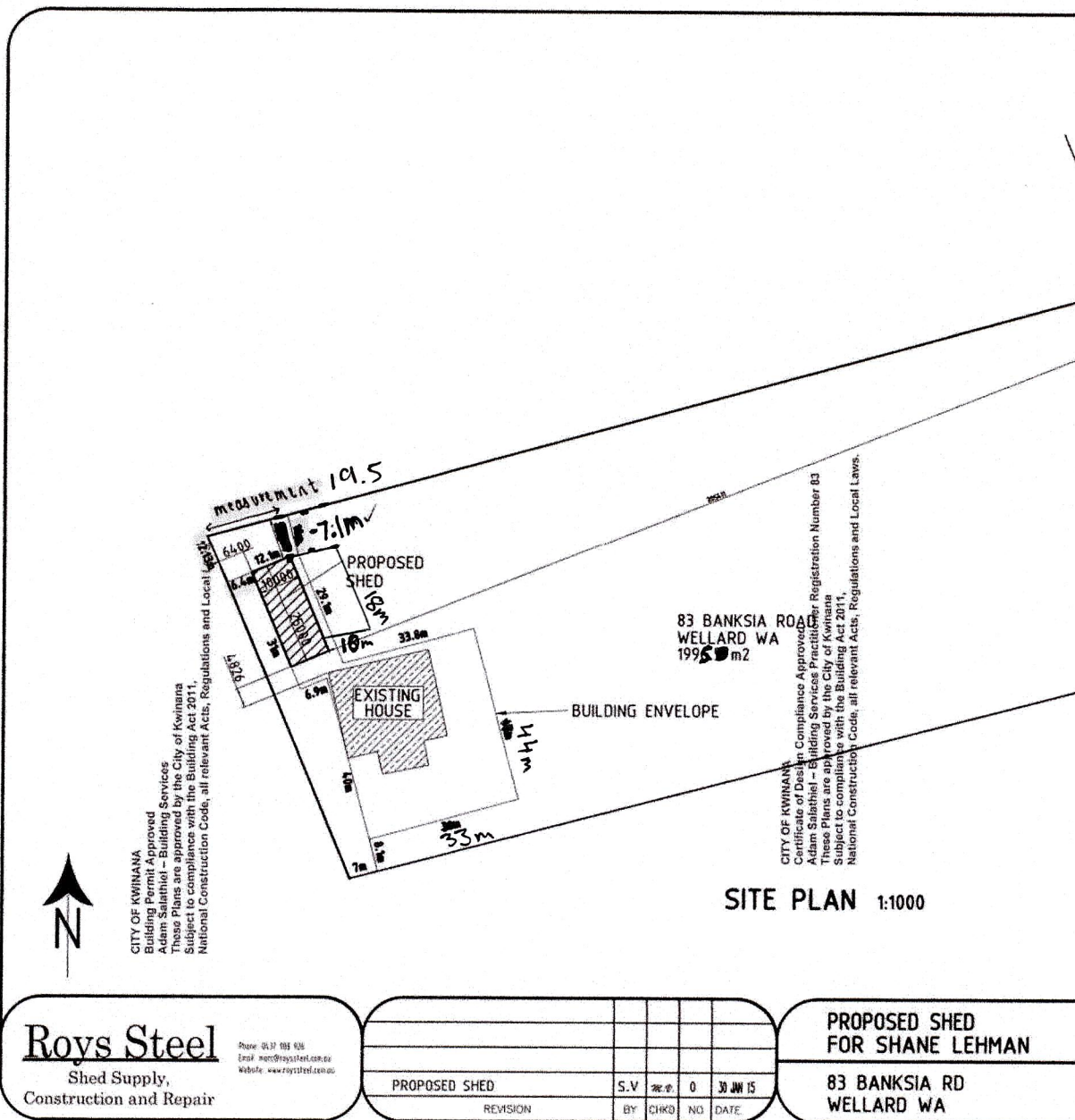




Attachment B - Site  
Plan



**Attachment C -  
Proposed Building  
Envelope**



**SCHEDULE OF SUBMISSIONS**  
**ATTACHMENT D – DA9012 – Proposed Building Envelope Variation**

	<b>Submitter</b>	<b>Overall object / support / neutral</b>	<b>Summary of Submission</b>	<b>City response</b>
1.	Resident A	Object	<p>Object to the proposal on the following grounds.</p> <ol style="list-style-type: none"> <li>1. There is no need to apply for an amendment to the building envelope as the owners, whether permission is granted or not, shall put up their extension/awning come what may as they have done in the past and they will try to utilise every legal step or loophole to get what they wanted in the first place. I believe they work on the theory that once something is done, it is too hard to have it undone.</li> <li>2. If you look very carefully at their block you will notice that they have already moved their building envelope and it now comprises all within their northern, southern, eastern and western boundaries. I think this was achieved with Council's blessing.</li> </ol> <p>Their application is, I believe a fait accompli.</p> <p>Two wrongs don't make a right.</p>	<p>Noted.</p> <p>A Building Envelope Variation is required to approve the portion of the existing shed which is currently located outside the existing envelope and for the proposed awning.</p> <p>The City has approved variations to the minimum setback to the building envelope to the southern and western boundaries of the subject property. The application was advertised to all affected neighbouring landowners and the City received no objection from either the southern or western neighbours to the reduced setbacks. These were approved as part of the Building Envelope Variation submitted in January 2016.</p>
2.	Resident B	Object	<p>Strongly object to this variation for the same reasons I objected to the building envelope variation in January 2016.</p> <p>By moving the envelope yet again, it brings the shed awning even closer. Don't we have any rights at all? We</p>	<p>Noted.</p> <p>City Officers consider that the proposed awning is proposed to be constructed in close proximity to the neighbouring property. City Officers have sought</p>

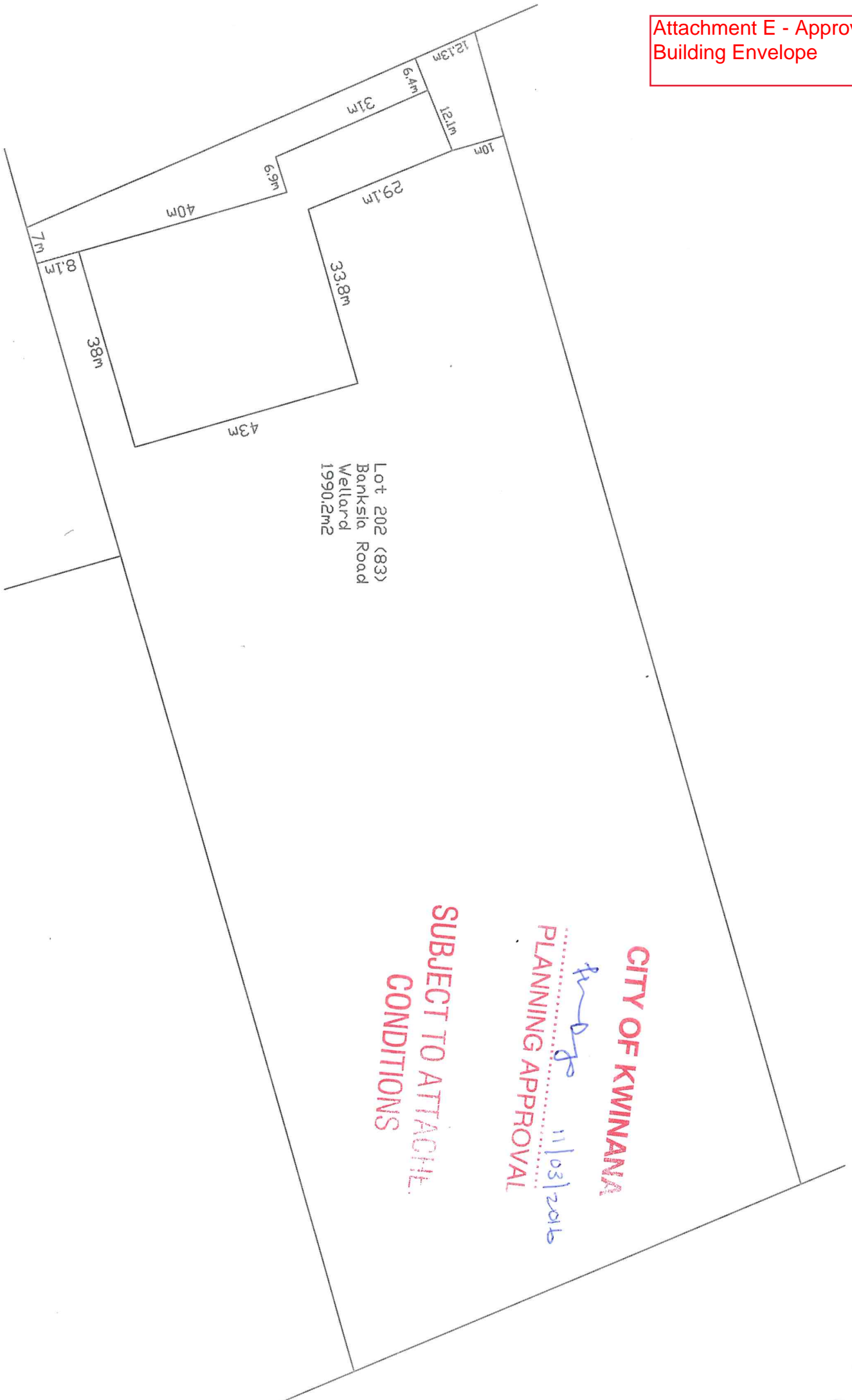


**SCHEDULE OF SUBMISSIONS**  
**ATTACHMENT D – DA9012 – Proposed Building Envelope Variation**

	<b>Submitter</b>	<b>Overall object / support / neutral</b>	<b>Summary of Submission</b>	<b>City response</b>
			<p>have had no consideration from Council at all in this matter.</p> <p>What is the awning for? We are still waiting for clarification.</p> <p>If it is intended for parking, what vehicles do they intend to park?</p> <p>We have trucks parked hard up against the boundary fence in the fire break. These trucks often start up in the early hours of the morning and idle for quite a while before taking off. If things are being loaded onto the trucks, we have reverse beepers and all manner of clanging and banging. Our bedrooms are on this side of our house.</p> <p>Advises that the gym is operating and there are 5 – 6 cars parked there for the gym on a regular basis.</p> <p>These people are moving their business closer and closer to us. If we complain we are told to plant trees to screen them out. We plant trees all the time but it takes a while for the trees to grow. We have had to make a screen to block out the lights from their shed which are left on all night. These lights shine directly into our horse yards and blind the horses and they shine into our house. Council has been informed of this previously.</p>	<p>further information from the proponent regarding the use of the proposed awning who has stated that the awning is intended to keep the weather out of the shed when the roller doors are open. City Officers do not consider an awning of this size, constructed on the eastern side of the shed, is necessary to prevent weather entering the shed.</p> <p>City Officers note concerns regarding truck parking and movements on the property. City Officers note that there are currently no approvals in place for truck parking at the subject property. The City's Compliance Officer is investigating these matters.</p> <p>City Officers note concerns regarding the light spill and noise into the submitter's property and do not consider the setback of the building envelope proposed as part of this variation is acceptable to provide adequate separation between the two properties.</p>

SCHEDULE OF SUBMISSIONS  
ATTACHMENT D – DA9012 – Proposed Building Envelope Variation

	Submitter	Overall object / support / neutral	Summary of Submission	City response



**CITY OF KWINANA**

*fr dgo*  
11/03/2016  
PLANNING APPROVAL

**SUBJECT TO ATTACHE  
CONDITIONS**



Area proposed to be included within Building Envelope

Portion of Building Envelope to be removed

Approved Building Envelope

Proposed alterations to Building Envelope





## 16 Reports – Civic Leadership

### 16.1 Acknowledgment for Fireworks Event Notice Perth Motorplex Kwinana Beach, Kwinana Fireworks Display – Monster Trucks – Saturday, 10 March 2018

#### DECLARATION OF INTEREST:

There were no declarations of interest declared.

#### SUMMARY:

An application to hold a fireworks display at Perth Motorplex (Kwinana Beach) was received on 8 February 2018 from Cardile International Fireworks Pty Ltd. The fireworks display is supporting the motor racing event on Saturday 10 March 2018 during the hours of 8:00pm - 9:30pm (preferred hours). Small theatrical displays will occur from 8pm onwards, with the main display commencing at approximately 9pm for a total duration of 10 minutes.

The application is referred to Council due to delegated authority matters relating to the *Dangerous Goods Safety Act 2004 (the Act)* as advised by the City's Lawyers and Governance Services.

The applicant is seeking acknowledgement from the local government to hold the fireworks display events as part of the requirement under the Act and its subsidiary regulations in order to lodge an application with the Department of Mines, Industry Regulation and Safety (DMIRS) – the approving agency.

#### OFFICER RECOMMENDATION:

That Council:

1. Authorise the Chief Executive Officer to sign the Fireworks Event Notice (Attachment A) from Cardile International Fireworks Pty Ltd for the Kwinana Fireworks Display – Monster Trucks, on behalf of the City of Kwinana (the Local Government);
2. Authorise the Chief Executive Officer to sign the Letter of Acknowledgement (Attachment B) to Cardile International Fireworks Pty Ltd for the Kwinana Fireworks Display – Monster Trucks, on behalf of the City of Kwinana (the Local Government) subject to the following conditions:
  - a. That the fireworks display complies with the Safe Use of Outdoor Fireworks in Western Australia Code of Practice;
  - b. That the Fireworks Display Risk Assessment Checklist and Emergency Management Plan shall be adhered to at all times.
  - c. That the prescribed separation distances between buildings and patrons are strictly in accordance with the Australian Standard 2187.4:1998 Explosives-Storage, Transport and Use Part 4 Pyrotechnics-Outdoor Displays and shall be adhered to at all times;



**16.1 ACKNOWLEDGMENT FOR FIREWORKS EVENT NOTICE PERTH MOTORPLEX KWINANA BEACH, KWINANA FIREWORKS DISPLAY – MONSTER TRUCKS – SATURDAY, 10 MARCH 2018**

- d. That the separation between spectators including the general public be marked off as a “No Entry” area and be properly supervised by personnel to ensure no person is exposed to undue risk and potential harm from projectiles;
  - e. That the “Fall Out’ zone is a non-contact area and there is no risk of harm from pyrotechnic residue to spectators, general public, temporary and permanent structures and buildings;
  - f. That noise sensitive premises within 500 metres of the event are notified, giving details of date, time and duration, seven (7) days prior to the event;
  - g. That during the period of fireworks display a minimum of 700 litres of water for fire fighting purposes shall be available on site on a mobile fire fighting vehicle;
  - h. That a thorough inspection must be conducted at first light the following day to check that no unfired fireworks, hazardous debris or rubbish remain; and
  - i. That any verbal or written directions of a FESA Officer, Police Officer or an Environmental Health Officer are forthwith adhered to in the interests of public health and safety.
3. Authorise the Chief Executive Officer to sign the Fireworks Event Notice from Cardile International Fireworks Pty Ltd for the Kwinana Fireworks Display - Monster Trucks and Letter of Acknowledgment on behalf of the City of Kwinana (the Local Government) where the event is rescheduled to another date and time due to inclement weather.

**DISCUSSION:**

The Perth Motorplex venue generally holds up to five approved fireworks events each motor racing season between October and April. There have been no reported incidences of impact on spectators or surrounding properties from previously approved firework events. The previous firework events have been contracted to various licensed firework contractors including the current applicant. As such the fireworks display is considered to be well managed.

The DMIRS prescribed form – Fireworks Event Notice submitted by an applicant does not seek approval from the local government but an acknowledgement or objection. Part 3 of this form requests an authorised delegate or the Chief Executive Officer of the local government to acknowledge or state an objection to the fireworks event.

Based on legal advice provided by the City's Lawyers McLeods and the City's Governance Services there appears to be no provision within the *Dangerous Goods Safety Act 2004*, subsidiary Regulations or the *Local Government Act 1995* for local government to provide this acknowledgement or objection to the event under delegation.

**16.1 ACKNOWLEDGMENT FOR FIREWORKS EVENT NOTICE PERTH MOTORPLEX KWINANA BEACH, KWINANA FIREWORKS DISPLAY – MONSTER TRUCKS – SATURDAY, 10 MARCH 2018**

**LEGAL/POLICY IMPLICATIONS:**

For the purpose of Councillors considering a financial or impartiality interest only, the proponent is Robert Cardile of Cardile International Fireworks Pty Ltd and WA Sports Centre Trust is the current owner.

Relevant legislation applicable to this item.

***Dangerous Goods Safety (Explosives) Regulations 2007***

*S148(2)(c) states that:*

*Before the holder of a fireworks contractor licence can apply for a fireworks event permit, the holder must sign a fireworks event notice and give it to the following –*

- (a) the local government of the district in which the event will occur;*

*The Dangerous Goods Safety (Explosives) Regulations 2007 S148(6) states that:*

- (6) On receiving a fireworks event notice, a local government may give the holder a written response that –*

- (a) agrees to the proposed event; or*
- (b) objects to it unless certain conditions specified in the response are met; or*
- (c) objects to it on the grounds that the local government considers the event -*
  - (i) is not in the public interest; or*
  - (ii) will cause danger to the public or unintended damage to any property or to the environment.*

**FINANCIAL/BUDGET IMPLICATIONS:**

There are no financial implications associated with this report.

**ASSET MANAGEMENT IMPLICATIONS:**

There are no asset management implications associated with this report.

**ENVIRONMENTAL IMPLICATIONS:**

Fireworks displays are to be conducted in accordance with Safe Use of Outdoor Fireworks in Western Australia Code of Practice;

**16.1 ACKNOWLEDGMENT FOR FIREWORKS EVENT NOTICE PERTH MOTORPLEX KWINANA BEACH, KWINANA FIREWORKS DISPLAY – MONSTER TRUCKS – SATURDAY, 10 MARCH 2018**

**STRATEGIC/SOCIAL IMPLICATIONS:**

<b>Plan</b>	<b>Objective</b>	<b>Strategy</b>
Corporate Business Plan 2017-2022  Regulatory and Legal	Plan 6.8 - Provide services and advice to the community and all stakeholders to comply with statutory obligations to achieve a healthy community and environment	Environmental Health Team Business

**COMMUNITY ENGAGEMENT:**

Community Engagement was not required for this report.

**RISK IMPLICATIONS:**

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

<b>Risk Event</b>	<b>Potential harm to persons, environment and property</b>
Risk Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Effect/Impact	People/Health/Environment
Risk Assessment Context	Operational
Consequence	Major
Likelihood	Possible
Rating (before treatment)	Extreme
Risk Treatment in place	Reduce - mitigate risk Prepare Contingency Plans - in the event the risk occurs
Response to risk treatment required/in place	Strict adherence to Fireworks Display Risk Assessment Checklist and Emergency Management Plan submitted by Cardile International Fireworks Pty Ltd and the Western Australian Outdoor Fireworks Code of Practice shall minimise any risk exposure to operational staff, spectators, properties and environment in general.
Rating (after treatment)	Medium – Low

16.1 ACKNOWLEDGMENT FOR FIREWORKS EVENT NOTICE PERTH MOTORPLEX KWINANA BEACH, KWINANA FIREWORKS DISPLAY – MONSTER TRUCKS – SATURDAY, 10 MARCH 2018

**COUNCIL DECISION**

104

**MOVED CR S LEE**

**SECONDED CR D WOOD**

**That Council:**

- 1. Authorise the Chief Executive Officer to sign the Fireworks Event Notice (Attachment A) from Cardile International Fireworks Pty Ltd for the Kwinana Fireworks Display – Monster Trucks, on behalf of the City of Kwinana (the Local Government);**
- 2. Authorise the Chief Executive Officer to sign the Letter of Acknowledgement (Attachment B) to Cardile International Fireworks Pty Ltd for the Kwinana Fireworks Display – Monster Trucks, on behalf of the City of Kwinana (the Local Government) subject to the following conditions:**
  - a. That the fireworks display complies with the Safe Use of Outdoor Fireworks in Western Australia Code of Practice;**
  - b. That the Fireworks Display Risk Assessment Checklist and Emergency Management Plan shall be adhered to at all times.**
  - c. That the prescribed separation distances between buildings and patrons are strictly in accordance with the Australian Standard 2187-4:1998 Explosives-Storage, Transport and Use Part 4 Pyrotechnics-Outdoor Displays and shall be adhered to at all times;**
  - d. That the separation between spectators including the general public be marked off as a “No Entry” area and be properly supervised by personnel to ensure no person is exposed to undue risk and potential harm from projectiles;**
  - e. That the “Fall Out’ zone is a non-contact area and there is no risk of harm from pyrotechnic residue to spectators, general public, temporary and permanent structures and buildings;**
  - f. That noise sensitive premises within 500 metres of the event are notified, giving details of date, time and duration, seven (7) days prior to the event;**
  - g. That during the period of fireworks display a minimum of 700 litres of water for fire fighting purposes shall be available on site on a mobile fire fighting vehicle;**
  - h. That a thorough inspection must be conducted at first light the following day to check that no unfired fireworks, hazardous debris or rubbish remain; and**
  - i. That any verbal or written directions of a FESA Officer, Police Officer or an Environmental Health Officer are forthwith adhered to in the interests of public health and safety.**

*16.1 ACKNOWLEDGMENT FOR FIREWORKS EVENT NOTICE PERTH MOTORPLEX KWINANA BEACH, KWINANA FIREWORKS DISPLAY – MONSTER TRUCKS – SATURDAY, 10 MARCH 2018*

- 3. Authorise the Chief Executive Officer to sign the Fireworks Event Notice from Cardile International Fireworks Pty Ltd for the Kwinana Fireworks Display - Monster Trucks and Letter of Acknowledgment on behalf of the City of Kwinana (the Local Government) where the event is rescheduled to another date and time due to inclement weather.**

**CARRIED BY AN ABSOLUTE MAJORITY**

**8/0**



## **16.2 Submission on the Waste Avoidance and Resource Recovery Strategy Consultation Paper**

### **DECLARATION OF INTEREST:**

There were no declarations of interest declared.

### **SUMMARY:**

A submission (the Submission) has been drafted in response to the Waste Authority's call for submissions on the Waste Avoidance and Resource Recovery (WARR) Strategy Consultation Paper. The submission is required by 1 March 2018.

The new WARR Strategy will replace the current Western Australian Waste Strategy (Waste Strategy) adopted in 2012 and aims to provide renewed direction for Western Australian local governments including the City of Kwinana in relation to waste avoidance and resource recovery. It is therefore important that the City provides a submission on the consultation paper.

### **OFFICER RECOMMENDATION:**

That Council endorse the Submission on the Waste Avoidance and Resource Recovery Strategy Consultation Paper (as per Attachment A) for delivery to the Waste Authority by 1 March 2018.

### **DISCUSSION:**

The current Waste Strategy has set a target of 65% of metropolitan municipal solid waste to be diverted from landfill by 2020. This has influenced the recommendations and actions detailed in the City of Kwinana Waste Management Strategy (Kwinana WMS) adopted in 2017.

As per the recommendations of the Kwinana WMS, the City has maintained a waste supply agreement with a waste to energy provider. Once operational, it has the potential to ensure that the City of Kwinana is able to exceed the 65% waste diversion target.

It is therefore important that the City provides comment to the Waste Authority, most importantly with the aim of ensuring that a new WARR Strategy does not negatively impact on existing contractual commitments.

The October 2016 Auditor General's Report on the current Waste Strategy, determined that all four targets set for 2015 were not met and that the 2020 targets are also unlikely to be realised. Some of the matters raised in the report such as the lack of clarity in agency roles leading to poor planning, reporting and delays in funding; incomplete data used for planning and monitoring; and limited guidance continue to have an impact on the City being able to assist the Waste Authority in achieving the targets.

Accordingly, the Submission on behalf of the City of Kwinana, supports the in-depth submission provided by the Western Australian Local Government Association (WALGA) on behalf of all local governments (see Attachment B) and provides comment and recommendations that explain the City's position with the aim of improving the performance of the WARR Strategy going forward.

## 16.2 SUBMISSION ON THE WASTE AVOIDANCE AND RESOURCE RECOVERY STRATEGY CONSULTATION PAPER

The main points of the Submission are in relation to:

- Consideration for existing contractual commitments
- Funding for implementation of WARR improvements
- Improvements to the grant process
- Re-distribution of waste levy for implementation of WARR programs and improvements
- Removing barriers and restrictions
- Improvement of synergies between the Waste Authority and other Departments of the Department of Water and Environmental Regulation (DWER)
- Establishment of well-researched and clear targets
- Defining order and relationships between Principles, Foundations, Opportunities for Improvement and the Objectives
- The Waste Hierarchy
- Better Practice Guidance
- The Circular Economy
- Support for new technologies
- Facilitating the reuse or recycling of glass bottles

### **LEGAL/POLICY IMPLICATIONS:**

*Waste Avoidance and Resource Recovery Act 2007*  
*City of Kwinana Waste Management Strategy*

### **FINANCIAL/BUDGET IMPLICATIONS:**

There are no direct financial implications related to providing the Submission.

### **ASSET MANAGEMENT IMPLICATIONS:**

There are no asset management implications related to this item.

### **ENVIRONMENTAL IMPLICATIONS:**

The Submission has been drafted with the aim of improving waste avoidance and resource recovery practices in Western Australia through the WARR Strategy. The final strategy could impact on the City's waste minimisation initiatives.

### **STRATEGIC/SOCIAL IMPLICATIONS:**

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

**16.2 SUBMISSION ON THE WASTE AVOIDANCE AND RESOURCE RECOVERY STRATEGY CONSULTATION PAPER**

<b>Plan</b>	<b>Objective</b>	<b>Strategy</b>
Corporate Business Plan 2017-2022	6.1 Encourage waste minimisation, recovery and recycling as well as ensure appropriate disposal and reuse.	Strategic Waste Management Plan

**COMMUNITY ENGAGEMENT:**

Community Engagement was not required for this report.

**RISK IMPLICATIONS:**

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

Risk Event	The Waste Authority adopt a WARR Strategy which has a detrimental impact on the actions of the City of Kwinana Waste Management Strategy.
Risk Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Effect/Impact	Financial Environment Compliance
Risk Assessment Context	Strategic
Consequence	Moderate
Likelihood	Possible
Rating (before treatment)	Moderate
Risk Treatment in place	Avoid - remove cause of risk
Response to risk treatment required/in place	Ensure that the Waste Authority are aware of concerns regarding the proposed new WARR Strategy.
Rating (after treatment)	Moderate

**COUNCIL DECISION**

105

**MOVED CR W COOPER**

**SECONDED CR M ROWSE**

**That Council endorse the Submission on the Waste Avoidance and Resource Recovery Strategy Consultation Paper (as per Attachment A) for delivery to the Waste Authority by 1 March 2018.**

**CARRIED  
8/0**

# Draft Submission - Waste Avoidance and Resource Recovery Strategy Consultation Paper

Closing Date: 1 March 2018

The City of Kwinana (the City) is the second fastest growing metropolitan local government in Western Australia, facilitating waste and recycling services for its 40,000+ residents and commercial businesses. The City supports the submission prepared by WALGA and provides the following additional comments: -

In preparing the Waste Avoidance and Resource Recovery (WARR) Strategy, consideration must be given to the findings of the Auditor General's Report of October 2016 on the current Waste Strategy, which highlighted that none of the targets have been met and identified potential improvements in order to drive the new WARR Strategy objectives and targets.

The WARR Strategy must take into account the following issues that affect the City and local governments in general.

- Consideration for existing contractual commitments – The City of Kwinana with the aim of increasing diversion from landfill has entered into a long term contract to supply its waste for conversion to energy. Any changes to the strategy must factor in these long term commitments, which were in accordance with the requirements of meeting the current Waste Strategy diversion target of 65% waste diversion by 2020.
- Funding for implementation of WARR improvements – If new waste initiatives and measures proposed by the City meet the funding requirements of the Waste Authority and will assist in the State achieving its targets, it is recommended that the Authority provide an appropriate level of funding to support such initiatives and measures. As an example – as part of the Better Bins funding program, \$30 is provided for each residential property on a 3-bin system. This is insufficient to make the appropriate infrastructure purchases and shifts the costs of implementing such a program on the City and its residents. The City would also have to bear the associated costs of collections and processing of organic materials.
- Improvements to the grant process – Using the same example of the Better Bins funding, local governments that did apply for grants, had to spend a considerable amount of time revising applications and approvals, while the program was constantly refined and amended. On receiving funding, local governments also spent an inordinate amount of time on the reporting requirements. To achieve better results, the Waste Authority should consult with local government to streamline the application and approval process, and remove the excessive amounts of restrictions and auditing that slow down the process of implementing the program.

- Re-distribution of waste levy for implementation of WARR programs and improvements – As per the WALGA submission, 25% of the funds raised through the waste levy must be paid into the WARR Account. In the 2016-17 financial year only \$11 million out of the possible \$19 million was used for funding programs and initiatives. The Waste Authority needs to review and broaden the scope of the funding programs to ensure that the funds are fully subscribed and effective improvements can be achieved. It is also considered appropriate for the percentage allocation into the WARR account to be increased to at least 50% of the funds raised.
- Removing barriers and restrictions – The City did not apply for the grants for re-use of construction and demolition materials for road-base, which required the creation and implementation of a Policy. While there was a general interest to develop such a Policy and despite the ease of availability of such materials, concerns were raised in relation to the restrictions on the standard required to be able to use recycled construction and demolition materials for road-base. The Waste Authority needs to work through such barriers and create end markets for such products.
- Improvement of synergies between the Waste Authority and other Departments of the Department of Water and Environmental Regulation (DWER) – As per the findings of the Auditor General's Report, there is a lack of clarity between the roles and responsibilities of the Authority and other departments within DWER. In some instances, there are opposing priorities for departments, such as the introduction of suitable waste infrastructure and the environmental impact caused by such infrastructure. The WARR Strategy needs to be adopted as a DWER Strategy, and supported by the whole organisation. In particular, the regulatory part of DWER should work towards achieving approvals for new initiatives that assist in achieving the outcomes of the WARR Strategy.
- Establishment of well-researched and clear targets – The City consistently used the waste diversion targets set in the Waste Strategy to drive change and improvements. The City agrees with the selection of the three objectives to maximise environmental benefit, reduce waste generation and increase recovery. However, future targets should be realistic, in that they are reasonably achievable in the desired timeframe, with more ambitious waste diversion targets being seen as a longer-term goal.
- Defining order and relationships between Principles, Foundations, Opportunities for Improvement and the Objectives – The consultation paper has done well to capture varied Principles, Foundations and Opportunities for Improvement. For the City to be able to plan and work towards any improvements in line with the set Targets, it is essential to be able to relate these back to the Objectives and Targets set in the new WARR Strategy. Further, for the purpose of being able to make applications to the Authority for grants or funding, it is important to identify whether all Principles, Foundations and Opportunities for Improvement have the same level of importance or whether there is an order of importance. Lastly, for the purpose of the WARR Strategy definitions for both Principles and Foundations are recommended. This will help determine what is best included under each heading.
- The Waste Hierarchy – The Waste Hierarchy diagram from the current Waste Strategy is useful when explaining the order of importance for waste management initiatives. It is therefore important to have the diagram included in some form in the new WARR Strategy. The Authority may consider having the Waste Hierarchy as a Foundation rather than a Principle once they are defined.



- Better Practice Guidance – The Better Practice Guidance documents have been useful for the City when they have been prepared following consultation with relevant stakeholders. They are seen as an education tool or if noted as 'Better Practice', as an Opportunity for Improvement, rather than as a Foundation.
- The Circular Economy – As per WALGA's submission, thorough research needs to be conducted before determining if the Circular Economy should be included in the framework of the new WARR Strategy. Regardless of whether it is to be included, there needs to be strong focus on Product Stewardship and the design of products with the end use in mind. This would increase the number of products that get reused or recycled and more importantly would assist in waste avoidance. The WARR Strategy should therefore be strong on incentives for companies doing the right thing and/or disincentives for those that do not follow suit.
- Support for new technologies – The new WARR Strategy should be flexible enough to support new and existing innovative waste disposal, reuse and recycling technologies. In particular, the WARR Strategy should recognise the waste diversion and environmental benefits of Waste-To-Energy, when considered holistically.
- Facilitating the reuse or recycling of glass bottles – The WARR Strategy should specifically address the problem of glass bottle recycling. In particular, the WARR Strategy should target the creation of a glass bottle recycling facility within the State. Consideration should also be given to strategies that promote or require the reuse of glass bottles, rather than the crushing of glass bottles for use in new glass products.

### **16.3 Prohibiting the Organised Release of Balloons**

#### **DECLARATION OF INTEREST:**

There were no declarations of interest declared.

#### **SUMMARY**

Balloon fragments caused by the release of balloons into the environment have a detrimental impact on the environment as they take years to biodegrade.

A draft Council Policy has been prepared to help articulate a formal response to the Hon. Robin Chapple MLC in relation to the City of Kwinana's position on banning the release of helium balloons in public spaces.

In summary, the draft Policy requires that:

1. The organised release of balloons is prohibited at events and functions, organised and/or funded by the City of Kwinana.
2. The organised release of balloons is prohibited on City of Kwinana land, reserves, buildings and venues for hire.
3. It be made an acknowledgment and a Condition of Hire on the relevant booking forms that the event organisers do not partake in the organised release of balloons.

#### **OFFICER RECOMMENDATION:**

That Council:

1. Adopt the Draft Policy: Prohibition on the Organised Release of Balloons (as per the attachment) for the purposes of advertising.
2. Publically advertise the Draft Policy: Prohibition on the Organised Release of Balloons for a period of 21 days.
3. Require a report back to Council that details the submissions received during the advertising period and make a recommendation that the Draft Policy: Prohibition on the Organised Release of Balloons be either adopted with or without modification, or not to proceed.
4. Authorise the CEO to write to the Hon Robin Chapple advising of the City's Position supporting legislation to ban the release of balloons in public places.

#### **DISCUSSION**

A letter from the Hon. Robin Chapple MLC was received on 20 October 2017: -

- Seeking Council's position on legislating to ban the release of helium balloons in public spaces; and
- Informing that –
  - Cottesloe Council passed such a ban, with City of Cockburn to follow suit;
  - the release of balloons constitutes littering; and
  - balloons are an environmental hazard.

### 16.3 PROHIBITING THE ORGANISED RELEASE OF BALLOONS

Note - Since receiving the letter, the Town of East Fremantle have also moved to ban the release of balloons and are advocating to make the release of balloons an offence under the *Litter Act 1979*.

The Town of Victoria Park had previously also adopted a Council position to:

- Not organise the release of balloons at public events planned by the Town;
- Not endorse the organised release of balloons at outdoor events held on reserves within the Town; and
- Include information regarding Council's position on balloon releases in reserve booking information.

The Western Australian Local Government Association (WALGA) Helium Balloon Litter Background Paper states:

*"Historically, balloon releases have occurred as part of community events or special commemorative occasions. It is often seen as an activity which does not have an environmental impact. However, research indicates that releasing helium balloons can have a detrimental environmental impact."*

*While balloons may eventually break down into smaller pieces in the environment, they do not break down quickly or biodegrade. There may also be attachments to the balloons which do not break down. Recent Australian research shows that turtles consume balloon fragments in preference to other types of plastic marine debris. Studies also show that balloons are consumed by marine birds."*

*Local Governments have the ability to control what activities occur at their events and events held on Local Government property. Council can adopt a position which prohibits the release of helium balloons at Local Government events and include this prohibition when requests to use Local Government reserves are received."*

WALGA's discussion paper released on 24 June 2015 further recommends –

*"The following are ways that Local Governments could reduce balloon litter:*

1. *Not undertake the organised release of helium balloons at public events held by Local Government.*
2. *Prohibit the organised release of helium balloons at events held on public reserves.*
3. *Promote that Local Government does not support helium balloon releases in reserve booking information, and as a condition of use.*
4. *Promote greater awareness in the community of the impact of balloons and other litter in the environment.*
5. *Encourage alternatives to the release of helium balloons."*

On 13 November 2017, the above information was presented and three options were discussed with Council:

- Option 1 - To ban the use of all balloons on land controlled by the City.
  - This measure would mean balloons of any nature would not be permitted even if they are not to be released in to the environment.

### 16.3 PROHIBITING THE ORGANISED RELEASE OF BALLOONS

- It is the strongest stance possible. However, it impinges on the rights of residents to use balloons, affects the balloon industry and would be impractical to enforce.
  - This is considered an extreme measure and is therefore not the recommended option.
- Option 2 -To take the position that 'The City of Kwinana supports a state-wide ban on the mass release of helium balloons in public places'.
  - This option requires no further involvement on the City's part.
  - After advising the City's position, it leaves the responsibility of the ban on release of balloons to the State of Western Australia.
  - This is also not the preferred position as balloons could continue to be released into the local environment until a state-wide ban is in place.
- Option 3 - To enact WALGA's recommendations as listed above and to support a state-wide ban on the organised release of helium balloons.
  - A ban on all balloons in all private and public areas of the City is impractical for local government to enforce and goes beyond the City's governance responsibilities and the Local Law. It may also evoke a negative response from residents and businesses who may consider this as an unnecessary constraint. That being said, not taking sufficient action would continue to result in environmental harm.
  - Local government can take an active role in this space by limiting a ban on the organised release of balloons to land, buildings, reserves and other venues that it manages and are available for public hire. In addition, it can enforce this requirement with all events and functions that are organised and/funded by the City of Kwinana.
  - This option offers the City of Kwinana an appropriate level of control and the opportunity to take ownership on a sustainable initiative that affects the local environment. It also enables the City to support a state wide ban
  - This report therefore recommends the formal position of adopting the Draft Policy: Prohibition on the Organised Release of Balloons and to advise the Hon. Robin Chapple of the City's position to support a state-wide ban on the organised release of helium balloons.

It is important to note that differentiating helium from gas-filled balloons could lead to confusion, as the organised release of air-filled balloons, similar to helium balloons, could also have a detrimental impact on the environment. For these reasons, the Policy is not restricted to gas-filled or helium balloons but captures the organised release of all balloons. Further, the Policy does not in any way impede the use of balloons on private property; or restrict the use of balloons for parties or events on City land, venues, buildings or reserves for hire, provided that they are not intended to be released into the environment.

The draft Policy requires that:

1. The organised release of balloons is prohibited at events and functions, organised and/or funded by the City of Kwinana.
2. The organised release of balloons is prohibited on City of Kwinana land, reserves, buildings and venues for hire.
3. It be made an acknowledgement and a Condition of Hire on the relevant booking forms that the event organisers do not partake in the organised release of balloons.

### 16.3 PROHIBITING THE ORGANISED RELEASE OF BALLOONS

The adoption of the Policy will create public awareness about the prohibition and will provide the City of Kwinana further opportunities to encourage alternatives as per WALGA's suggestions.

## 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.

### **Local Government Property Local Law**

#### **3.3 Decision on application for permit**

- (1) The local government may —
  - (a) approve an application for a permit unconditionally or subject to any conditions;
  - or
  - (b) refuse to approve an application for a permit.

#### **3.4 Conditions which may be imposed on a permit**

- (1) Without limiting the generality of clause 3.3(1)(a), the local government may approve an application for a permit subject to conditions relating to -
  - (b) compliance with a standard or a policy of the local government adopted by the local government;

#### **3.5 Imposing conditions under a policy**

- (1) In this clause —

**"policy"** means a policy of the local government adopted by the Council containing conditions subject to which an application for a permit may be approved under clause 3.3(1)(a).
- (2) Under clause 3.3(1)(a) the local government may approve an application subject to conditions by reference to a policy.

## FINANCIAL/BUDGET IMPLICATIONS

There are no anticipated financial implications.



**16.3 PROHIBITING THE ORGANISED RELEASE OF BALLOONS****ASSET MANAGEMENT IMPLICATIONS**

City venue hire policies and application forms would require amendment to include a condition of hire as per the requirements of the draft Policy.

**ENVIRONMENTAL IMPLICATIONS**

A prohibition on the organised release of balloons in the City of Kwinana will assist in the reduction of the detrimental impact of balloon fragments in the environment.

**STRATEGIC/SOCIAL IMPLICATIONS**

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

<b>Plan</b>	<b>Objective</b>	<b>Strategy</b>
Strategic Community Plan – A beautiful natural environment	3.2 Educate and promote improved environmental land management	Environmental Education Strategy

It is possible that a small minority of residents, groups and/or associations may be opposed to the prohibition on the organised release of balloons.

**COMMUNITY ENGAGEMENT**

The Draft Policy: Prohibition on the Organised Release of Balloons Policy is subject to a 'Lower Impact: All of Kwinana' classification as per the matrix of the Community Engagement Policy (CEP). In accordance with the requirements of the CEP, the Policy will be advertised by media release, notice in the local newspaper, notice in the newsletter and a post on the website for a period of 21 days.

**RISK IMPLICATIONS**

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

Risk Event	The organised/mass release of balloons into the environment.
Risk Theme	Inadequate engagement practices
Risk Effect/Impact	Environment Reputation
Risk Assessment Context	Operational

## 16.3 PROHIBITING THE ORGANISED RELEASE OF BALLOONS

Consequence	Minor
Likelihood	Possible
Rating (before treatment)	Moderate
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Adoption of a Council Policy – Prohibition on the Organised Release of Balloons Ensuring that organised release of balloons is not permitted at events organised or funded by the City of Kwinana and on City of Kwinana land, reserves, buildings and venues for hire.
Rating (after treatment)	Low

**COUNCIL DECISION**

106

**MOVED CR W COOPER****SECONDED CR S MILLS****That Council:**

- 1. Adopt the Draft Policy: Prohibition on the Organised Release of Balloons (as per the attachment) for the purposes of advertising.**
- 2. Publically advertise the Draft Policy: Prohibition on the Organised Release of Balloons for a period of 21 days.**
- 3. Require a report back to Council that details the submissions received during the advertising period and make a recommendation that the Draft Policy: Prohibition on the Organised Release of Balloons be either adopted with or without modification, or not to proceed.**
- 4. Authorise the CEO to write to the Hon Robin Chapple advising of the City's Position supporting legislation to ban the release of balloons in public places.**

**CARRIED**  
**8/0**



# Council Policy (Draft)

## Prohibition on the Organised Release of Balloons





# Council Policy

## Prohibition on the Organised Release of Balloons

D18/5877[v2]

### 1. Title

Prohibition on the Organised Release of Balloons

### 2. Purpose

Balloon releases as part of community events or special commemorative occasions have not previously been considered potentially harmful to the environment. However, as per the Western Australian Local Government Associations Helium Balloon Litter Background Paper, research indicates that releasing helium balloons can have a detrimental environmental impact.

While balloons may eventually break down into smaller pieces in the environment, they do not biodegrade or breakdown quickly. There may also be attachments to the balloons, such as strings which also do not break down easily. The balloon fragments and attachments have the potential to be consumed by turtles and marine birds, resulting in the depletion of marine fauna.

This Policy has been developed to reduce the environmental harm caused by balloon fragments generated in the City of Kwinana and to promote greater awareness in the community of the impact of balloons and other litter in the environment.

### 3. Scope

This policy provides guidance to City of Kwinana elected members and staff and to members of the public in relation to the prohibition on the organised release of balloons during events organised and funded by the City of Kwinana and from City of Kwinana land, reserves, buildings and venues for hire.

### 4. Definitions

**Organised release of balloons** – The planned release of balloons into the environment.

### 5. Policy Statement

The Policy prohibits the organised release of balloons at City of Kwinana events and on City of Kwinana land, reserves, buildings and venues for hire.

**5.1 The organised release of balloons is prohibited at events and functions, organised and/or funded by the City of Kwinana.**

**5.2 The organised release of balloons is prohibited on City of Kwinana land, reserves, buildings and venues for hire.**

5.2.1 Persons required to hire City of Kwinana buildings and reserves will be required to acknowledge the prohibition on the organised release of balloons:

- a) with relevant information provided in the application forms as a Condition of Hire; and
- b) as a condition on any relevant permit/approval.

## 6. Financial/Budget Implications

There are no anticipated financial implications as a result of this Policy.

## 7. Asset Management Implications

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

## 8. Environmental Implications

A prohibition on the organised release of balloons in the City of Kwinana is likely to assist in the reduction of the detrimental impact of balloon fragments and associated hazardous attachments in the environment.

## 9. Strategic/Social Implications

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

Plan	Objective	Measure
Strategic Community Plan – A beautiful natural environment	3.2 Educate and promote improved environmental land management	Environmental Education Strategy

It is possible that some residents, groups and/or associations may be opposed to the prohibition on the organised release of balloons.

## 10. Occupational Safety and Health Implications

There are no anticipated occupational safety and health implications as a result of this Policy.

## 11. Risk Assessment

A risk assessment conducted as part of the Policy review has indicated that the risk to the City by not providing an adequate policy to address the issue of organised release of balloons would result in a risk rating of moderate.

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

## 12. References

Name of Policy	Prohibition on the Organised Release of Balloons
Date of Adoption and resolution No	
Review dates and resolution No #	
Next review due	
Legal Authority	<i>Local Government Act 1995</i> Section 2.7 – The Role of Council.
Directorate	City Regulation
Department	Environmental Health
Related documents	<b>Acts/Regulations</b> <i>Local Government Act 1995</i>  <b>Plans/Strategies</b>



	<p>City of Kwinana Strategic Community Plan Environmental Education Strategy</p> <p><b>Policies</b> Nil</p> <p><b>Work Instructions</b> The Policy is to be circulated to all staff once adopted. The Reserves, Ovals and Public Open Space Hire Form is to be updated with the relevant information as a Condition of Hire.</p> <p><b>Other documents</b> Nil</p>
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**Note: Changes to References may be made without the need to take the Policy to Council for review.**

## **16.4 Review of Council Policy – Use of Corporate Credit Cards**

### **DECLARATION OF INTEREST:**

There were no declarations of interest declared.

### **SUMMARY:**

A review of the Council policy – Use of Corporate Credit Cards was undertaken and is recommended for Council endorsement.

### **OFFICER RECOMMENDATION:**

That Council adopt the amended Use of Corporate Credit Cards Policy as detailed in Attachment A.

### **DISCUSSION:**

A copy of the policy recommended for amendment is detailed in Attachment A with the current policy contained within Attachment B.

There have been no significant changes to the intent of this policy, however the formatting and structure has been amended to enable responsibilities to be more easily identified and understood by users of the Policy.

### **LEGAL/POLICY IMPLICATIONS:**

The use of corporate credit cards is not specifically mentioned in the *Local Government Act 1995*. However, the impacts of the use and control of corporate credit cards are related to the following sections of the *Local Government Act 1995*:

1. Section 2.7(2)(a) and (b) requires the Council to oversee the allocation of the local government's finances and resources and determine the local government's policies; and
2. Section 6.5(a) requires the CEO to ensure that there are kept, in accordance with regulations, proper accounts and records of the transactions and affairs of the local government.

*Local Government (Financial Management) Regulations 1995* Section 11(1)(a) requires local governments to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained.

### **FINANCIAL/BUDGET IMPLICATIONS:**

There are no budget implications associated with this report.

**16.4 REVIEW OF COUNCIL POLICY – USE OF CORPORATE CREDIT CARDS****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
Corporate Business Plan	5.4 Ensure the financial sustainability of the City of Kwinana into the future.

**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	Council fails to have an adequate Use of Corporate Credit Card Policy in place that is regularly reviewed enhancing the risk of misappropriation of the City's resources.
Risk Theme	Failure to ensure the safeguarding of the City's resources.
Risk Effect/Impact	Financial Impact/Compliance
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Unlikely
Rating (before treatment)	Low
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Review of Policy every two years; and ensuring the controls identified in the Policy are reviewed and maintained.
Rating (after treatment)	Low

16.4 REVIEW OF COUNCIL POLICY – USE OF CORPORATE CREDIT CARDS

**COUNCIL DECISION**

107

**MOVED CR C ADAMS**

**SECONDED CR W COOPER**

**That Council adopt the amended Use of Corporate Credit Cards Policy as detailed in revised Attachment A.**

**CARRIED  
8/0**

**NOTE – That the Officers Recommendation has been amended to note that Attachment A has been revised to update Clause 5.1.3 to read ‘The credit limit on a corporate credit card issued to the Chief Executive Officer, Directors and Manager Human Resources is to be set at a maximum of \$10,000’ and Clause 5.1.4 to read ‘The credit limit on a corporate credit card issued to other employees is to be up to a maximum of \$5,000’**



# Council Policy

## Use of Corporate Credit Cards





# Council Policy

## Use of Corporate Credit Cards

D13/69878[v3]

### 1. Title

Use of Corporate Credit Cards

### 2. Purpose

To provide a clear framework that enables authorised City officers to use corporate credit cards for the purchase of goods and services.

### 3. Scope

This policy applies to all City Officers that are authorised corporate credit card holders.

### 4. Definitions

Nil.

### 5. Policy Statement

#### 5.1. Issuing of Corporate Credit Cards

- 5.1.1. The Chief Executive Officer may approve an application by a City of Kwinana employee.
- 5.1.2. In the case of the Chief Executive Officer, the Mayor must approve the application.
- 5.1.3. The credit limit on a corporate credit card issued to the Chief Executive Officer, Directors and Manager Human Resources is to be set at a maximum of \$10,000.
- 5.1.4. The credit limit on a corporate credit card issued to other employees is to be up to a maximum of \$5,000.

#### 5.2. Cardholder Responsibilities

- 5.2.1. The cardholder must sign the City's Corporate Credit Cardholders Agreement form, outlining the cardholder's responsibilities, prior to receiving the corporate credit card.
- 5.2.2. Cardholders are not to use the corporate credit cards for cash advances.
- 5.2.3. Cardholders are not to use the corporate credit cards for private purposes.
- 5.2.4. The corporate credit card shall only be used for purchasing goods and services on behalf of the City which are authorised within the current budget.
- 5.2.5. Purchases must be expended in line with Council Policy – Procurement.

- 5.2.6. Cardholders are to obtain a compliant tax invoice/receipt which records an adequate description of goods/services obtained.
- 5.2.7. Cardholders are to provide a detailed summary of all purchases reconciling to each monthly statement. Statements for City Officers are to be approved by the Chief Executive Officer; whilst the Chief Executive Officer's statements are to be approved by the Mayor and Deputy Mayor.
- 5.2.8. In the event that a cardholder's employment ceases with the City, the credit card is to be handed to the Manager Finance where arrangements will be made for the cancellation of the account and destruction of the card.

### **5.3. Finance Responsibilities**

- 5.3.1. The City's finance team will coordinate the issue, replacement and cancellation of all corporate credit cards.
- 5.3.2. A register of cardholders is to be maintained and stored in the City's record keeping system.
- 5.3.3. The finance team will provide cardholders with a copy of Council Policy – Use of Corporate Credit Cards and ensure that a Corporate Credit Cardholder Agreement form is signed and registered in the City's record keeping system prior to issuing the Officer with the corporate credit card.
- 5.3.4. Authorised monthly statements are to be provided to the relevant finance officer to enable the transactions to be entered into the City's corporate business system.

## **6. Financial/Budget Implications**

There are no financial/budget implications directly associated with this Policy. All expenditure incurred through the use of a corporate credit card must be in line with approved budget allocations.

## **7. Asset Management Implications**

There are no asset management implications associated with this Policy.

## **8. Environmental Implications**

There are no environmental implications associated with this Policy.

## **9. Strategic/Social Implications**

<b>Plan</b>	<b>Objective</b>
Corporate Business Plan	5.4 Ensure the financial sustainability of the City of Kwinana into the future.

## **10. Occupational Safety and Health Implications**

There are no OSH implications associated with this Policy.

## **11. Risk Assessment**

Risk Event	Inadequate management of the City's resources.
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Risk Theme	Failure to ensure the safeguarding of the City's resources.
Risk Effect/Impact	Financial Impact/Compliance
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Unlikely
Rating (before treatment)	Low
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Review of Policy every two years; and ensuring the controls identified in the Policy are reviewed and maintained.
Rating (after treatment)	Low

## 12. References

Name of Policy	Use of Corporate Credit Cards
Date of Adoption and resolution No	27/09/2006 #519
Review dates and resolution No #	28/04/2010 #105 11/07/2012 #163 20/01/2016 #099 <del>xx/xx/2018</del>
New review date	<del>Xx/xx/2020</del>
Legal Authority	s2.7 – Role of Council of the <i>Local Government Act 1995</i>
Directorate	City Strategy
Department	Finance
Related documents	<b>Acts/Regulations</b> <i>Local Government Act 1995</i>  <b>Other documents</b> D09/121494[v3] – Corporate Credit Cardholder Agreement Form  D14/27718[v5] – Corporate Credit Card Register

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



## POLICY

### USE OF CORPORATE CREDIT CARDS



## USE OF CORPORATE CREDIT CARDS

**To establish procedures in relation to the use of Corporate Credit Cards required by Section 2.7(2)(a) and (b) of the Local Government Act 1995 and Regulation 11(1)(a) of the Local Government (Financial Management) Regulations 1996.**

Adopted:	27/09/2006 #519
Last reviewed:	28/04/2010 #105 11/07/2012 #163 <b>20/01/2016 #099</b>
Legal Authority	Local Government Act 1995 Section 2.7 – Role of Council

### Policy:

#### 1. Issuing of Corporate Credit Cards

The Chief Executive Officer may approve an application by a City of Kwinana employee. In the case of the Chief Executive Officer, Council will approve the application.

The credit limit issued to the Chief Executive Officer is to be set at a maximum of \$10,000.

The credit limit on a corporate credit card issued to employees is to be up to a maximum of \$10,000.

#### 2. Card use requirements

- a) An agreement between the cardholder and the City of Kwinana is to be signed which sets out the cardholder's responsibilities, legal obligations and action to be taken in the event that the cardholder fails to comply with procedures.
- b) A register is to be kept of all current cardholders which include card number, expiry date of credit card, credit limit and details of goods and services the cardholder has authority to purchase.
- c) The Mayor and the Deputy Mayor are to monitor and verify the expenditure of the Chief Executive Officer and the Chief Executive Officer is to monitor and verify the expenditure of Directors and other employees on a monthly basis.
- d) In the event that a cardholder's employment ceases with the City, the credit card is to be handed to the Manager Finance where arrangements will be made to cancel the corporate credit card account and destruction of the card.
- e) Cards are not to be used for private purposes and expenditure charged to cards is to be in relation to official City business and within budget allocations.
- f) Credit cards are not to be used for cash advances.
- g) Cardholders are to obtain a compliant tax invoice/receipt which records an adequate description of goods/services obtained.



## **16.5 Monthly Financial Report – December 2017**

### **DECLARATION OF INTEREST:**

There were no declarations of interest declared.

### **SUMMARY:**

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

### **OFFICER RECOMMENDATION:**

That Council accepts:

1. The Monthly Statements of Financial Activity for the period ended 31 December 2017, contained within Attachment A; and
2. The explanations for material variances for the period ended 31 December 2017, contained within Attachment A.

### **DISCUSSION:**

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

The period of review is December 2017. The municipal surplus for this period is \$29,062,177 compared to a budget position of \$20,214,022. This is considered a satisfactory result for the City as the City is maintaining a healthy budget surplus position.

Income for the December 2017 period, year-to-date is \$54,261,074. This is made up of \$50,252,443 in operating revenues and \$4,008,631 in non-operating grants, contributions and subsidies received. The budget estimated \$55,685,058 would be received for the same period. The variance to budget is (\$1,423,984). Details of all significant variances are provided in the notes to the Monthly Financial Report contained within Attachment A.

Expenditure for the December 2017 period year-to-date is \$35,269,976. This is made up of \$32,229,560 in operating expenditure, and \$3,040,416 in capital expenditure. The budget estimated \$42,207,172 would be spent for the same period. The variance to budget is \$6,937,196. Details of all significant variances are provided in the notes to the Monthly Financial Report contained within Attachment A.

### **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.

**16.5 MONTHLY FINANCIAL REPORT – DECEMBER 2017**

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.

**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 contained within Attachment A.

**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
Corporate Business Plan	5.4 Ensure the financial sustainability of the City of Kwinana into the future

**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

## 16.5 MONTHLY FINANCIAL REPORT – DECEMBER 2017

Risk Assessment Context	Operational
Consequence	Minor
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**

108

**MOVED CR S LEE****SECONDED CR M ROWSE****That Council accepts:**

- 1. The Monthly Statements of Financial Activity for the period ended 31 December 2017, contained within Attachment A; and**
- 2. The explanations for material variances for the period ended 31 December 2017, contained within Attachment A.**

**CARRIED**  
**8/0**



# Monthly Financial Report



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

	Note	Adopted Annual Budget	Current Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var. Indicator	Material Var.
<b>Opening Funding Surplus(Deficit)</b>	3	\$ 1,534,059	\$ 3,357,702	\$ 3,357,702	\$ 3,194,697	\$ (163,005)	% (5%)	▼	
<b>Revenue from operating activities</b>									
Governance		34,112	34,112	31,764	263,208	231,444	729%	▲	M
General Purpose Funding - Rates	9	35,239,983	35,239,983	34,914,983	34,858,221	(56,762)	(0%)	▼	
General Purpose Funding - Other		4,120,048	4,120,048	2,237,024	2,177,681	(59,343)	(3%)	▼	
Law, Order and Public Safety		428,938	428,938	167,018	181,250	14,232	9%	▲	
Health		232,333	232,333	62,858	50,208	(12,650)	(20%)	▼	
Education and Welfare		7,077,857	7,077,857	3,558,121	4,165,198	607,077	17%	▲	M
Community Amenities		14,725,868	7,099,585	6,556,703	6,237,464	(319,239)	(5%)	▼	
Recreation and Culture		3,182,645	3,190,645	1,627,134	1,437,971	(189,163)	(12%)	▼	M
Transport		246,593	246,593	234,680	111,853	(122,827)	(52%)	▼	M
Economic Services		1,656,713	1,656,713	819,118	662,975	(156,143)	(19%)	▼	M
Other Property and Services		278,524	278,524	125,015	106,415	(18,600)	(15%)	▼	
		<b>67,223,614</b>	<b>59,605,331</b>	<b>50,334,418</b>	<b>50,252,443</b>	<b>(81,975)</b>	<b>(0%)</b>	<b>▼</b>	
<b>Expenditure from operating activities</b>									
Governance		(5,740,233)	(5,789,233)	(3,147,597)	(2,401,100)	746,497	24%	▼	M
General Purpose Funding		(1,507,199)	(1,507,199)	(790,313)	(585,070)	205,243	26%	▼	M
Law, Order and Public Safety		(3,285,871)	(3,374,971)	(1,716,742)	(1,411,069)	305,673	18%	▼	M
Health		(1,306,423)	(1,306,424)	(660,711)	(577,068)	83,643	13%	▼	
Education and Welfare		(9,804,161)	(9,902,773)	(5,013,489)	(5,472,819)	(459,330)	(9%)	▲	
Community Amenities		(11,083,382)	(11,112,432)	(5,677,368)	(4,275,056)	1,402,312	25%	▼	M
Recreation and Culture		(20,013,094)	(20,092,094)	(10,510,252)	(8,709,089)	1,801,163	17%	▼	M
Transport		(14,313,868)	(14,313,868)	(7,010,868)	(6,344,458)	666,410	10%	▼	
Economic Services		(2,202,270)	(2,202,269)	(1,109,406)	(876,521)	232,885	21%	▼	M
Other Property and Services		(4,174,570)	(4,147,323)	(2,170,384)	(1,577,310)	593,074	27%	▼	M
		<b>(73,431,071)</b>	<b>(73,748,586)</b>	<b>(37,807,130)</b>	<b>(32,229,560)</b>	<b>5,577,570</b>	<b>15%</b>	<b>▼</b>	
<b>Operating activities excluded from budget</b>									
Add back Depreciation		13,268,106	13,268,106	6,634,080	6,798,295	164,215	2%	▲	
Adjust (Profit)/Loss on Asset Disposal	8	139,399	139,399	139,399	84,356	(55,044)	(39%)	▼	
Adjust Provisions and Accruals		0	0	0	0	0	0%		
<b>Amount attributable to operating activities</b>		<b>7,200,048</b>	<b>(735,750)</b>	<b>19,300,767</b>	<b>24,905,534</b>	<b>5,604,767</b>	<b>29%</b>	<b>▲</b>	
<b>Investing Activities</b>									
Non-operating Grants, Subsidies and Contributions		1,707,484	9,635,091	5,350,640	4,008,631	(1,342,009)	(25%)	▼	M
Proceeds from Disposal of Assets	8	659,000	659,000	359,000	354,574	(4,426)	(1%)	▼	
Land and Buildings	12	(4,833,500)	(5,327,400)	(383,976)	(76,541)	307,435	80%	▼	M
Plant, Furniture and Equipment	12	(1,932,951)	(2,093,918)	(1,128,790)	(1,255,650)	(126,860)	(11%)	▲	M
Infrastructure Assets - Roads	12	(2,539,695)	(2,724,875)	(980,478)	(953,581)	26,897	3%	▼	
Infrastructure Assets - Parks and Reserves	12	(2,211,012)	(2,361,012)	(1,123,324)	(572,215)	551,109	49%	▼	M
Infrastructure Assets - Footpaths	12	(310,000)	(360,000)	(340,000)	(5,590)	334,410	98%	▼	M
Infrastructure Assets - Drainage	12	(140,000)	(175,000)	(31,000)	0	31,000	100%	▼	
Infrastructure Assets - Street Lighting	12	(42,436)	(424,910)	(382,474)	(1,415)	381,059	100%	▼	M
Infrastructure Assets - Bus Shelters	12	(51,500)	(51,500)	0	0	0	0%		
Infrastructure Assets - Car Parks	12	(171,311)	(171,311)	(30,000)	(175,424)	(145,424)	(485%)	▲	M
<b>Amount attributable to investing activities</b>		<b>(9,865,921)</b>	<b>(3,395,835)</b>	<b>1,309,598</b>	<b>1,322,789</b>	<b>13,191</b>	<b>1%</b>	<b>▲</b>	
<b>Financing Activities</b>									
Proceeds from New Debentures	10	2,897,000	2,897,000	0	0	0	0%		
Self-Supporting Loan Principal		15,645	15,645	7,824	6,646	(1,178)	(15%)	▼	
Transfer from Reserves	7	8,033,866	8,634,816	1,551,352	2,024,167	472,815	30%	▲	M
Repayment of Debentures	10	(617,722)	(617,722)	(304,389)	(304,389)	0	(0%)		
Transfer to Reserves	7	(9,196,975)	(9,796,975)	(5,008,832)	(2,087,267)	2,921,565	58%	▼	M
<b>Amount attributable to financing activities</b>		<b>1,131,814</b>	<b>1,132,764</b>	<b>(3,754,045)</b>	<b>(360,843)</b>	<b>3,393,202</b>	<b>90%</b>	<b>▼</b>	
<b>Closing Funding Surplus(Deficit)</b>	3	<b>0</b>	<b>358,881</b>	<b>20,214,022</b>	<b>29,062,177</b>	<b>8,848,155</b>	<b>44%</b>	<b>▲</b>	

▲ ▼ 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 December 2017**

	Note	Adopted Annual Budget	Current Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var. Indicator	Material Var.
		\$	\$	\$	\$	\$	%		
<b>Opening Funding Surplus (Deficit)</b>	3	1,534,059	3,357,702	3,357,702	<b>3,194,697</b>	(163,005)	(5%)	▼	
<b>Revenue from operating activities</b>									
Rates	9	35,239,983	35,239,983	34,914,983	<b>34,858,221</b>	(56,762)	(0%)	▼	
Operating Grants, Subsidies and Contributions		15,591,452	7,973,169	3,988,409	<b>3,859,891</b>	(128,518)	(3%)	▼	
Fees and Charges		13,612,832	13,612,832	9,821,385	<b>9,436,282</b>	(385,103)	(4%)	▼	
Interest Earnings		2,183,500	2,183,500	1,294,250	<b>1,676,572</b>	382,322	30%	▲	M
Other Revenue		589,101	589,101	308,645	<b>411,958</b>	103,313	33%	▲	M
Profit on Disposal of Assets	8	6,746	6,746	6,746	<b>9,519</b>	2,773	41%	▲	
		<b>67,223,614</b>	<b>59,605,331</b>	<b>50,334,418</b>	<b>50,252,443</b>	(81,975)	(0%)	▼	
<b>Expenditure from operating activities</b>									
Employee Costs		(28,531,268)	(28,604,880)	(14,492,822)	<b>(12,116,231)</b>	2,376,591	16%	▼	M
Materials and Contracts		(27,092,856)	(27,336,759)	(14,180,023)	<b>(11,172,179)</b>	3,007,844	21%	▼	M
Utility Charges		(2,527,669)	(2,527,669)	(1,208,523)	<b>(1,045,414)</b>	163,109	13%	▼	M
Depreciation on Non-Current Assets		(13,268,106)	(13,268,106)	(6,634,080)	<b>(6,798,295)</b>	(164,215)	(2%)	▲	
Interest Expenses		(1,101,765)	(1,101,765)	(554,266)	<b>(469,760)</b>	84,506	15%	▼	
Insurance Expenses		(593,109)	(593,109)	(506,441)	<b>(558,909)</b>	(52,468)	(10%)	▲	
Other Expenditure		(170,153)	(170,153)	(84,830)	<b>25,103</b>	109,933	130%	▼	M
Loss on Disposal of Assets	8	(146,145)	(146,145)	(146,145)	<b>(93,874)</b>	52,271	36%	▼	
		<b>(73,431,071)</b>	<b>(73,748,586)</b>	<b>(37,807,130)</b>	<b>(32,229,560)</b>	5,577,570	15%	▼	M
<b>Operating activities excluded from budget</b>									
Add back Depreciation		13,268,106	13,268,106	6,634,080	<b>6,798,295</b>	164,215	2%	▲	
Adjust (Profit)/Loss on Asset Disposal	8	139,399	139,399	139,399	<b>84,356</b>	(55,044)	(39%)	▼	
Adjust Provisions and Accruals		0	0	0	<b>0</b>	0	0%		
<b>Amount attributable to operating activities</b>		<b>7,200,048</b>	<b>(735,750)</b>	<b>19,300,767</b>	<b>24,905,534</b>	5,604,767	29%	▲	
<b>Investing activities</b>									
Grants, Subsidies and Contributions		1,707,484	9,635,091	5,350,640	<b>4,008,631</b>	(1,342,009)	(25%)	▼	M
Proceeds from Disposal of Assets	8	659,000	659,000	359,000	<b>354,574</b>	(4,426)	(1%)	▼	
Land and Buildings	12	(4,833,500)	(5,327,400)	(383,976)	<b>(76,541)</b>	307,435	(80%)	▲	
Plant, Furniture and Equipment	12	(1,932,951)	(2,093,918)	(1,128,790)	<b>(1,255,650)</b>	(126,860)	11%	▼	
Infrastructure Assets - Roads	12	(2,539,695)	(2,724,875)	(980,478)	<b>(953,581)</b>	26,897	(3%)	▲	
Infrastructure Assets - Parks and Reserves	12	(2,211,012)	(2,361,012)	(1,123,324)	<b>(572,215)</b>	551,109	(49%)	▲	
Infrastructure Assets - Footpaths	12	(310,000)	(360,000)	(340,000)	<b>(5,590)</b>	334,410	(98%)	▲	
Infrastructure Assets - Drainage	12	(140,000)	(175,000)	(31,000)	<b>0</b>	31,000	(100%)	▲	
Infrastructure Assets - Street Lighting	12	(42,436)	(424,910)	(382,474)	<b>(1,415)</b>	381,059	(100%)	▲	
Infrastructure Assets - Bus Shelters	12	(51,500)	(51,500)	0	<b>0</b>	0	0%		
Infrastructure Assets - Car Parks	12	(171,311)	(171,311)	(30,000)	<b>(175,424)</b>	(145,424)	485%	▼	
<b>Amount attributable to investing activities</b>		<b>(9,865,921)</b>	<b>(3,395,835)</b>	<b>1,309,598</b>	<b>1,322,789</b>	13,191	1%	▲	
<b>Financing Activities</b>									
Proceeds from New Debentures	10	2,897,000	2,897,000	0	<b>0</b>	0	0%		
Self-Supporting Loan Principal		15,645	15,645	7,824	<b>6,646</b>	(1,178)	(15%)	▼	
Transfer from Reserves	7	8,033,866	8,634,816	1,551,352	<b>2,024,167</b>	472,815	30%	▲	M
Repayment of Debentures	10	(617,722)	(617,722)	(304,389)	<b>(304,389)</b>	0	(0%)	▼	
Transfer to Reserves	7	(9,196,975)	(9,796,975)	(5,008,832)	<b>(2,087,267)</b>	2,921,565	58%	▼	M
<b>Amount attributable to financing activities</b>		<b>1,131,814</b>	<b>1,132,764</b>	<b>(3,754,045)</b>	<b>(360,843)</b>	3,393,202	90%	▼	
<b>Closing Funding Surplus (Deficit)</b>	3	<b>0</b>	<b>358,881</b>	<b>20,214,022</b>	<b>29,062,177</b>	8,848,155	44%	▲	

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

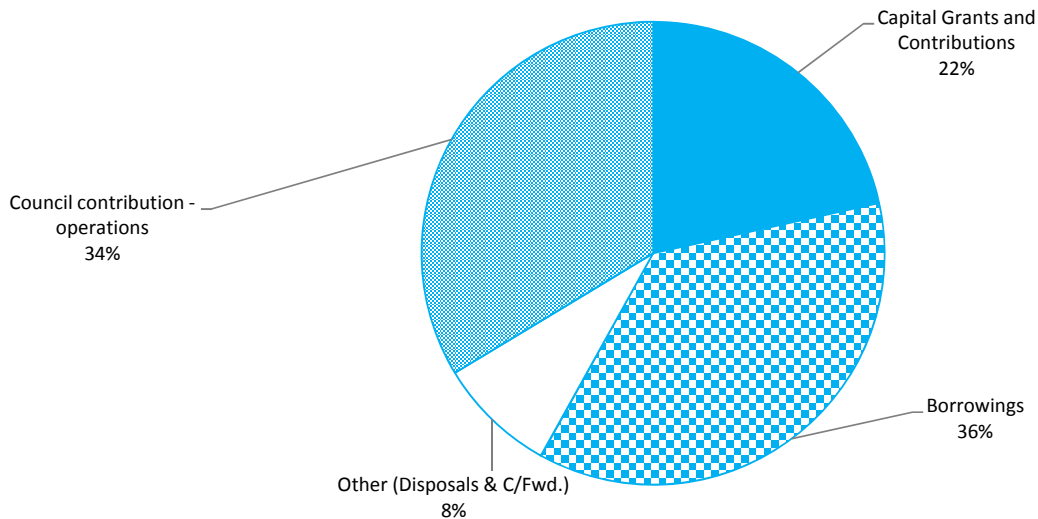
M Indicates if the variance between YTD Budget and YTD Actual data is determined material, in line with Council's adopted limits, and is to be reported on. Refer to Note 2 for an explanation of the reasons for the variance.

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

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

Capital Acquisitions	Note	Adopted Annual Budget	Current Annual Budget	YTD Budget (a)	YTD Actual Total (b)	Variance (a) - (b)
		\$	\$	\$	\$	\$
Land and Buildings	12	4,833,500	5,327,400	383,976	76,541	307,435
Plant, Furniture and Equipment	12	1,932,951	2,093,918	1,128,790	1,255,650	(126,860)
Infrastructure Assets - Roads	12	2,539,695	2,724,875	980,478	953,581	26,897
Infrastructure Assets - Parks and Reserves	12	2,211,012	2,361,012	1,123,324	572,215	551,109
Infrastructure Assets - Footpaths	12	310,000	360,000	340,000	5,590	334,410
Infrastructure Assets - Drainage	12	140,000	175,000	31,000	0	31,000
Infrastructure Assets - Street Lighting	12	42,436	424,910	382,474	1,415	381,059
Infrastructure Assets - Bus Shelters	12	51,500	51,500	0	0	0
Infrastructure Assets - Car Parks	12	171,311	171,311	30,000	175,424	(145,424)
<b>Capital Expenditure Totals</b>		<b>12,232,405</b>	<b>13,689,926</b>	<b>4,400,042</b>	<b>3,040,416</b>	<b>1,359,626</b>
<b>Capital acquisitions funded by:</b>						
Capital Grants and Contributions		<b>1,707,484</b>	<b>1,872,451</b>	<b>841,812</b>	<b>1,671,056</b>	<b>(829,244)</b>
Borrowings		<b>2,897,000</b>	<b>2,897,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
Other (Disposals & C/Fwd)		<b>659,000</b>	<b>659,000</b>	<b>359,000</b>	<b>354,574</b>	<b>4,426</b>
Council contribution - Cash Backed Reserves		<b>3,826,662</b>	<b>3,894,662</b>	<b>1,551,352</b>	<b>139,026</b>	<b>1,412,326</b>
Council contribution - operations		<b>2,667,555</b>	<b>4,288,076</b>	<b>1,647,878</b>	<b>875,761</b>	<b>772,117</b>
<b>Capital Funding Total</b>		<b>12,232,405</b>	<b>13,689,926</b>	<b>4,400,042</b>	<b>3,040,416</b>	<b>1,359,626</b>

**Budgeted Capital Acquisitions Funding**



**CITY OF KWINANA**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 December 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 December 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 December 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.

**(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.

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

**Note 1: Significant Accounting Policies**

**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 December 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 December 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
<b>Operating Revenues</b>					
Governance	231,444	729%	M	Permanent	Variance includes insurance adjustments and discounts \$98k, unclaimed monies retrieved \$11k, long service leave costs reimbursed from other local governments, workers compensation and insurance claims.
General Purpose Funding - Rates	(56,762)	(0%)		No Material Variance	
General Purpose Funding - Other	(59,343)	(3%)		No Material Variance	
Law, Order and Public Safety	14,232	9%		No Material Variance	
Health	(12,650)	(20%)		No Material Variance	
Education and Welfare	607,077	17%	M	Timing	Family Day Care General Subsidies income has been spread evenly over 12 months, the City has received \$2m YTD vs a budgeted amount of \$1.5m. Other funding and contributions have been received ahead of budget.
Housing	0	0%		No Material Variance	
Community Amenities	(319,239)	(5%)		No Material Variance	
Recreation and Culture	(189,163)	(12%)	M	Permanent	Recreatic revenue is under budget expectations YTD (\$153k), increased competition in health and fitness centres has impacted memberships.
Transport	(122,827)	(52%)	M	Timing	Funding should still be received as budgeted by June.
Economic Services	(156,143)	(19%)	M	Permanent	Applications for Building Licence fees less than budgeted, amendments will be made in the upcoming Budget Review to reflect reduced forecast revenue.
Other Property and Services	(18,600)	(15%)		No Material Variance	
<b>Operating Expense</b>					
Governance	746,497	24%	M	Permanent	Reversal of the 16/17 provision for doubtful debts expense (\$126k) not budgeted, savings in employee costs (\$604k) due to vacancies, lower workers compensation premiums, and training expenses less than budgeted. Any potential permanent savings will be identified throughout the Budget Review process.
General Purpose Funding	205,243	26%	M	Timing	Savings in overhead costs and legal expenses not yet spent to date.
Law, Order and Public Safety	305,673	18%	M	Permanent	\$312k due to savings in employee expenses due to vacancies within the City Assist team. Savings have been allocated to covering the vacancies with temporary staff and small restructure of the team.
Health	83,643	13%		No Material Variance	
Education and Welfare	(459,330)	(9.16%)		No Material Variance	
Housing	0	0%		No Material Variance	
Community Amenities	1,402,312	25%	M	Timing	Under expenditure due to current spread of budget not matching the timing of works for expenditure items such as mainstream waste collection (\$815k), funds are expected to be expended in 17/18. \$231k in salary savings YTD. Natural Environment programs currently \$100k under budget expectations, programs are continuing and funds are expected to be expended in 17/18.
Recreation and Culture	1,801,163	17%	M	Timing	\$461k savings in employee expenses across the program, some of which will be expected to be spent by 30 June 2018 as the finalisation of the Community Engagement service review will result in positions being finalised. Contract expenses for maintenance on parks, reserves, buildings and other engagements are currently under budget 614k; works are expected to be completed prior to 30 June 2018.
Transport	666,410	10%		Timing	\$223k in salary savings YTD across the program. The depot operations service review has been finalised and recommendations are being reviewed prior to implementation. \$270k under budget expectations year to date for expenditure on streetscapes and verges, funds are expected to be spent prior to 30 June 2018.
Economic Services	232,885	21%	M	Timing	\$92k savings in employee expenses due to vacancies, other under expenditure attributable to projects that have not yet begun, but expect to be finished by June.
Other Property and Services	593,074	27%	M	Permanent	\$266k in employee costs savings across the Infrastructure Management business unit. Savings are primarily due to the vacancies in the Asset Management team from July to November. Any surplus funds due to these savings will be reconsidered by Council during the Budget Review process. Other under expenditure relates to projects that are not yet complete, but expected to be finished by June.
<b>Capital Revenues</b>					
Grants, Subsidies and Contributions	(1,342,009)	(25%)	M	Timing	Contributions expected from Developers (DCA) have been spread evenly over the year, the timing of these receipts is difficult to estimate due to the unknown timing of subdivisions.
Proceeds from Disposal of Assets	(4,426)	(1%)		No Material Variance	
<b>Capital Expenses</b>					
Land and Buildings	307,435	80%	M	Timing	Projects expected to begin in new year and completed by June 2018.
Plant, Furniture & Equipment	(126,860)	(11%)	M	Timing	Still waiting the purchase of new plant items (Tip Truck x 2 and Loader). This is offset by the unbudgeted receipt of Fire Tanker - fully funded by DFES. For more details refer to Note 12.
Infrastructure - Roads	26,897	3%		No Material Variance	
Infrastructure Assets - Parks and Reserves	551,109	49%	M	Timing	Timing of expenditure is currently different to expectations YTD. Adjustments will be made at budget review to recognise projects that will not be undertaken this financial year.
Infrastructure Assets - Footpaths	334,410	98%	M	Timing	Construction expected to be complete by April.
Infrastructure Assets - Drainage	31,000	100%		No Material Variance	
Infrastructure Assets - Street Lighting	381,059	100%	M	Timing	Timing of expenditure is currently different to expectations YTD.
Infrastructure Assets - Bus Shelters	0	0%		No Material Variance	
Infrastructure Assets - Car Parks	(145,424)	(485%)	M	Timing	Works to finalise the Edge Skatepark carpark have been completed in 17/18. Majority of works were expected to be completed in 16/17, funds have been carried forward as part of finalising the 16/17 Financial Statements to offset the timing of the works and a budget adjustment for this will occur during the Budget Review process.
<b>Financing</b>					
Proceeds from New Debentures	0	0%		No Material Variance	
Proceeds from Advances	0	0%		No Material Variance	
Self-Supporting Loan Principal	(1,178)	(15%)		No Material Variance	
Transfer from Reserves	472,815	30%	M	Timing	Timing of the reserve transfers is currently different to expectations YTD. Reserve transfers are expected per budget in 17/18 by June 2018.
Advances to Community Groups	0	0%		No Material Variance	
Repayment of Debentures	0	(0%)		No Material Variance	
Transfer to Reserves	2,921,565	58%	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 December 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%.

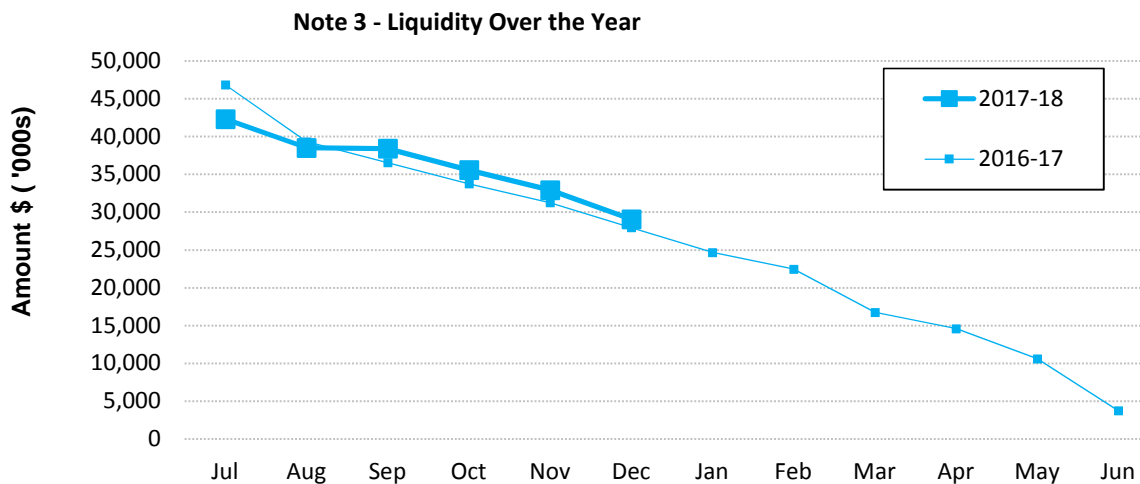
Nature and Type Category	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
<b>Operating Revenues</b>	\$	%			
Rates	(56,762)	(0%)		No Material Variance	
Operating Grants, Subsidies and Contributions	(128,518)	(3%)		No Material Variance	
Fees and Charges	(385,103)	(4%)		No Material Variance	
Interest Earnings	382,322	30%	M	Timing	Interest on investments is \$311k above budget expectations for the year to date. As funds are expended over the year the available cash for investment will reduce and therefore interest earnings are not expected to continue at this rate to 30 June 2018. Interest received on Rates Instalments and Penalty Interest is \$70k above budget expectations for the year to date.
Other Revenue	103,313	33%	M	Permanent	Insurance and Workers Compensation reimbursements received.
Profit on Disposal of Assets	2,773	41%		No Material Variance	
<b>Operating Expense</b>					
Employee Costs	2,376,591	16%	M	Permanent	Vacancies in various budgeted positions have led to employee costs being under budget expectations year to date. Some positions are covered by temporary agency staff and the savings in the salaries will go towards funding these costs held within the Materials and Contracts nature and type category.
Materials and Contracts	3,007,844	21%	M	Timing	Timing variance due to budget spread. Funds expected to be expended in 17/18.
Utility Charges	163,109	13%	M	Timing	Savings due to a combination of timing expectations for budget in addition to energy savings initiatives in place across the City's facilities.
Depreciation on Non-Current Assets	(164,215)	(2%)		No Material Variance	
Interest Expenses	84,506	15%		No Material Variance	
Insurance Expenses	(52,468)	(10%)		No Material Variance	
Other Expenditure	109,933	130%	M	No Material Variance	Unbudgeted reversal of provision for bad debt expense (non-cash).
Loss on Disposal of Assets	52,271	36%		No Material Variance	



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

**Note 3: Net Current Funding Position**

		Last Years Closing	This Time Last Year	Current
	Note	30 June 2017	31 Dec 2016	31 Dec 2017
		\$	\$	\$
<b>Current Assets</b>				
Cash Unrestricted	4	3,382,609	18,973,461	15,819,828
Cash Restricted - Reserves	4	50,343,659	48,018,868	50,406,760
Receivables - Rates	6	2,761,590	10,876,526	13,805,388
Receivables - Sundry Debtors	6	738,586	1,159,740	968,867
Other Current Assets		545,195	175,516	357,955
Inventories		36,203	53,547	38,531
		57,807,842	79,257,658	81,397,330
<b>Less: Current Liabilities</b>				
Payables		(4,269,486)	(3,290,870)	(1,928,393)
		(4,269,486)	(3,290,870)	(1,928,393)
Less: Cash Reserves	7	(50,343,659)	(48,018,868)	(50,406,760)
<b>Net Current Funding Position - Surplus/(Deficit)</b>		<b>3,194,697</b>	<b>27,947,920</b>	<b>29,062,177</b>



CITY OF KWINANA  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
For the Period Ended 31 December 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
	\$	\$	\$	\$	%	\$					
<b>(a) Cash Deposits</b>											
CBA Municipal Bank Account	4,905,071			4,905,071	Variable	N/A	CBA	AA	N/A	N/A	N/A
CBA Reserves Bank Account	-	-		-	Variable	N/A	CBA	AA	N/A	N/A	N/A
CBA Trust Bank Account			2,991,790	2,991,790	Variable	N/A	CBA	AA	N/A	N/A	N/A
Cash On Hand - Petty Cash	5,050			5,050	N/A	N/A	PC	N/A	N/A	N/A	N/A
<b>Sub-total Cash Deposits</b>	<b>4,910,121</b>	<b>-</b>	<b>2,991,790</b>	<b>7,901,912</b>							
<b>(b) Cash at Call - Investments</b>											
ANZ Call		1,042		1,042	Variable	N/A	ANZ	AA	N/A	N/A	N/A
<b>Sub-total Cash at Call Investments</b>	<b>-</b>	<b>1,042</b>	<b>-</b>	<b>1,042</b>							
<b>(c) Term Deposits - Investments</b>											
BB.TD 023923		1,000,000		1,000,000	2.70%	13,981	BEY	BBB	27/06/2017	2/01/2018	189
BOQ - TD449130		1,000,000		1,000,000	2.65%	19,748	BOQ	A	11/04/2017	9/01/2018	274
AUS TD5724600		2,000,000		2,000,000	2.65%	31,655	AUS	BBB	13/06/2017	16/01/2018	218
AMP TD522215219-426436		1,000,000		1,000,000	2.70%	20,195	AMP	A	9/05/2017	6/02/2018	274
WPAC - TD51958557		2,000,000		2,000,000	2.60%	51,715	WBC	AA	21/02/2017	20/02/2018	365
PCU - TD71746		1,000,000		1,000,000	2.90%	27,967	PCU	UR	20/03/2017	6/03/2018	352
WPAC - TD023748		2,000,000		2,000,000	2.61%	51,771	WBC	AA	14/03/2017	13/03/2018	365
NAB - TD81-630-7734		1,000,000		1,000,000	2.60%	25,929	NAB	AA	2/05/2017	1/05/2018	365
CBA - TD35732709 (1)		1,000,000		1,000,000	2.50%	18,699	CBA	AA	9/08/2017	8/05/2018	273
NAB.TD 940895211		1,000,000		1,000,000	2.50%	20,205	NAB	AA	8/08/2017	29/05/2018	295
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 - TD94-089-5211		1,000,000		1,000,000	2.48%	20,927	NAB	AA	8/08/2017	12/06/2018	309
NAB - TD72-824-2723		1,000,000		1,000,000	2.53%	23,290	NAB	AA	18/07/2017	19/06/2018	337
NAB - TD74-094-8075		1,000,000		1,000,000	2.52%	24,648	NAB	AA	4/07/2017	26/06/2018	358
BKW - TD089-2575899-9		1,000,000		1,000,000	2.55%	25,570	BWA	AA	17/07/2017	17/07/2018	366
CBA - TD35732709 (2)		1,000,000		1,000,000	2.53%	24,745	CBA	AA	9/08/2017	31/07/2018	357
CBA - TD35732709 (3)		1,000,000		1,000,000	2.53%	25,300	CBA	AA	8/08/2017	7/08/2018	365
<b>Sub-total - Term Deposits - Investments</b>	<b>-</b>	<b>21,000,000</b>	<b>-</b>	<b>21,000,000</b>		<b>471,481</b>					
<b>Reserve Funds Investments (Cash Backed Reserves)</b>											
Aged Pensions Unit Reserve - TD36-866-8236		643,366.97		643,367	2.52%	5,330	NAB	AA	4/10/2017	1/02/2018	121
Asset Management Reserve - TD36-842-8945		566,868.43		566,868	2.52%	4,696	NAB	AA	4/10/2017	1/02/2018	121
Asset Replacement Reserve - TD42-972-1062		595,442.14		595,442	2.50%	5,016	NAB	AA	5/10/2017	5/02/2018	124
Banksia Park DMF Reserve - TD42-997-1790		107,840.42		107,840	2.50%	909	NAB	AA	5/10/2017	5/02/2018	124
Community Services & Emergency Relief Reserve - TD43-069-3230		26,058.64		26,059	2.50%	220	NAB	AA	5/10/2017	5/02/2018	124
CLAG Reserve - TD43-083.2341		239,214.95		239,215	2.50%	2,015	NAB	AA	5/10/2017	5/02/2018	124
Workers Compensation Reserve - TD69-136-9789		210,503.35		210,503	2.50%	1,730	NAB	AA	11/10/2017	8/02/2018	120
Settlement Agreement Reserve - TD68-951-1678		157,742.88		157,743	2.50%	1,297	NAB	AA	11/10/2017	8/02/2018	120
Infrastructure Reserve - TD68-832-2429		128,213.27		128,213	2.50%	1,054	NAB	AA	11/10/2017	8/02/2018	120
Golf Course Cottage Reserve - TD68-730-8350		27,263.88		27,264	2.50%	224	NAB	AA	11/10/2017	8/02/2018	120
Future Community Infrastructure Reserve - TD88-185-4822		1,568,683.23		1,568,683	2.51%	12,945	NAB	AA	18/10/2017	14/02/2018	120
Family Day Care Reserve - TD88-195-0531		1,383,876.93		1,383,877	2.51%	11,420	NAB	AA	18/10/2017	14/02/2018	120
Employee Leave Reserve - TD27-157-0945		2,037,168.93		2,037,169	2.46%	16,476	NAB	AA	25/10/2017	22/02/2018	121
Employee Leave Reserve - TD44-453-4644		2,037,168.92		2,037,169	2.45%	16,409	NAB	AA	31/10/2017	28/02/2018	121
Refuse Reserve - TD80-618-4101		2,159,202.47		2,159,202	2.47%	13,443	NAB	AA	7/11/2017	7/02/2018	92
<b>Sub-total - Term Deposits - (Cash Backed Reserves)</b>	<b>-</b>	<b>11,888,615</b>	<b>-</b>	<b>11,888,615</b>		<b>93,183</b>					
<b>Reserve Funds Investments (Developer Contributions)</b>											
DCA - 1 Hard Infrastructure - Bertram - TD835732709.29		1,757,424		1,757,424	1.92%	2,958	CBA	AA	21/12/2017	22/01/2018	32
DCA - 2 Hard Infrastructure - Wellard - TD835732709.30		1,985,247		1,985,247	1.92%	3,342	CBA	AA	21/12/2017	22/01/2018	32
DCA - 4 Hard Infrastructure - Anketell		-		-							120
DCA - 5 Hard Infrastructure - Wandl - TD835732709.31		3,128,272		3,128,272	1.92%	5,266	CBA	AA	21/12/2017	22/01/2018	32
DCA - 7 Hard Infrastructure - Mandogalup (West) - TD33-699-3763		8,567		8,567	2.45%	69	NAB	AA	14/11/2017	14/03/2018	120
DCA - 8 Soft Infrastructure - Mandogalup		-		-							
DCA - 9 Soft Infrastructure - Wandl/Anketell - TD94-049-2789		3,309,551		3,309,551	2.55%	28,902	NAB	AA	26/09/2017	29/01/2018	126
DCA - 9 Soft Infrastructure - Wandl/Anketell - TD2488191		3,334,369		3,334,369	1.65%	4,823	BEN	A	28/12/2017	29/01/2018	32
DCA - 9 Soft Infrastructure - Wandl/Anketell - TD97-154-6348		3,330,179		3,330,179	2.45%	20,118	NAB	AA	6/12/2017	6/03/2018	90
DCA - 10 Soft Infrastructure - Casuarina/Anketell		-		-							
DCA - 11 Soft Infrastructure - Wellard East - TD835732709.32		4,408,807		4,408,807	1.92%	7,189	CBA	AA	22/12/2017	22/01/2018	31
DCA - 12 Soft Infrastructure - Wellard West - TD4669100		6,348,069		6,348,069	2.10%	11,322	BWA	AA	29/12/2017	29/01/2018	31
DCA - 13 Soft Infrastructure - Bertram - TD33-681-3398		288,108		288,108	2.45%	2,321	NAB	AA	14/11/2017	14/03/2018	120
DCA - 14 Soft Infrastructure - Bertram/Leda - TD33-715-8508		367,092		367,092	2.45%	2,957	NAB	AA	14/11/2017	14/03/2018	120
DCA - 15 Soft Infrastructure - Townsite - TD33-733-2692		161,124		161,124	2.45%	1,298	NAB	AA	14/11/2017	14/03/2018	120
<b>Sub-total - Reserve Funds Investments (Developer Contributions)</b>	<b>-</b>	<b>28,426,810</b>	<b>-</b>	<b>28,426,810</b>		<b>90,565</b>					
<b>Total</b>	<b>4,910,121</b>	<b>61,316,467</b>	<b>2,991,790</b>	<b>69,218,378</b>		<b>655,229</b>					
Less Trust Bank			2,991,790	2,991,790							
<b>Total Municipal Controlled Funds</b>	<b>4,910,121</b>	<b>61,316,467</b>	<b>-</b>	<b>66,226,588</b>		<b>655,229</b>					

Institution Key			
AMP	AMP Bank	ME	ME Bank
ANZ	ANZ Bank	MYS	Mystate Bank
AUS	Auswide Bank	NAB	National Australia Bank
BEN	Bendigo Bank	PC	Petty Cash
BEY	Beyond Bank Australia	PCU	Police Credit Union
BOQ	Bank of Queensland	RIM	RIM Securities
CBA	Commonwealth Bank	WBC	Westpac Bank

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

**Note 4(a): Cash and Investments - Compliance with Investment Policy**

Portfolio Credit Risk	Funds Held	Actual at Period End	Limit per Policy
AAA & Bendigo Bank Kwinana Community Branch	3,334,369	5%	100%
AA	56,544,591	82%	100%
A	5,334,369	8%	60%
BBB	3,000,000	4%	20%
Unrated	1,000,000	1%	20%
Petty Cash	5,050	0%	N/A

Counterparty Credit Risk	Funds Held	Actual at Period End	Limit per Policy
AMP (A)	1,000,000	1%	25%
ANZ (AA)	1,042	0%	45%
AUS (BBB)	2,000,000	3%	10%
BEN (AAA)	3,334,369	5%	45%
BEY (BBB)	1,000,000	1%	10%
BOQ (A)	1,000,000	1%	25%
BWA (AA)	7,348,069	11%	45%
CBA (AA)	22,176,612	32%	45%
MYS (BBB)	-	0%	10%
NAB (AA)	26,353,238	38%	45%
PC (UR)	5,050	0%	0%
PCU (UR)	1,000,000	1%	0%
RIM (UR)	-	0%	0%
SUN (A)	-	0%	25%
WBC (AA)	4,000,000	6%	45%

**Comments - Investment Policy Compliance**

During December the City's investments were invested in line with Council Policy - Investments. With the recent review of the Council Policy, there is still one investment that is un-rated (UR) by the Standard and Poor's (S&P) and sits outside the new risk management framework, however when this investment matures in March 2018 it will be reinvested in accordance with the updated policy. The updated policy accounts for this transition period.

**5.5.1 Portfolio Credit Framework**

To control the credit quality on the investment portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum for category %
AAA and Bendigo Bank Kwinana Community Branch	A-1+ and Bendigo Bank Kwinana Community Branch	100%
AA	A-1+	100%
A	A-1	60%
BBB	A-2	20%

If any of the investments within the portfolio are subject to a credit rating downgrade such that the portfolio credit percentages are no longer compliant with the Investment Policy, or there is a review of this policy, the investment will be divested as soon as practicable.

**5.5.2 Counterparty Credit Framework**

Exposure to an individual counterparty/institution will be restricted by its credit rating so that single entity exposure is limited, as detailed in the table below:

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum for category %
AAA and Bendigo Bank Kwinana Community Branch	A-1+ and Bendigo Bank Kwinana Community Branch	45%
AA	A-1+	45%
A	A-1	25%
BBB	A-2	10%

If any of the investments within the portfolio are subject to a credit rating downgrade such that the portfolio credit percentages are no longer compliant with the Investment Policy, or there is a review of this policy, the investment will be divested as soon as practicable.

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

**Note 5: Budget Amendments**  
**Amendments to original budget since budget adoption. Surplus/(Deficit)**

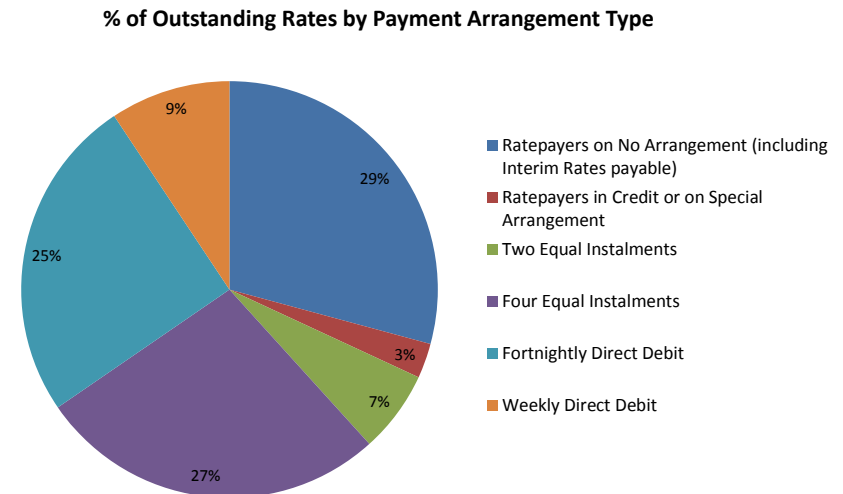
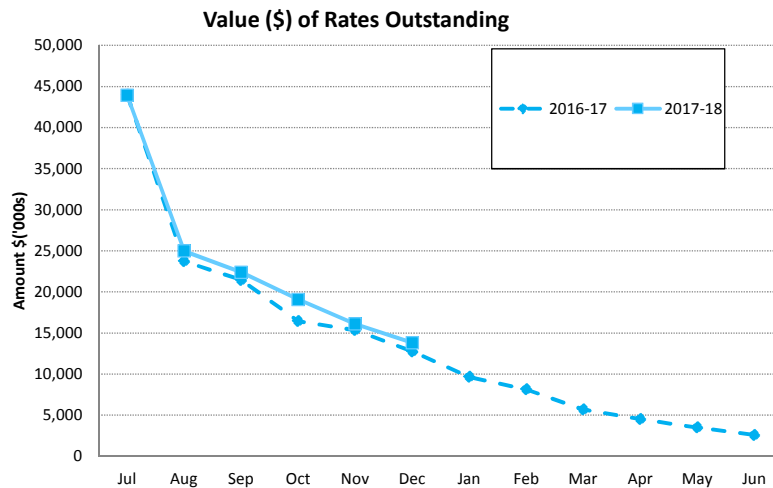
GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	<b>Budget Adoption</b>		Surplus/(Deficit)				0
	<b>Permanent Changes</b>						
W12648.585.60	Refund of Changeover fee paid for change to 360L recycling bins	09/08/17 - 566	Operating Expenses			(29,050)	(29,050)
W12648.9506.06	Refund of Changeover fee paid for change to 360L recycling bins from Refuse Reserve	09/08/17 - 566	Non Cash Item	29,050			0
W12520.8000.60	Second Stage of local sporting ground Wellard/Bertram	09/08/17 - 566	Capital Expenses			(348,650)	(348,650)
W12521.8000.60	Second Stage of local sporting ground Wellard/Bertram	09/08/17 - 566	Capital Expenses			(128,250)	(476,900)
W12520.8562.06	Second Stage of local sporting ground Wellard/Bertram	09/08/17 - 566	Non Cash Item	348,650			(128,250)
W12521.8562.06	Second Stage of local sporting ground Wellard/Bertram - Future Community Infrastructure Reserve	09/08/17 - 566	Non Cash Item	128,250			0
400104.1115.60	Increase in change for metropolitan library courier service	07/09/17 - INT	Operating Expenses			(2,585)	(2,585)
400104.1106.60	Increase in change for metropolitan library courier service	07/09/17 - INT	Operating Expenses		2,585		0
W12516.8000.60	Change of description on Capital Buildings work order from Sloan's	13/09/17 - 589	Capital Expenses			(40,000)	(40,000)
W12516.8000.60	Reserve toilets to Smirk Cottage accessible toilets	13/09/17 - 589	Capital Expenses		40,000		0
400481.1031.50	Transfer in savings in Facilities Management salaries to Darius Well reception safety modifications	13/09/17 - 589	Operating Expenses		5,000		5,000
W12721.8000.60	Building Expenses for Darius Wells reception safety modifications	13/09/17 - 589	Capital Expenses			(5,000)	0
W12558.8000.60	Challenger Avenue drainage will be completed by developer so project budget and additional amounts from various infrastructure capital projects to be transferred to Rollings Crescent for drainage upgrade which is the next drainage project priority.	27/09/17 - 598	Capital Expenses			(155,000)	(155,000)
W12558.8000.60	Challenger Avenue drainage will be completed by developer so project budget and additional amounts from various infrastructure capital projects to be transferred to Rollings Crescent for drainage upgrade which is the next drainage project priority.	27/09/17 - 598	Capital Expenses		120,000		(35,000)
W12560.8000.60	Challenger Avenue drainage will be completed by developer so project budget and additional amounts from various infrastructure capital projects to be transferred to Rollings Crescent for drainage upgrade which is the next drainage project priority.	27/09/17 - 598	Capital Expenses		9,000		(26,000)
W12562.8000.60	Challenger Avenue drainage will be completed by developer so project budget and additional amounts from various infrastructure capital projects to be transferred to Rollings Crescent for drainage upgrade which is the next drainage project priority.	27/09/17 - 598	Capital Expenses		18,000		(8,000)
W12564.8000.60	Challenger Avenue drainage will be completed by developer so project budget and additional amounts from various infrastructure capital projects to be transferred to Rollings Crescent for drainage upgrade which is the next drainage project priority.	27/09/17 - 598	Capital Expenses		8,000		0
W12477.8000.60	To replace the existing tip truck like for like, the budget amount is required to be increased. This is to be funded from the Asset Replacement Reserve.	27/09/17 - 598	Capital Expenses			(27,000)	(27,000)
W12477.8501.06	To replace the existing tip truck like for like, the budget amount is required to be increased. This is to be funded from the Asset Replacement Reserve.	27/09/17 - 598	Non Cash Item	27,000			0
W5584.601.60	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.	27/09/17 - 598	Operating Expenses			(14,000)	(14,000)
W12533.8000.60	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.	27/09/17 - 598	Capital Expenses		14,000		0
900024.178.08	Increase in expected brought forward surplus from 2016/17 closing surplus	11/10/17 - 612	Opening Surplus/(Deficit)		1,823,643		1,823,643
400002.1125.60	Allocated carry forward surplus - Wells Park feasibility study	11/10/17 - 612	Operating Expenses			(35,000)	1,788,643
W12421.155.60	Allocated carry forward surplus - Big Concert additional funds	11/10/17 - 612	Operating Expenses			(15,000)	1,773,643
W12754.155.60	Allocated carry forward surplus - The Edge Skate Park grand opening - rescheduled	11/10/17 - 612	Operating Expenses			(36,000)	1,737,643
400097.1031.50	Allocated carry forward surplus - Zone Drop-in Lounge - salaries	11/10/17 - 612	Operating Expenses			(71,800)	1,665,843
400097.1035.50	Allocated carry forward surplus - Zone Drop-in Lounge - salaries	11/10/17 - 612	Operating Expenses			(6,812)	1,659,031
W5584.601.60	Allocated carry forward surplus - Demountable building - Depot	11/10/17 - 612	Operating Expenses			(36,000)	1,623,031
400499.1652.60	Allocated carry forward surplus - After hours monitoring	11/10/17 - 612	Operating Expenses			(30,000)	1,593,031
400499.1797.60	Allocated carry forward surplus - Security guard at Darius Wells	11/10/17 - 612	Operating Expenses			(37,000)	1,556,031
400499.1797.60	Allocated carry forward surplus - CCTV Maintenance	11/10/17 - 612	Operating Expenses			(22,100)	1,533,931
W12619.138.60	Allocated carry forward surplus - Darius Wells Christmas Tree Decorations	11/10/17 - 612	Operating Expenses			(10,000)	1,523,931
W12756.8000.60	Allocated carry forward surplus - Recreational ergonomic workstation refit	11/10/17 - 612	Capital Expenses			(30,000)	1,493,931
W12557.8114.60	Allocated carry forward surplus - Callista Tennis Club access	11/10/17 - 612	Capital Expenses			(20,000)	1,473,931
W12556.8107.60	Allocated carry forward surplus - Bertram Road drainage improvement	11/10/17 - 612	Capital Expenses			(30,000)	1,443,931
W12757.8000.60	Allocated carry forward surplus - Latitude 32 lighting change from solar	11/10/17 - 612	Capital Expenses			(286,050)	1,157,881
W12591.8000.60	Allocated carry forward surplus - Medina Oval Lighting	11/10/17 - 612	Capital Expenses			(150,000)	1,007,881
W12533.8000.60	Allocated carry forward surplus - Demountable building - Depot	11/10/17 - 612	Capital Expenses			(14,000)	993,881
W12742.8000.60	Allocated carry forward surplus - Darius Wells Christmas Tree	11/10/17 - 612	Capital Expenses			(10,000)	983,881
W12465.8000.60	Allocated carry forward surplus - Youth Zone - Lounge entrance renovation	11/10/17 - 612	Capital Expenses			(25,000)	958,881
800068.2004.07	Allocated carry forward surplus - Information Technology Reserve	11/10/17 - 612	Non Cash Item	(500,000)			458,881
800068.2005.07	Allocated carry forward surplus - City Assist Initiative Reserve	11/10/17 - 612	Non Cash Item	(100,000)			358,881
W12761.8100.60	Summerton Road - Roads to Recovery funds for 2016/17 received exceeded actual expenditure and is to be allocated to the Summerton Road intersection improvement project in 2017/18, /the additional funds required to complete the Summerton Road project will be funded from the Main Roads Black Sport grant funding.	22/11/17 - 036	Capital Expenses			(99,000)	259,881
W12761.8551.06	Blackspot funding - see above	22/11/17 - 036	Non Cash Item		33,000		292,881
W12761.8512.16	16/17 Roads to Recovery Restricted funding see above.	22/11/17 - 036	Capital Revenue		66,000		358,881
W12764.8000.60	CCTV Wellard - Grant approval received from WA Police as part of the State CCTV Strategy.	22/11/17 - 036	Capital Expenses			(98,967)	259,914
W12764.8516.16	WA Police Grant see above	22/11/17 - 036	Capital Revenue		98,967		358,881
W12566.8000.60	Johnson Road alignment - Cost of relocating Telstra NBN services exceeded original estimate.	22/11/17 - 036	Capital Expenses			(81,090)	277,791
W12565.8100.60	Asset Management Reserve - see above	22/11/17 - 036	Non Cash Item	81,090			358,881
W12566.8547.06	Bertram Road dual carriageway project - completed 16/17; Western Power transformer not needed.	22/11/17 - 036	Capital Expenses		81,090		439,971
W12565.8547.06	Asset Management Reserve - see above	22/11/17 - 036	Non Cash Item	(81,090)			358,881
W12762.8100.60	Freckleton Court - Roads to Recovery funds received in 16/17 in excess of actual expenditure to be allocated to Freckleton Court.	22/11/17 - 036	Capital Expenses			(35,000)	323,881
W12762.8551.06	Restricted Grants and Contributions - see above	22/11/17 - 036	Non Cash Item	35,000			358,881
W12760.139.60	Bowling Club Shed - transfer from capital to operating. Was originally budgeted as a capital project but now club are organising works resulting in an operating contribution from the City.	22/11/17 - 036	Operating Expenses			(18,000)	340,881
W12760.9015.15	Bowling Club Shed Construction - see above	22/11/17 - 036	Capital Expenses		18,000		358,881
W12518.8000.60	Capital Revenue Contribution from Club-see above	22/11/17 - 036	Capital Revenue			(8,000)	350,881
W12518.8514.16	Operating Revenue - see above	22/11/17 - 036	Operating Revenue		8,000		358,881
W12592.8000.60	Transfer of budget from Medina netball courts to Kwinana Netball Courts	22/11/17 - 036	Capital Expenses		2,000		360,881
W12593.8000.60	Transfer of budget from Medina netball courts to Kwinana Netball Courts	22/11/17 - 036	Capital Expenses			(2,000)	358,881
W12592.8547.06	Asset Management Reserve - transfer funding from Medina Lighting to Kwinana Netball Courts	22/11/17 - 036	Non Cash Item	2,000			360,881
W12593.8547.06	Asset Management Reserve - transfer funding from Medina Lighting to Kwinana Netball Courts	22/11/17 - 036	Non Cash Item	(2,000)			358,881
W12757.8000.60	Being insurance funds for stolen lighting batteries that can be used for upgrade of street lighting to the Western	13/12/17 - 001	Capital Revenue		96,424		455,305
W12757.8518.23	Power Grid.	13/12/17 - 001	Capital Expenses			(96,424)	358,881
				(32,050)	2,443,709	(2,052,778)	358,881

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

**Note 6: Receivables - Rates**

Receivables - Rates Receivable	31 Dec 2017	30 June 2017
	\$	\$
Opening Arrears Previous Years	2,761,590	2,179,452
Levied this year	46,602,622	46,344,239
Less Collections to date	(35,558,824)	(45,762,100)
<b>Equals Collectible Rates Outstanding</b>	<b>13,805,388</b>	<b>2,761,590</b>
<b>Net Rates &amp; Charges Collectable</b>	<b>13,805,388</b>	<b>2,761,590</b>
% Outstanding	27.97%	5.69%

Outstanding Rates by Payment Arrangement Type	31 Dec 2017	
	\$	%
Ratepayers on No Arrangement (including Interim Rates payable)	4,034,083	29.22%
Ratepayers in Credit or on Special Arrangement	371,932	2.69%
Two Equal Instalments	880,637	6.38%
Four Equal Instalments	3,746,724	27.14%
Fortnightly Direct Debit	3,482,338	25.22%
Weekly Direct Debit	1,289,675	9.34%
	<b>13,805,388</b>	<b>100.00%</b>





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

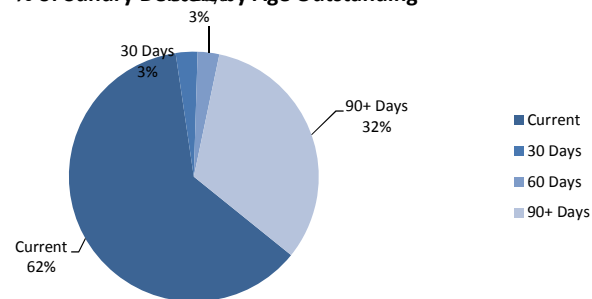
**Note 6(a): Receivables - General**

**Receivables - General**

	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Sundry Debtors	498,571	22,940	22,632	262,478	806,621
Infringements Register					162,246
<b>Total Receivables General Outstanding</b>					<b>968,867</b>

Amounts shown above include GST (where applicable)

**% of Sundry Debtors by Age Outstanding**



**Sundry Debtors Outstanding Over 90 Days Exceeding \$1,000**

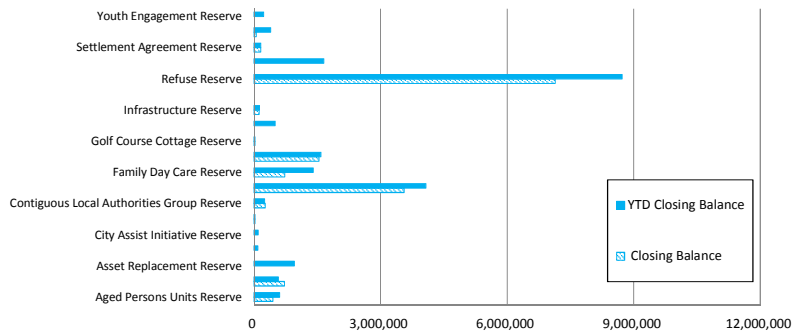
Debtor #	Description	Status	\$
303.04	Loan repayment	Repayment arrangements being adhered.	1,180
1031.04	Quarterly agreement shared Use Wellard Pavilion & Oval	Currently being followed up as customer querying increase in costs associated with oval and pavilion.	23,883
1703.11	Banksia Park Fees	Invoice to be paid upon sale of unit.	4,400
1825.07	Court awarded fines and costs	With Fines Enforcement Registry.	3,380
1907.07	Mosquito Management Contribution	Health Officer to liaise with Debtor. Reminder notice sent 21/11. Follow up letter to Debtor sent 21/12.	3,111
2428.11	Banksia Park Fees	Invoice to be paid upon sale of unit.	2,372
2442.07	Court imposed fine	No payments received. With Fines Enforcement Registry.	5,732
2535.07	Dog attack prosecution costs	Regular payments ceased in 2015; with Fines Enforcement Registry.	6,444
2549.07	Pool prosecution	No payments received. With Fines Enforcement Registry.	1,400
2726.07	Planning and Development Act prosecution	Regular payments ceased in December 2016. With Fines Enforcement	23,144
3274.07	Dog attack prosecution costs	Debtor making regular payments of \$20 via Fines Enforcement Registry.	1,092
3321.07	Dog fines and prosecution costs	Regular payments of \$25 per fortnight via Fines Enforcement Registry.	2,785
3485.07	Food Act prosecutions	No payments received. With Fines Enforcement Registry.	13,524
3884.03	Removal of abandoned vehicle	Regular payments of \$40 per fortnight via Fines Enforcement Registry.	2,755
3909.07	Local Government Act prosecution	No payments received. With Fines Enforcement Registry.	3,652
3910.07	Local Government Act prosecution	Direct debit arrangement of \$30 per fortnight.	1,601
3922.03	Verge clean up costs	10/11/17 Email sent to Legal regarding the next step due to financial hardship	1,090
3936.07	Prosecution RO 706-709	Regular payments of \$150 per fortnight via Fines Enforcement Registry.	11,852
3953.07	Local Law prosecution	Regular payments of \$45 per fortnight via Fines Enforcement Registry.	3,364
4060.07	Littering Act Prosecution - Unlawful transport	Direct debit arrangement of \$50 per fortnight.	3,362
897.04/06	Lease and Outgoings - Carpark	Liaison with Debtor in progress; with Legal.	112,183
<b>Total Debtors 90+ days &gt; \$1,000</b>			<b>232,304</b>

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

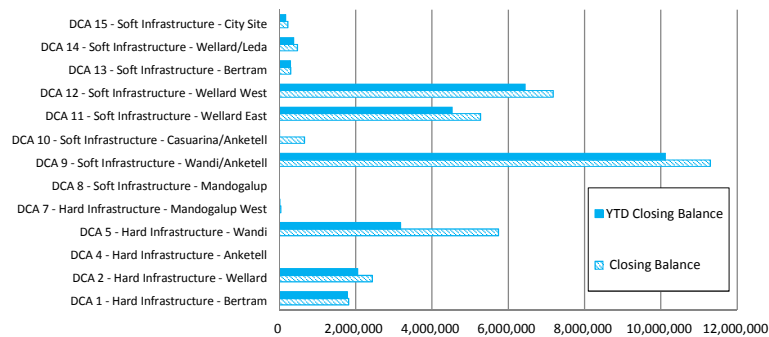
**Note 7: Cash Backed Reserve**

Reserve	Adopted Budget				Current Budget				Actual					Variance Actual vs Budget
	Opening Balance \$	Transfers In (incl Interest) (+) \$	Transfers Out (-) \$	Closing Balance \$	Opening Balance \$	Transfers In (incl Interest) (+) \$	Transfers Out (-) \$	Closing Balance \$	Opening Balance \$	Transfers In (+) \$	Interest Earned (+) \$	Transfers Out (-) \$	YTD Closing Balance \$	
<b>Municipal Reserves</b>														
Aged Persons Units Reserve	389,941	279,588	(221,315)	448,214	389,941	279,588	(221,315)	448,214	643,364	0	8,890	(40,383)	611,871	163,657
Asset Management Reserve	784,951	22,399	(83,090)	724,260	784,951	22,399	(83,090)	724,260	566,868	0	9,635	0	576,503	(147,757)
Asset Replacement Reserve	213,186	254,814	(468,000)	0	213,186	254,814	(495,000)	(27,000)	595,442	433,056	4,569	(78,737)	954,330	981,330
Banksia Park Reserve	107,650	735	(108,385)	0	107,650	735	(108,385)	0	107,840	0	1,490	(19,906)	89,424	89,424
City Assist Initiative Reserve	0	0	0	0	0	100,000	0	100,000	0	100,000	0	0	100,000	0
Community Services & Emergency Relief Reserve	25,966	611	0	26,577	25,966	611	0	26,577	26,059	0	360	0	26,419	(158)
Contiguous Local Authorities Group Reserve	253,161	56,950	(45,000)	265,111	253,161	56,950	(45,000)	265,111	239,215	10,210	3,305	(3,690)	249,040	(16,071)
Employee Leave Reserve	4,100,853	0	(539,162)	3,561,691	4,100,853	0	(539,162)	3,561,691	4,074,338	0	0	0	4,074,338	512,647
Family Day Care Reserve	1,446,637	34,023	(751,569)	729,091	1,446,637	34,023	(751,569)	729,091	1,383,878	0	19,988	0	1,403,866	674,775
Future Community Infrastructure Reserve	2,013,802	54,784	(527,100)	1,541,486	2,013,802	54,784	(1,004,000)	1,064,586	1,568,683	0	21,675	(2,495)	1,587,864	523,278
Golf Course Cottage Reserve	27,167	639	0	27,806	27,167	639	0	27,806	27,264	0	377	0	27,641	(165)
Information Technology Reserve	0	0	0	0	0	500,000	0	500,000	0	500,000	0	0	500,000	0
Infrastructure Reserve	122,859	2,889	0	125,748	122,859	2,889	0	125,748	128,213	0	1,772	0	129,985	4,237
Rates Strategy Reserve	819,692	0	(819,692)	0	819,692	0	(819,692)	0	819,692	0	0	(819,692)	0	0
Refuse Reserve	8,606,073	202,401	(1,667,704)	7,140,770	8,606,073	202,401	(1,696,754)	7,111,720	8,636,810	0	119,338	(28,298)	8,727,851	1,616,131
Restricted Grants & Contributions Reserve	1,297,522	0	(1,297,522)	0	1,297,522	0	(1,297,522)	0	2,644,457	0	0	(987,973)	1,656,484	1,656,484
Settlement Agreement Reserve	157,743	0	0	157,743	157,743	0	0	157,743	157,743	0	0	0	157,743	0
Workers Compensation Reserve	342,176	0	(289,544)	52,632	342,176	0	(289,544)	52,632	210,503	181,674	0	0	392,177	339,545
Youth Engagement Reserve	270,000	0	(270,000)	0	270,000	0	(270,000)	0	270,000	0	0	(41,292)	228,708	228,708
<b>Sub-Total Municipal Reserves</b>	<b>20,979,379</b>	<b>909,833</b>	<b>(7,088,083)</b>	<b>14,801,129</b>	<b>20,979,379</b>	<b>1,509,833</b>	<b>(7,621,033)</b>	<b>14,868,179</b>	<b>22,100,369</b>	<b>1,224,940</b>	<b>191,398</b>	<b>(2,022,465)</b>	<b>21,494,241</b>	<b>6,626,062</b>
<b>Developer Contribution Reserves</b>														
DCA 1 - Hard Infrastructure - Bertram	1,738,315	489,830	(414,093)	1,814,052	1,738,315	489,830	(414,093)	1,814,052	1,743,837	0	37,683	0	1,781,520	(32,532)
DCA 2 - Hard Infrastructure - Wellard	1,953,717	487,102	0	2,440,819	1,953,717	487,102	0	2,440,819	1,969,898	36,864	42,861	0	2,049,623	(391,196)
DCA 4 - Hard Infrastructure - Anketell	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DCA 5 - Hard Infrastructure - Wandl	3,079,247	2,662,656	0	5,741,903	3,079,247	2,662,656	0	5,741,903	3,104,086	0	67,077	0	3,171,163	(2,570,740)
DCA 7 - Hard Infrastructure - Mandogalup West	8,537	27,097	0	35,634	8,537	27,097	0	35,634	8,567	0	118	0	8,685	(26,949)
DCA 8 - Soft Infrastructure - Mandogalup	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DCA 9 - Soft Infrastructure - Wandl/Anketell	9,893,320	1,895,119	(488,318)	11,300,121	9,893,320	1,895,119	(488,318)	11,300,121	9,928,654	0	182,633	0	10,111,287	(1,188,834)
DCA 10 - Soft Infrastructure - Casuarina/Anketell	0	666,609	(7,117)	659,492	0	666,609	(7,117)	659,492	0	0	152	0	152	(659,340)
DCA 11 - Soft Infrastructure - Wellard East	4,323,240	958,816	(9,724)	5,272,332	4,323,240	958,816	(9,724)	5,272,332	4,374,577	59,136	95,376	(1,702)	4,527,388	(744,944)
DCA 12 - Soft Infrastructure - Wellard West	6,274,935	914,116	(15,637)	7,173,414	6,274,935	914,116	(15,637)	7,173,414	6,297,347	0	137,737	0	6,435,084	(738,330)
DCA 13 - Soft Infrastructure - Bertram	287,083	6,750	0	293,833	287,083	6,750	0	293,833	288,108	0	3,981	0	292,089	(1,744)
DCA 14 - Soft Infrastructure - Wellard/Leda	359,161	117,719	(6,704)	470,176	359,161	117,719	(6,704)	470,176	367,092	0	6,767	0	373,859	(96,317)
DCA 15 - Soft Infrastructure - City Site	160,443	61,328	(4,190)	217,581	160,443	61,328	(4,190)	217,581	161,124	0	544	0	161,668	(55,913)
<b>Sub-Total Developer Contribution Reserves</b>	<b>28,077,998</b>	<b>8,287,142</b>	<b>(945,783)</b>	<b>35,419,357</b>	<b>28,077,998</b>	<b>8,287,142</b>	<b>(945,783)</b>	<b>35,419,357</b>	<b>28,243,290</b>	<b>96,000</b>	<b>574,930</b>	<b>(1,702)</b>	<b>28,912,518</b>	<b>(6,506,839)</b>
<b>Total Reserves</b>	<b>49,057,377</b>	<b>9,196,975</b>	<b>(8,033,866)</b>	<b>50,220,486</b>	<b>49,057,377</b>	<b>9,796,975</b>	<b>(8,566,816)</b>	<b>50,287,536</b>	<b>50,343,659</b>	<b>1,320,940</b>	<b>766,328</b>	<b>(2,024,167)</b>	<b>50,406,760</b>	<b>119,224</b>

**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 December 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)
		\$	\$	\$	\$	\$	\$	\$	\$
<b>Motor Vehicles</b>									
5596	Toyota Aurion Sportivo 3.5L Auto - Motor Vehicle - Dispose 1ENV377 (PL420)	26,484	13,464		(13,020)	26,170	15,000	0	(11,170)
5591	Holden Colorado LTZ 4x4 Auto - Motor Vehicle - Dispose 1EOB725 (PL421)	34,188	28,236		(5,952)	33,279	25,000	0	(8,279)
5827	Toyota Kluger AWD V6 - Motor Vehicle - 1EWF500 (PL466)	31,619	37,782	6,163		31,459	28,000	0	(3,459)
5605	Holden VF Evoke V6 Sportswagon - Motor Vehicle - Dispose 1EOB748 (PL422)	17,937	14,145		(3,791)	17,639	15,000	0	(2,639)
5630	Holden Colorado 7 4x4 LTZ - Motor Vehicle - Dispose 1EOX941 (PL425)	26,699	22,555		(4,144)	26,223	20,000	0	(6,223)
5600	Holden Colorado 7 4x4 LTZ - Motor Vehicle - Dispose 1EOO657 (PL430)	26,950	25,055		(1,896)	26,223	20,000	0	(6,223)
5604	Toyota Camry Altise 2.5L Sedan - Motor Vehicle - Dispose 1ENM243 (PL423)	14,496	10,530		(3,966)	14,243	15,000	757	0
5601	Holden Colorado 4x4 Crew Cab - Motor Vehicle - Dispose KWN1955 (PL424)	26,899	20,964		(5,936)	26,223	20,000	0	(6,223)
5648	Ford Ranger 4x4 PU XL - Motor Vehicle - Dispose KWN1946 (PL426)	22,297	21,645		(651)	22,112	20,000	0	(2,112)
5602	Holden Colorado 4 x4 Crew Cab - Motor Vehicle - Dispose KWN1953 (PL427)	26,342	21,645		(4,697)	26,223	20,000	0	(6,223)
5592	Holden Colorado 4 x4 Crew Cab Ute - Motor Vehicle - Dispose KWN1952 (PL428)	26,393	20,509		(5,884)	26,223	20,000	0	(6,223)
5043	Ford Ranger PX XL 4x4 Dual Cab - Motor Vehicle - Dispose KWN1817 (PL410)	24,487	23,009		(1,478)	24,105	20,000	0	(4,105)
5598	Holden Colorado 4x4 Crew Cab - Motor Vehicle - Dispose KWN1958 (PL433)	26,699	20,509		(6,190)	26,223	20,000	0	(6,223)
5622	Volkswagen Amarok Tdi Dual Cab - Motor Vehicle - Dispose KWN2000 (PL436)	0	0			31,590	20,000	0	(11,590)
4616	Ford Ranger PX XL 4x4 Dual Cab - Motor Vehicle - Dispose KWN1820 (PL385)	20,932	23,691	2,759		0	0	0	0
4600	Volkswagen Amarok Tdi Dual Cab - Motor Vehicle - Dispose KWN1893 (PL386)	27,562	16,825		(10,737)	0	0	0	0
4601	Volkswagen Amarok Tdi Dual Cab - Motor Vehicle - Dispose KWN1984	27,302	18,643		(8,659)	0	0	0	0
<b>Furniture &amp; Equipment</b>									
4868	Single Seater Lounge - Solid Timber Frame (Library)	627	0		(627)	0	0	0	0
4869	Single Seater Lounge - Solid Timber Frame (Library)	627	0		(627)	0	0	0	0
5732	Laptop - Dell Latitude 3540	108	137	29		0	0	0	0
6070	Apple iPad Pro 9.7	780	775		(5)	0	0	0	0
<b>Plant &amp; Equipment</b>									
3287	2009 Hino 14T Tip Truck - Dispose KWN1761 (PL252)	0	0			81,808	80,000	0	(1,808)
3481	Mitsubishi Fuso Tip Truck - Dispose KWN1779 (PL289)	0	0			31,884	25,000	0	(6,884)
3075	Volvo L70F Loader - Dispose KWN624 (PL223)	0	0			92,795	80,000	0	(12,795)
5068	Mower Toro GM7200 - Dispose 1EJI080 (PL415)	16,339	6,000		(10,339)	16,112	4,000	0	(12,112)
4591	Mower Toro Zero Turn Grandmaster Ride on - Dispose 1EDW556 (PL390)	10,523	6,000		(4,523)	9,501	4,000	0	(5,501)
5624	Kubota Tractor 33HP & Slasher - Dispose 1EPN009 (PL441)	0	0			10,885	8,000	0	(2,885)
4602	Hino 500 Tip Truck 4x4 Truck - Dispose KWN1915 (PL391)	0	0			103,812	95,000	0	(8,812)
3187	Vermeer Wood Chipper - Dispose Sale 1TKV850 (PL253)	0	0			19,011	25,000	5,989	
2434	Volvo 710 Vhp Grader - Dispose KWN623 (PL49)	0	0			74,659	60,000	0	(14,659)
Various	Stihl Hedgetrimmers x 6	748	1,000	289	(36)	0	0	0	0
Various	Stihl Brushcutters x 6	812	1,091	279		0	0	0	0
Various	Clearing Saw Hedgetrimmers x 2	1,079	364		(716)	0	0	0	0
		<b>438,929</b>	<b>354,574</b>	<b>9,519</b>	<b>(93,874)</b>	<b>798,399</b>	<b>659,000</b>	<b>6,746</b>	<b>(146,145)</b>
<b>Net Profit/(Loss)</b>					<b>(84,356)</b>	<b>(139,399)</b>			

**CITY OF KWINANA**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 December 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
<b>RATE TYPE</b>	\$		\$	\$	\$	\$	\$		\$	\$	\$	\$	\$
<b>Differential General Rate</b>													
<b>Gross Rental Value (GRV)</b>													
Improved Residential	0.07351	13,034	226,454,236	16,223,658	401,763	46,080	16,671,501	12,635	220,699,968	16,223,658	850,000	-	17,073,658
Vacant Residential	0.15769	727	8,487,330	1,385,002	(41,325)	(13,169)	1,330,508	469	8,783,070	1,385,002	-	-	1,385,002
Improved Special Residential	0.06515	828	19,231,991	1,256,013	(2,652)	-	1,253,361	808	19,278,791	1,256,013	-	-	1,256,013
Light Industrial and Commercial	0.08719	151	23,678,943	2,025,036	39,531	4,419	2,068,986	145	23,225,553	2,025,036	-	-	2,025,036
General Industry and Service Commercial	0.08246	347	36,595,632	2,943,173	63,542	379	3,007,094	336	35,692,132	2,943,173	-	-	2,943,173
Large Scale General Industry and Service Commercial	0.08559	50	47,409,680	4,105,511	(40,556)	(313)	4,064,642	47	47,967,180	4,105,511	-	-	4,105,511
<b>Unimproved Value (UV)</b>													
General Industrial	0.01696	3	121,200,000	2,055,552	-	-	2,055,552	3	121,200,000	2,055,552	-	-	2,055,552
Rural	0.00471	94	97,651,000	459,936	-	-	459,936	79	97,651,000	459,936	-	-	459,936
Mining	0.00817	27	38,616,000	306,710	7,603	4,996	319,309	23	37,541,000	306,710	-	-	306,710
Urban/Urban Deferred	0.00576	208	151,710,000	868,775	5,075	37,762	911,612	63	150,829,000	868,775	-	-	868,775
<b>Sub-Totals</b>		<b>15,469</b>	<b>771,034,812</b>	<b>31,629,366</b>	<b>432,981</b>	<b>80,154</b>	<b>32,142,501</b>	<b>14,608</b>	<b>762,867,694</b>	<b>31,629,367</b>	<b>850,000</b>	<b>-</b>	<b>32,479,367</b>
<b>Minimum Payment</b>	<b>Minimum \$</b>												
<b>Gross Rental Value (GRV)</b>													
Improved Residential	\$971	1,715	20,565,612	1,646,816	14,810	2,284	1,663,910	1,696	20,376,522	1,646,816	-	-	1,646,816
Vacant Residential	\$971	1,338	5,211,273	985,565	(28,933)	(18,876)	937,756	1,015	5,339,565	985,565	-	-	985,565
Improved Special Residential	\$971	7	99,460	5,826	726	-	6,552	6	84,900	5,826	-	-	5,826
Light Industrial and Commercial	\$1,263	26	267,341	32,838	-	-	32,838	26	267,341	32,838	-	-	32,838
General Industry and Service Commercial	\$1,263	37	318,902	46,731	-	-	46,731	37	318,902	46,731	-	-	46,731
Large Scale General Industry and Service Commercial	\$1,263	0	-	-	-	-	-	0	-	-	-	-	-
<b>Unimproved Value (UV)</b>													
General Industrial	\$1,263	0	-	-	-	-	-	0	-	-	-	-	-
Rural	\$971	9	1,071,000	8,739	-	-	8,739	9	1,071,000	8,739	-	-	8,739
Mining	\$1,263	15	27,673	16,419	-	-	16,419	13	28,647	16,419	-	-	16,419
Urban/Urban Deferred	\$1,263	31	6,600	17,682	(16,419)	1,512	2,775	14	2,051,600	17,682	-	-	17,682
<b>Sub-Totals</b>		<b>3,178</b>	<b>27,567,861</b>	<b>2,760,616</b>	<b>(29,816)</b>	<b>(15,080)</b>	<b>2,715,720</b>	<b>2,816</b>	<b>29,538,477</b>	<b>2,760,616</b>	<b>-</b>	<b>-</b>	<b>2,760,616</b>
<b>Totals</b>		<b>18,647</b>	<b>798,602,673</b>	<b>34,389,982</b>	<b>403,165</b>	<b>65,074</b>	<b>34,858,221</b>	<b>17,424</b>	<b>792,406,171</b>	<b>34,389,983</b>	<b>850,000</b>	<b>-</b>	<b>35,239,983</b>
Concession							-						-
<b>Amount from General Rates</b>							<b>34,858,221</b>						<b>35,239,983</b>
Ex-Gratia Rates							-						-
Specified Area Rates							-						-
<b>Totals</b>							<b>34,858,221</b>						<b>35,239,983</b>

**CITY OF KWINANA**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 December 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
		\$		\$	\$	\$	\$	\$	\$
<b>Governance</b>									
Loan 99 - Administration Office Renovations	845,987	0		41,558	84,414	804,429	761,573	25,570	57,237
Loan 107 - Administration / Chambers Building Refurbishment	0	0	2,897,000	0	0	0	2,897,000	0	0
<b>Education &amp; Welfare</b>									
Loan 96 - Youth Specific Space	171,398	0		11,562	23,558	159,836	147,840	5,995	13,606
Loan 100 - Youth Specific Space	1,521,312	0		0	0	1,521,312	1,521,312	34,358	81,250
<b>Recreation and Culture</b>									
Loan 94 - Wellard Sports Pavilion	248,482	0		21,486	43,658	226,996	204,824	5,428	16,802
Loan 95 - Orelia Oval Pavilion	411,355	0		27,748	56,540	383,607	354,815	14,387	32,655
Loan 97 - Orelia Oval Pavilion Extension	1,871,923	0		91,956	186,785	1,779,968	1,685,138	56,580	126,648
Loan 102 - Library & Resource Centre	7,421,567	0		0	0	7,421,567	7,421,567	162,946	386,720
Loan 104 - Recquatic Refurbishment	3,350,000	0		0	0	3,350,000	3,350,000	65,984	135,675
Loan 105 - Bertram Community Centre	1,296,840	0		0	0	1,296,840	1,296,840	20,616	50,827
Loan 106 - Destination Park - Calista	1,609,695	0		46,219	93,163	1,563,476	1,516,532	24,306	49,819
<b>Transport</b>									
Loan 98 - Streetscape Beautification	1,142,081	0		56,103	113,959	1,085,978	1,028,122	34,520	77,270
Loan 101 - City Centre Redevelopment	2,500,000	0		0	0	2,500,000	2,500,000	14,766	61,750
<b>Self Supporting Loans</b>									
<b>Recreation and Culture</b>									
Loan 103B - Golf Club Refurbishment	298,494	0		7,758	15,645	290,736	282,849	4,304	11,506
	<b>22,689,134</b>	<b>0</b>	<b>2,897,000</b>	<b>304,389</b>	<b>617,722</b>	<b>22,384,745</b>	<b>24,968,412</b>	<b>469,760</b>	<b>1,101,765</b>

(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 December 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 Dec 2017
	\$	\$	\$	\$
Hall Security Bonds	55,341	2,100		57,441
Footpath & Kerbing Security Deposits	857,177		(31,456)	825,721
Sports Forfeiture Security Deposits	200			200
Bus Hire Security Deposits	3,000	2,500		5,500
Demolition Security Deposits	16,334		(3,256)	13,078
Miscellaneous Deposits	70,351	2,500		72,851
Footpath Construction Bonds	2,000			2,000
Land Subdivision Bonds	506,810	6,000	(71,054)	441,756
Road Maintenance Bonds	293,234			293,234
Landscaping Subdivision Bonds	125,315	13,473		138,787
Planning Advertising Bonds	250		(250)	0
Mortimer Road - Community Trust	10,421			10,421
ATU Landscaping Bonds	3,168		(790)	2,378
Landscaping Development Bonds	56,822	7,655		64,477
Subdivision Handrails	15,395			15,395
APU Security Bonds	16,462		(1,450)	15,012
Councillor Nomination Deposits	0	720		720
DCA Contingency Bonds	729,967	89,410		819,377
Contiguous Local Authorities Group (CLAG)	200			200
Retention Funds	0	13,180		13,180
Public Open Space Cash In Lieu	49,608	150,453		200,061
	<b>2,812,054</b>	<b>287,992</b>	<b>(108,256)</b>	<b>2,991,790</b>



































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

**Note 12: Capital Acquisitions**

		YTD Actual			Budget				
Assets	Account	New/Upgrade	Renewal	Total YTD	Adopted Annual Budget	Current Annual Budget	YTD Budget	YTD Variance	Comment
		\$	\$	\$	\$		\$	\$	
<div><div></div><div>Level of completion indicator, please see table at the end of this note for further detail.</div></div>									
Buildings									
<div></div> Adventure Park - Calista Oval - Building Renewal	00012578	0	0	0	100,000	100,000	0	0	
<div></div> Sloan's Cottage - conservation works	00012511	0	0	0	5,000	5,000	0	0	
<div></div> Smirk's Cottage - conservation works	00012512	0	0	0	5,000	5,000	0	0	
<div></div> Wheatfield Cottage - conservation works	00012513	0	0	0	15,000	15,000	15,000	15,000	
<div></div> Zone Youth Centre - repaint external walls	00012514	0	0	0	20,000	20,000	0	0	
<div></div> Revolving Energy Fund	00012515	0	0	0	35,000	35,000	35,000	35,000	
<div></div> Sloan Reserve Toilets	00012516	0	0	0	40,000	0	0	0	Funds reallocated to Smirks Cottage Accessible Reserve Toilets.
<div></div> Smirks Cottage Accessible Reserve Toilets	00012516	0	0	0	0	40,000	0	0	
<div></div> Youth Outdoor Space - Public Art	00012517	22,923	0	22,923	26,500	26,500	26,500	3,577	
<div></div> Kwinana Bowling Club shed replacement	00012518	0	0	0	18,000	0	0	0	Funds were reallocated to operating as Council only provided a contribution towards the Shed.
<div></div> CFWD Dist B - DCA 13 - Local Sporting Ground with Community Sports	00012520	0	0	0	385,350	734,000	70,499	70,499	
<div></div> CWFD Dist C - DCA14 - Local Sporting Ground with pavilion extension	00012521	2,495	0	2,495	141,750	270,000	71,977	69,482	
<div></div> CFWD Signage - update signage from Town to City	00012522	0	0	0	110,000	110,000	0	0	
<div></div> Administration Building (existing) Building renewals	00012526	0	0	0	2,897,000	2,897,000	0	0	
<div></div> Banksia Park - Bollard/Light replacement	00012527	0	0	0	6,400	6,400	0	0	
<div></div> Banksia Park - Clubhouse kitchen - cabinet replacement	00012528	0	0	0	15,000	15,000	0	0	
<div></div> Banksia Park - Clubhouse - replace wooden framed door	00012529	0	0	0	2,500	2,500	0	0	
<div></div> Banksia Park - External Painting - 5 year program	00012530	0	0	0	20,000	20,000	0	0	
<div></div> Business Incubator - replacement of split system air conditioners	00012531	0	0	0	15,000	15,000	0	0	
<div></div> Wellard Pavilion Air Conditioning	00012519	0	0	0	11,000	11,000	0	0	
<div></div> Kwinana Out of School Care - replace air conditioners	00012532	0	0	0	15,000	15,000	0	0	
<div></div> Contingency (covers all unforeseen breakdowns and requests)	00012533	0	31,429	31,429	100,000	100,000	100,000	68,571	
<div></div> Callistemon Court APU - new garage block	00012534	0	0	0	40,000	40,000	0	0	
<div></div> Callistemon Court APU - carpet replacement	00012535	0	0	0	10,000	10,000	0	0	
<div></div> Callistemon Court APU - External Painting - 5 year program	00012536	0	0	0	20,000	20,000	0	0	
<div></div> CFWD Callistemon Court APU - Construction/installation of new footpath and letterboxes	00012537	0	5,500	5,500	10,000	10,000	10,000	4,500	
<div></div> Out of School Care - 2 Budden Way - Renewal of fence	00012538	0	9,650	9,650	20,000	20,000	20,000	10,350	
<div></div> New Operations Centre	00012539	0	0	0	100,000	100,000	0	0	
<div></div> Bright Futures Family Day Care building to replace playroom, kitchenette and toy library	00012540	0	0	0	650,000	650,000	0	0	
<div></div> Darius Well Reception - Safety modifications	00012721	4,544	0	4,544	0	5,000	5,000	456	
<div></div> Recquatic ergonomic workstation refit	00012756	0	0	0	0	30,000	30,000	30,000	
<div></div> Buildings Total		29,962	46,579	76,541	4,833,500	5,327,400	383,976	307,435	


































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

**Note 12: Capital Acquisitions**

Assets	Account	YTD Actual			Budget				Comment	
		New/Upgrade	Renewal	Total YTD	Adopted Annual Budget	Current Annual 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	5,000	1,915	1,915	
	Banksia Park - 3 x Rinnai continual Flow HWU	00012444	0	0	0	10,500	10,500	10,500	10,500	
	Banksia Park - 3 x Chef Elevated Oven Replacements	00012445	0	0	0	8,085	8,085	8,085	8,085	
	Banksia Park - Park Benches	00012446	0	0	0	4,500	4,500	4,500	4,500	
	Callistemon Court APU - Rinnai continual flow HWS	00012447	0	0	0	14,000	14,000	14,000	14,000	
	Callistemon Court APU - Chef elevated oven replacement	00012448	0	0	0	8,085	8,085	0	0	
	Darius Wells Library & Resource Centre - Furniture	00012449	0	0	0	1,000	1,000	0	0	
	John Wellard Community Centre - Furniture	00012450	0	0	0	2,000	2,000	0	0	
	William Bertram community Centre - Furniture	00012451	0	0	0	2,000	2,000	0	0	
	Library - Data projector & screen	00012452	0	0	0	5,000	5,000	5,000	5,000	
	Library - F & E Renewal	00012453	0	0	0	5,500	5,500	5,500	5,500	
	Office Furniture - furniture for new staff/staff relocations	00012454	0	0	0	12,000	12,000	12,000	12,000	
	Recquatic - Administration - Office Chairs	00012455	0	0	0	1,000	1,000	1,000	1,000	
	Recquatic - Administration - Staffroom fridge	00012456	0	0	0	1,000	1,000	0	0	
	Recquatic - Administration - Staffroom TV	00012457	0	0	0	500	500	500	500	
	Recquatic - Aquatics - Blanket buddy	00012458	0	0	0	8,000	5,000	0	0	
	Recquatic - Aquatics - Disability hoist 25 metre pool	00012459	0	0	0	6,000	9,000	0	0	
	Recquatic - Aquatics - Defibrillator	00012460	0	0	0	3,000	3,000	0	0	
	Recquatic - Multi Purpose room - Mirrors	00012461	0	0	0	3,000	3,000	0	0	
	Recquatic - Cafe - Tables	00012462	0	0	0	2,000	2,000	0	0	
	Recquatic - Health & Fitness - New program equipment cost & replacement	00012463	0	0	0	2,500	2,500	0	0	
	Recquatic - Vacation Care/Crèche - Play Equipment	00012464	0	0	0	2,000	2,000	0	0	
	Youth Centre - Zone - Lounge entrance renovation	00012465	4,143	0	4,143	10,000	35,000	6,350	2,207	
	Defibrillators for City Facilities - Thomas Kelly, Orelia & one TBC	00012466	0	0	0	10,500	10,500	0	0	
	Diesel Generator for Computer Room	00012490	0	0	0	4,000	4,000	0	0	
	Darius Wells Christmas Tree/Decorations	00012742	6,700	0	6,700	0	10,000	10,000	3,300	
	CCTV for Wellard CBD - WA Police Grant State CCTV Strategy	00012764	0	0	0	0	98,967	0	0	
Computing Equipment										
	iPhones	00012467	0	0	0	20,000	20,000	0	0	
	Self Check Touchscreen Computer & Workstation	00012468	0	0	0	11,000	11,000	0	0	
	Fibre Link to the Skate Park and Adventure Park	00012471	38,178	0	38,178	40,000	40,000	40,000	1,822	
	AV Equipment - Projector Replacement	00012469	0	0	0	30,000	30,000	0	0	
	Backup/DR Software	00012473	0	0	0	3,750	3,750	3,750	3,750	
	VM Software	00012474	0	0	0	5,400	5,400	5,400	5,400	
	CFWD Various ICT Equipment for Strategic Information Technology Plan	00012472	0	0	0	146,850	146,850	90,000	90,000	





























CITY OF KWINANA  
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**Note 12: Capital Acquisitions**

Assets	Account	YTD Actual			Budget				Comment
		New/Upgrade	Renewal	Total YTD	Adopted Annual Budget	Current Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$		\$	\$	
Plant and Equipment									
 Depot - Minor Plant	00012475	0	0	0	25,000	25,000	20,000	20,000	
 Depot - Purchase of New Tip Truck - New Plant 527 - (Sale KWN1761)	00012476	0	0	0	195,000	195,000	0	0	
 Depot - Purchase of New Tip Truck - New Plant 528 - (Sale KWN1779)	00012477	0	0	0	85,000	112,000	0	0	
 Depot - Purchase of New Loader - New Plant 529 - (Sale KWN624)	00012478	0	0	0	270,000	270,000	0	0	
 Depot - Purchase of New Ride on Mower - New Plant 530	00012479	0	30,312	30,312	32,000	32,000	32,000	1,688	
 Depot - Purchase of New Ride on Mower - New Plant 532	00012480	0	30,312	30,312	32,000	32,000	32,000	1,688	
 Depot - Purchase of New Out-front ride on Mower - New Plant 531	00012481	32,567	0	32,567	30,000	30,000	30,000	(2,567)	
 NAMS Tools	00012485	0	0	0	5,000	5,000	3,509	3,509	
 Recquatic - Aquatics - Automatic pool cleaner	00012486	0	0	0	5,000	5,000	5,000	5,000	
 Recquatic - Aquatics - Lane Rope (10)	00012487	0	0	0	8,000	8,000	0	0	
 Recquatic - Aquatics - Pool Inflatable Device	00012488	0	0	0	15,000	15,000	15,000	15,000	
 Recquatic - Swim School - Swim Platform	00012489	0	0	0	2,400	2,400	2,400	2,400	
 CFWD Facilities - Soft fall tester	00012491	0	0	0	15,000	15,000	15,000	15,000	
 CFWD Speed Alert Mobile Trailer for Driver Speed Education	00012492	24,660	0	24,660	26,290	26,290	26,290	1,630	
 Computer Mounting Systems for City Assist Vehicles (KWN2061, KWN 2063, KWN2000, KWN1893)	00012493	0	0	0	9,091	9,091	9,091	9,091	
 CFWD Fixed Variable Community Notice Board	00012494	0	0	0	70,000	70,000	0	0	
 Transfer of Vehicle Isuzu FTS 3.4 Fire Tanker from DFES	00012767	500,293	0	500,293	0	0	0	(500,293)	
Motor Vehicles									
 Director City Living - Purchase & Sale - Sale 1ENV377 PL420	00012495	0	38,884	38,884	56,000	56,000	56,000	17,116	
 Director Infrastructure - Purchase & Sale - Sale 1EOB725 PL421	00012496	0	0	0	56,000	56,000	56,000	56,000	Not occuring as no longer required. Adjustment will be made during budget review process.
 Manager Marketing - Purchase & Sale - Sale 1EOB748 PL422	00012497	0	38,584	38,584	41,000	41,000	41,000	2,416	
 Manager Engineering - Purchase & Sale - Sale 1EOX941 PL425	00012498	0	40,504	40,504	41,000	41,000	41,000	496	
 Manager Works Depot - Purchase & Sale - Sale 1EOO657 PL430	00012499	0	37,092	37,092	41,000	41,000	41,000	3,908	
 Building Assets Coordinator - Purchase & Sale - Sale 1ENM243 PL423	00012500	0	32,546	32,546	38,000	38,000	38,000	5,454	
 Compliance Officer - Purchase & Sale - Sale KWN1955 PL424	00012501	0	33,989	33,989	41,000	41,000	41,000	7,011	
 Development Engineer - Purchase & Sale - Sale KWN1946 PL426	00012502	0	34,379	34,379	41,000	41,000	41,000	6,621	
 Engineer Designer - Purchase & Sale - Sale KWN1953 PL427	00012503	0	39,534	39,534	41,000	41,000	41,000	1,466	
 Project Coordinator - Purchase & Sale - Sale KWN1952 PL428	00012504	0	38,737	38,737	41,000	41,000	41,000	2,263	
 Parks Supervisor - Purchase & Sale - Sale KWN1817 PL410	00012505	0	38,737	38,737	41,000	41,000	41,000	2,263	
 Streetscape Maintenance Officer - Purchase & Sale - Sale KWN1958	00012506	0	34,498	34,498	41,000	41,000	41,000	6,502	
 Senior Essential Services - Purchase & Sale - Sale KWN2000 PL436	00012507	0	39,461	39,461	41,000	41,000	41,000	1,539	
 Chief Executive Officer - Purchase & Sale - Sale 1EWF500 P466	00012508	0	57,849	57,849	63,000	63,000	63,000	5,151	
 Director City Regulation Vehicle - Purchase only - New Plant 511	00012509	48,150	0	48,150	56,000	56,000	56,000	7,850	
 Tree Officer - Purchase only - New Plant 512	00012510	35,541	0	35,541	41,000	41,000	41,000	5,459	
Plant , Furniture and Equipment Total		690,232	565,418	1,255,650	1,932,951	2,093,918	1,128,790	(126,860)	

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



























**Note 12: Capital Acquisitions**

Assets	Account	YTD Actual			Budget				Comment
		New/Upgrade	Renewal	Total YTD	Adopted Annual Budget	Current Annual 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	30,812	30,812	216,000	134,000	134,000	103,188	
 Bore - current condition 5 cubicle & pump replacement	00012575	0	65,595	65,595	75,000	75,000	75,000	9,405	
 Bore - Forward renewal/replacement as per annual program	00012576	0	57,359	57,359	105,000	105,000	105,000	47,641	
 Bowling Club Green replacement	00012577	0	0	0	220,000	220,000	0	0	
 Calista Oval - Fencing & Bollards replacement	00012579	0	39,563	39,563	60,000	60,000	60,000	20,437	
 Sanctuary Drive - Firebreak Construction - Dual Use Path - Limestone	00012580	0	0	0	15,000	15,000	0	0	
 Goal post renewal	00012581	0	0	0	5,000	5,000	0	0	
 KIA Tree Planting Program	00012582	0	0	0	130,000	130,000	0	0	
 Kwinana Adventure Park - Bin Enclosure	00012583	0	0	0	40,000	40,000	0	0	
 Kwinana Tennis Courts - Fencing	00012584	0	0	0	80,000	80,000	0	0	
 Park Furniture/Lights	00012585	0	0	0	6,000	6,000	6,000	6,000	
 Street Tree Planting Program - Bertram Stage 1 - 45	00012586	0	0	0	120,000	120,000	0	0	
 Wells Beach Foreshore Upgrade (Park and Boating Facility)	00012587	0	0	0	466,526	466,526	130,838	130,838	
 Installation of fencing in City Reserves to prevent illegal dumping	00012588	29,026	0	29,026	50,000	50,000	50,000	20,974	
 Mortimer Road Landscaping	00012589	0	0	0	51,500	51,500	51,500	51,500	
 Wellard Village Nature Play Park - BBQ	00012590	0	0	0	10,000	10,000	10,000	10,000	
 Medina Oval - Lighting	00012591	0	0	0	150,000	300,000	150,000	150,000	
 Kwinana Netball Courts - Lighting and Additions	00012592	4,945	0	4,945	155,185	157,185	157,185	152,240	
 CFWD Thomas Oval Netball Court Renewal	00012593	0	0	0	2,000	0	0	0	
 Playground Renewal - Gawler Way POS	00012569	0	1,407	1,407	35,000	35,000	35,000	33,593	
 Playground Renewal - Wells Park	00012570	0	0	0	35,000	35,000	0	0	
 CFWD Calista Oval Destination Park - Adventure Playground	00012571	5,757	0	5,757	42,232	42,232	42,232	36,475	
 CFWD Kwinana Outdoor Youth Space KOYS - Skate Park	00012572	335,251	0	335,251	40,000	20,000	15,000	(320,251)	
 Family Day Care - Playground Equipment and Landscaping behind office	00012573	0	0	0	101,569	101,569	101,569	101,569	
 Annual upgrade of Parks as per Parks for People Strategy - Honeywood	00012777	0	0	0	0	55,000	0	0	
 Annual upgrade of Parks as per Parks for People Strategy - Prince	00012778	1,500	0	1,500	0	35,000	0	(1,500)	
 Annual upgrade of Parks as per Parks for People Strategy - Gawler	00012779	1,000	0	1,000	0	12,000	0	(1,000)	
 Parks and Reserves Total		377,479	194,736	572,215	2,211,012	2,361,012	1,123,324	551,109	















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

**Note 12: Capital Acquisitions**

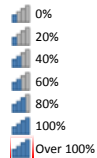
Assets	Account	YTD Actual			Budget				Comment	
		New/Upgrade	Renewal	Total YTD	Adopted Annual Budget	Current Annual Budget	YTD Budget	YTD Variance		
		\$	\$	\$	\$		\$	\$		
Roads										
Urban Road Grant Construction										
	Anketell Road (a) - 230m to 430m West of McLaughlan Road	00012541	0	0	0	93,847	93,847	0	0	
	Anketell Road (b) - 200m west to 360m east of Abercrombie & west bound	00012542	6,294	0	6,294	275,283	275,283	247,707	241,413	
	Anketell Road (c) - 460m to 1000m east of Abercrombie Road	00012543	846	0	846	119,157	119,157	0	(846)	
	Anketell Road (d) - 300m west of Armstrong to 180m east of Armstrong	00012544	0	0	0	240,252	240,252	0	0	
	Cockburn Road - Rockingham to 70m North West of Rockingham Road	00012545	0	0	0	75,348	75,348	0	0	
	Gilmore Ave & Wellard Rd to Sloan Drive North & South Bound	00012546	0	0	0	222,008	222,008	0	0	
	Ocean Street - Rockingham Road to 100 metres East - Resurfacing	00012547	0	0	0	53,820	140,000	0	0	
	Sulphur Road - Roundabout at intersection of Durrant Ave	00012548	0	0	0	45,209	45,209	0	0	
Roads to Recovery Grant Construction										
	Beacham Place - Road Upgrade and formalise cul de sac	00012549	0	34,332	34,332	95,000	95,000	0	(34,332)	
	Cockman Way - Road Resurfacing and upgrade including kerb & footpath	00012550	0	319,724	319,724	332,000	332,000	55,000	(264,724)	
	Dalrymple Drive - resurfacing of various Roundabouts and chicane red laterite	00012551	0	79,311	79,311	85,000	85,000	0	(79,311)	
	Partridge Street - Pavement rehabilitation including cul de sac & footpath	00012552	0	96,813	96,813	190,000	190,000	0	(96,813)	
	Summerton Road - Intersection Improvement - Pre deflection Medina and Calista Avenues	00012761	0	0	0	0	99,000	0	0	
	Freckleton Road - Cul de sac resealing	00012762	0	0	0	0	35,000	0	0	
Municipal Road Construction										
	Minstrell Road Bertram - Removal of Slow Point	00012560	0	10,825	10,825	20,000	11,000	11,000	175	
	The Strand & Runnymede Gate intersection - John Wellard Community Centre	00012561	0	20,837	20,837	20,000	20,000	20,000	(837)	
	Beauchamp Loop & Wellard - Installation of Traffic Calming Devices	00012562	4,335	0	4,335	35,000	17,000	17,000	12,665	
	Traffic Calming Devices Repair	00012563	0	4,956	4,956	25,000	25,000	25,000	20,044	
	Bingfield Road West & Tucker Street Medina - Installation of Traffic Calming Devices	00012564	21,070	0	21,070	40,000	32,000	32,000	10,930	
	CFWD Bertram Road Dual Carriageway	00012565	0	0	0	81,090	0	0	0	Bertram Road dual carriageway project - completed 16/17; Western Power transformer not required.
	CFWD Johnson Road realignment roadworks	00012566	0	354,238	354,238	491,681	572,771	572,771	218,533	
Roads Total			32,545	921,036	953,581	2,539,695	2,724,875	980,478	26,897	
Street Lighting										
	Replacement of solar light damaged by third party - Insurance claim	00012317	0	1,415	1,415	0	0	0	(1,415)	
	Replacement of solar light damaged by third party - Insurance claim	00012318	0	0	0	0	0	0	0	
	Latitude 32 lighting change from solar	00012757	0	0	0	0	382,474	382,474	382,474	
	Street Lighting	00012554	0	0	0	42,436	42,436	0	0	
Street Lighting Total			0	1,415	1,415	42,436	424,910	382,474	381,059	
Bus Shelter Construction										
	Bus Shelter Construction	00012553	0	0	0	51,500	51,500	0	0	
Bus Shelter Construction Total			0	0	0	51,500	51,500	0	0	

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

**Note 12: Capital Acquisitions**

Assets	Account	YTD Actual			Budget				Comment
		New/Upgrade	Renewal	Total YTD	Adopted Annual Budget	Current Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$		\$	\$	
<b>Footpath Construction</b>									
 Footpath Construction - Mortimer Road	00012555	0	0	0	92,500	92,500	72,500	72,500	
 Footpath Construction - Bertram Road	00012556	0	0	0	87,500	117,500	117,500	117,500	
 Footpath Construction - between Adventure Park and Gilmore Avenue	00012557	5,590	0	5,590	130,000	150,000	150,000	144,410	
 <b>Footpath Construction Total</b>		<b>5,590</b>	<b>0</b>	<b>5,590</b>	<b>310,000</b>	<b>360,000</b>	<b>340,000</b>	<b>334,410</b>	
<b>Drainage Construction</b>									
 Lot 1 Challenger Ave (Nutrient Stripping Basin) - Transfer of land	00012558	0	0	0	120,000	0	0	0	Challenger Avenue drainage to be completed by Developer.
 Rollings Crescent Drainage Upgrade	00012558	0	0	0	0	155,000	17,000	17,000	
 Outfall Drainage nets at various stormwater outlet locations in Leda	00012559	0	0	0	20,000	20,000	14,000	14,000	
 <b>Drainage Construction Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>140,000</b>	<b>175,000</b>	<b>31,000</b>	<b>31,000</b>	
<b>Car Park Construction</b>									
 Medina Oval - Bituminise entrance & Carpark	00012567	3,973	0	3,973	141,311	141,311	0	(3,973)	
 CFWD Construction of Carpark at the Skate Park	00012568	171,451	0	171,451	30,000	30,000	30,000	(141,451)	Works to finalise the Edge Skatepark carpark have been completed in 17/18. Majority of works were expected to be completed in 16/17, funds have been carried forward as part of finalising the 16/17 Financial Statements to offset the timing of the works. A budget adjustment for this will occur during the Budget Review process.
 <b>Car Park Construction Total</b>		<b>175,424</b>	<b>0</b>	<b>175,424</b>	<b>171,311</b>	<b>171,311</b>	<b>30,000</b>	<b>(145,424)</b>	
 <b>Capital Expenditure Total</b>		<b>1,311,232</b>	<b>1,729,184</b>	<b>3,040,416</b>	<b>12,232,405</b>	<b>13,689,926</b>	<b>4,400,042</b>	<b>1,359,626</b>	

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



## 16.6 Use of Lot 32, 11 Barker Road Casuarina

### DECLARATION OF INTEREST:

There were no declarations of interest declared.

### SUMMARY:

The City of Kwinana (City) owns freehold the area of land that is situated on Certificate of Title Volume 1645 Folio 134 and known as 11 Barker Road, Casuarina. The Casuarina Wellard Hall (site) is situated on the land. The site and land is used by the Casuarina Wellard Progress Association (Association) and the Kwinana South Volunteer Bushfire Brigade (the South Brigade). Other community groups also make use of the facilities on the land.

Council has previously considered a retrospective Home Occupation – Health Studio / Wellness Centre on Lot 202 (83) Banksia Road, Wellard at its Ordinary Council Meetings of 22 November 2017 and 17 January 2018. On both occasions, Council resolved to defer the item to allow time for City Officers to engage with the business operator with regard to finding possible alternative sites to accommodate the Health Studio / Wellness Centre (if any).

In this respect, City Officers have met with the business operator to suggest and explore alternative sites for the use. The option preferred by the operator was the use of Lot 32, 11 Barker Road, Casuarina, which is the site of the Casuarina Wellard Hall.

The purpose of this report is for Council to determine, in accordance with the requirements of s3.18 of the *Local Government Act 1995*, whether in providing premises for a commercial operator of a Health Studio, the City would be duplicating, to an extent that the local government considers inappropriate, services or facilities provided by any other body or person, whether public or private.

### OFFICER RECOMMENDATION:

1. That Council resolve, in accordance with the requirements of s3.18 of the *Local Government Act 1995*, that it considers that it would be inappropriate to duplicate the services or facilities provided by any other body or person, whether public or private by providing premises for a commercial operator of a Health Studio at the Casuarina Wellard Hall.
2. Instruct the Chief Executive Officer to commence negotiations to formalise arrangements for the use of the site by the current occupants in accordance with the requirements of s3.58 the *Local Government Act 1995*.

### DISCUSSION

The City of Kwinana (City) owns freehold the area of land that is situated on Certificate of Title Volume 1645 Folio 134 and known as 11 Barker Road, Casuarina. The Casuarina Wellard Hall (site) is situated on the land. The site and land is used by the Casuarina Wellard Progress Association (Association) and the Kwinana South Volunteer Bushfire Brigade (the South Brigade). Other community groups also make use of the facilities on the land.

#### 16.6 USE OF LOT 32, 11 BARKER ROAD CASUARINA

Council has previously considered a retrospective Home Occupation – Health Studio / Wellness Centre on Lot 202 (83) Banksia Road, Wellard at its Ordinary Council Meetings of 22 November 2017 and 17 January 2018. On both occasions, Council resolved to defer the item to allow time for City Officers to engage with the business operator with regard to finding possible alternative sites to accommodate the Health Studio / Wellness Centre (if any).

In this respect, City Officers have met with the business operator to suggest and explore alternative sites for the use. The option preferred by the operator was the use of Lot 32, 11 Barker Road, Casuarina, which is the site of the Casuarina Wellard Hall.

The *Local Government Act 1995* (Act) sets out the legislative requirements regarding the performance of its executive functions in the provision of services and facilities (s3.18).

In relation to the provision of services and facilities, the local government is to satisfy itself that the services and facilities that it provides meet the requirements of s3.18 and in particular that the services and facilities:

- (a) integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body; and
- (b) do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and
- (c) are managed efficiently and effectively.

It is understood that the site has been identified by the proponents because they are currently not in a financial position to establish their business in commercial retail spaces or private land holdings elsewhere in the City. There are already a number of private gym, health and fitness facilities located throughout the City provided by other entities and numerous commercial retail spaces or private land holdings appropriately zoned for this use. City Officers believe that the private sector is currently providing adequate services and facilities in regard to the provision of Health Studios within the district.

As such, City Officers recommend that it is inappropriate to duplicate the services or facilities provided by any other body or person, whether public or private by providing premises for a commercial operator of a Health Studio at the Casuarina Wellard Hall.

However, should the Council consider it appropriate to duplicate the services and facilities provided by any other body or person, whether public or private in leasing land and facilities for the operation of a commercial Health Studio, then the City must follow the requirements of the *Local Government Act 1995* in relation to the disposal of land. In order to dispose of property, including any part of the local government's interest in property, by way of lease or licence, other than a disposition that is excluded by regulations, the local government must follow the procedures set out in s3.58 which include, amongst other things, the requirement to give local public notice of the proposed disposition, describing the property and the details of the proposed disposition including:

- (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 —

This would open the City to receiving submissions from existing commercial operators of Health Studios within the district or owners of commercial retail spaces that are currently seeking tenants who may question the role of the Council in entering into such a lease arrangement.

## 16.6 USE OF LOT 32, 11 BARKER ROAD CASUARINA

The site is also used by the Casuarina Wellard Progress Association (Association) and the Kwinana South Volunteer Bushfire Brigade (the South Brigade). As part of any consideration regarding the use of the site by the proposed Health Studio / Wellness Centre, it is also necessary to consider the compatibility of that use with the current user groups. There are currently no formal management arrangements between the City and either the Association or the South Brigade, notwithstanding that both users have occupied the site for a number of years. This report also seeks a Council resolution that authorises the CEO to commence negotiations with the current users to formalise arrangements for use of the facilities.

**LEGAL/POLICY IMPLICATIONS:****Local Government Act 1995****3.18. Performing executive functions**

- (1) *A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.*
- (2) *In performing its executive functions, a local government may provide services and facilities.*
- (3) *A local government is to satisfy itself that services and facilities that it provides —*
  - (a) *integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body; and*
  - (b) *do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and*
  - (c) *are managed efficiently and effectively.*

**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*



## 16.6 USE OF LOT 32, 11 BARKER ROAD CASUARINA

- (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.*

**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*

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- (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.*

**FINANCIAL/BUDGET IMPLICATIONS:**

The City does not currently generate an income from the site and the Association receives any income that may be derived from hall bookings. Costs for insurance and maintenance are included in the City's 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:**

<b>Plan</b>	<b>Objective</b>	<b>Strategy</b>
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 City is not transparent in the disposal of property and does not have appropriate management arrangements in place for its assets.
Risk Theme	Ineffective management of City owned facilities
Risk Effect/Impact	Financial/Reputational
Risk Assessment Context	Operational
Consequence	Moderate

## 16.6 USE OF LOT 32, 11 BARKER ROAD CASUARINA

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 whether the City should approve the use of the site and City owned facility by a commercial operator.
Rating (after treatment)	Low

**COUNCIL DECISION**

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**MOVED CR M KEARNEY****SECONDED CR S MILLS**

1. That Council resolve, in accordance with the requirements of s3.18 of the *Local Government Act 1995*, that it considers that it would be inappropriate to duplicate the services or facilities provided by any other body or person, whether public or private by providing premises for a commercial operator of a Health Studio at the Casuarina Wellard Hall.
2. Instruct the Chief Executive Officer to commence negotiations to formalise arrangements for the use of the site by the current occupants in accordance with the requirements of s3.58 the *Local Government Act 1995*.

**CARRIED**  
**7/1**

## 17 Urgent Business

Nil

## 18 Councillor Reports

### 18.1 Deputy Mayor Peter Feasey

Deputy Mayor Peter Feasey Peter acknowledged the sad passing of former Councillor Mrs Jeraldine Gilbert whom was a member of Council from 1983 to 1995.

### 18.2 Councillor Wendy Cooper

Councillor Wendy Cooper reported that she had attended the funeral of former employee Sandra Gossage and that it was a very moving affair and that she was pleased to see how many staff attended as a sign of what a respected staff member she was.

Councillor Cooper advised that she had attended the Naming of Parks, Places and Buildings Working Group Meeting.

Councillor Cooper mentioned that she had attended the Kwinana Industries Council (KIC) 2018 Metals and Engineering School Trainee Program.

Councillor Cooper reported that she had attended the City of Kwinana Citizenship Ceremony and it had been a very pleasant experience.

Councillor Cooper advised that she had attended the City of Kwinana Library Seniors Morning Tea and stated that the guest speaker gave a presentation on the Solar System, which was quite enlightening.

Councillor Cooper mentioned that she had attended the New Teachers Afternoon Tea which was very pleasant.

Councillor Cooper reported that she had attended the Waste Management Update and she highlighted that with China withdrawing from accepting our waste products, which has been in the pipelines since 2014 and wasn't anything new to the management of waste management but it does throw a lot of interesting things into the mix. Councillor Cooper explained that drink bottles might seem like they are easily recyclable but they are in fact made of three different types of plastic and therefore only partly recyclable. Councillor Cooper added that the more things that we consume the more waste we make and as we are in the throes of trying to reduce our waste to 65%, we need to look at the consumption of things that cannot be recycled. Councillor Cooper further reported that sometime in June next year we will have a container deposit scheme and currently wine bottles are not included in the refund scheme and they are looking in to including those. Councillor Cooper stated that we need two things, we need education, particularly with the sorting of rubbish so it is not contaminated and the other most important factor is to get developers of products to design and label products so that users can readily know what can and can't be recycled.

## 18 COUNCILLOR REPORTS CONTINUED

### 18.3 Councillor Matthew Rowse

Councillor Matthew Rowse thanked the Deputy Mayor for giving him the opportunity to be the Master of Ceremonies (MC) at the City of Kwinana Citizenship Ceremony.

## 19 Response to Previous Questions

Nil

## 20 Mayoral Announcements (without discussion)

Mayor Carol Adams reported that she had attended the Annual General Meeting (AGM) of Moorditj Koort, the Mayor passed on her congratulations to Barry Winmar who is the new Chairperson. The Mayor announced that she will remain on as specialist community member for another term.

The Mayor explained that Moorditj Koort is part of a consortium of four Noongar Aboriginal Controlled Organisations (Wungening Aboriginal Corporation, Ebenezer Home, Coolabaroo Community Services) who have won a \$20M contract to provide Aboriginal in house support to Aboriginal families throughout the metropolitan area, offering parenting support, keeping families together and most of all diverting children away from being kept in care. It is also a huge employment boost with 43 additional positions being made available. The funding is for three years.

To the Aboriginal community, you cannot really underestimate the significance of this funding, as it is the biggest contract given to an Aboriginal Controlled Organisation, laying the foundation for self-determination. I am certainly excited as a Board Member to see how the implementation rolls out across the Metro Area.

The Mayor advised that she had attended the City of Kwinana New Teachers Afternoon Tea.

The Mayor mentioned that she had attended the Kwinana Industries Council (KIC) 2018 Metals and Engineering School Trainee Program.

The Mayor reported that she had attended the South Metro Zone Meeting and stated that of note was an interesting presentation by the Western Australian (WA) Police on the new 'user pays' legislation that will allow WA Police to recover costs for policing events within WA.

The Mayor advised that she had attended Council meetings at the Bayswater Council and the Town of Cottesloe as part of the Western Australian Local Government Association (WALGA) Members Advisory Service Trial.

The Mayor acknowledged the passing of former Councillor Mrs Jeraldine Gilbert.

The Mayor mentioned upcoming events of note –

- NGAA Executive Briefing tomorrow in Gosnells
- Sunday - Clean up Australia Day (Orelia)



## **21 Matters Behind Closed Doors**

Nil

## **22 Meeting Closure**

The Mayor declared the meeting closed at 8:07pm.