

Ordinary Council Meeting

10 June 2020

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

TABLE OF CONTENTS

1	Opening and announcement of visitors	4
2	Acknowledgement of country	4
3	Dedication	4
4	Attendance, apologies, Leave(s) of absence (previously approved)	5
5	Public Question Time	5
6	Receiving of petitions, presentations and deputations:	5
6.1	Petitions:	5
6.2	Presentations:	5
6.3	Deputations:	5
7	Confirmation of minutes.....	5
7.1	Ordinary Meeting of Council held on 27 May 2020:	5
8	Declarations of Interest (financial, proximity, impartiality – both real and perceived) by Members and City Officers.....	6
9	Requests for leave of absence.....	6
10	Items brought forward for the convenience of those in the public gallery.....	6
11	Any business left over from previous meeting.....	6
12	Recommendations of committees.....	6
13	Enbloc reports:	6
14	Reports - Community.....	7
14.1	Adoption of the Innovate Reconciliation Action Plan 2020-2022	7
15	Reports – Economic	14
16	Reports – Natural Environment	14
17	Reports – Built Infrastructure	15
17.1	Submission to the Department of Water and Environmental Regulation – Lot 110 Office Road, Kwinana Beach – Clearing of native vegetation.....	15
17.2	Proposed Scheme Amendment 160 to Local Planning Scheme No. 2 to rezone Lot 358 (1) Christmas Avenue, Orelia from ‘Public Purpose – State Government’ reserve to ‘Residential’ (R20) zone	20
17.3	Metropolitan Region Scheme Development Application for conveyors, clinker shed and truck load out system –1 Risely Road, Kwinana Beach.....	26
17.4	Proposed Scheme Amendment No. 158 to Local Planning Scheme No.2: Home Occupation and Home Business.....	33
17.5	Proposed Metropolitan Scheme Amendment – Rezoning portions of private and Crown land in Wellard to facilitate the duplication of Wellard and Bertram Roads 43	
18	Reports – Civic Leadership.....	52
19	Notices of motions of which previous notice has been given.....	52
20	Notices of motions for consideration at the following meeting if given during the meeting.....	52
21	Late and urgent Business	52
22	Reports of Elected Members.....	52

23	Answers to questions which were taken on notice	52
24	Mayoral Announcements	52
25	Confidential items	55
	25.1 Variations to kerbside waste and recycling contract.....	55
26	Close of meeting	56

Present:

MAYOR CAROL ADAMS, OAM
DEPUTY MAYOR PETER FEASEY
CR W COOPER
CR M KEARNEY
CR S LEE
CR M ROWSE
CR D WOOD
CR S WOOD

MR W JACK - Chief Executive Officer
MR D ELKINS - Director City Infrastructure / Acting Director City Business
MRS B POWELL - Director City Engagement
MRS M COOKE - Director City Regulation
MRS M BELL - Director City Legal
MS A MCKENZIE - Council Administration Officer

Members of the Press 0
Members of the Public 0

1 Opening and announcement of visitors

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

2 Acknowledgement of country

Presiding Member read the Acknowledgement of county

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

3 Dedication

Councillor Dennis Wood read the dedication

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

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

4 Attendance, apologies, Leave(s) of absence (previously approved)

Apologies

Nil

Leave(s) of Absence (previously approved):

Nil

5 Public Question Time

Nil

6 Receiving of petitions, presentations and deputations:

6.1 Petitions:

Nil

6.2 Presentations:

Nil

6.3 Deputations:

Nil

7 Confirmation of minutes

7.1 Ordinary Meeting of Council held on 27 May 2020:

COUNCIL DECISION

176

MOVED CR S LEE

SECONDED CR M ROWSE

That the Minutes of the Ordinary Meeting of Council held on 27 May 2020 be confirmed as a true and correct record of the meeting.

**CARRIED
8/0**

8 Declarations of Interest (financial, proximity, impartiality – both real and perceived) by Members and City Officers

Mayor Carol Adams declared an impartiality interest in item 17.3, Metropolitan Region Scheme Development Application for conveyors, clinker shed and truck load out system – 1 Risely Road, Kwinana Beach, due to the two organisations discussed in the officers report, namely Fremantle Port Authority and Cockburn Cement both being members of the Kwinana Industries Council, her husband's employer.

Mayor Carol Adams declared an impartiality interest in item 17.5, Proposed Metropolitan Scheme Amendment – Rezoning portions of private and Crown land in Wellard to facilitate the duplication of Wellard and Bertram Roads due to her daughter and her partner being landowners of 6 Glazier Grove, Wellard. Whilst the property is not adjoined to Wellard Road, it would be less than 100m from Wellard Road and could be impacted by noise and loss of amenity when Wellard Road is duplicated.

9 Requests for leave of absence

COUNCIL DECISION

177

MOVED CR D WOOD

SECONDED CR S LEE

Mayor Carol Adams be granted a leave of absence from 26 June 2020 to 30 June inclusive.

**CARRIED
8/0**

10 Items brought forward for the convenience of those in the public gallery

Nil

11 Any business left over from previous meeting

Nil

12 Recommendations of committees

Nil

13 Enbloc reports:

Nil

14 Reports - Community

14.1 Adoption of the Innovate Reconciliation Action Plan 2020-2022

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

This report seeks Council adoption of the City of Kwinana, *Innovate* Reconciliation Action Plan, Boola Maara Baldja Koorliny 2020-2022 (RAP).

Reconciliation Australia are the lead body for reconciliation in Australia. The Reconciliation Action Plan Program contributes to advancing the five dimensions of reconciliation (Race Relations, Equality and Equity, Unity, Institutional Integrity, Historical Acceptance) thereby supporting organisations to develop respectful relationships and create meaningful opportunities with Aboriginal and Torres Strait Islander peoples.

OFFICER RECOMMENDATION:

That Council:

1. adopt the City of Kwinana's *Innovate* Reconciliation Action Plan, Boola Maara Baldja Koorliny 2020-2022 (Attachment A).
2. delegate to the Chief Executive Officer the authority to make any non material amendments to the City of Kwinana's *Innovate* Reconciliation Action Plan in order to achieve endorsement of the Plan by Reconciliation Australia.

DISCUSSION:

A Reconciliation Action Plan is a strategic document containing practical actions that drive the City of Kwinana's contribution to reconciliation both internally and externally.

The RAP framework enables organisations to contribute to reconciliation by:

- building and encouraging relationships between Aboriginal and Torres Strait Islander peoples, communities, organisations, and the broader Australian community;
- fostering and embedding respect for the world's longest surviving cultures and communities;
- developing opportunities within organisations or services to improve socio-economic outcomes for Aboriginal and Torres Strait Islander peoples and communities.

There are four (4) types of RAPs that an organisation can develop - *Reflect, Innovate, Stretch, and Elevate*. Each type is designed to suit an organisation at different stages of its reconciliation journey, with minimum prescribed elements required to be met at each level.

14.1 ADOPTION OF THE INNOVATE RECONCILIATION ACTION PLAN 2020-2022

To assist development and implementation of the City's first plan (*Reflect*), the City formed a Reconciliation Advisory Group in May 2018. During formation of this group, members requested the City use the term 'Conciliation' as it more accurately reflected the process and journey being embarked upon. That is, a process of building new and strong relationships with Kwinana's Aboriginal and Torres Strait Islander community. As such, this group (and associated Plan) now bear the name Conciliation, rather than Reconciliation.

In May 2018 during National Reconciliation Week, the City of Kwinana and the Conciliation Advisory Group members officially launched the City's Conciliation Statement of Intent:

"The City of Kwinana is committed to the journey of Conciliation and respects Aboriginal people's Connection to Country as the Traditional Custodians of the land. The City of Kwinana's vision is to work together with the Kwinana community to build positive relationships between Aboriginal and non-Aboriginal communities. Throughout this journey the City aims to promote and assist with the development of pathways and opportunities for Aboriginal and Torres Strait Islander communities that are meaningful, mutually beneficial and sustainable."

In October 2018, the City officially adopted its first Conciliation Action Plan (CAP). The CAP's objective was to optimise the way in which the City engages with Aboriginal and Torres Strait Islander peoples in Kwinana and placed its focus on building relationships, fostering respect and developing opportunities.

Conciliation Action Plan Achievements

The following is a summary of the City and partners' achievements related to the first CAP.

Relationships

- Maintained a Conciliation Advisory Group that has continued to provide feedback on City projects and support implementation of the CAP.
- Developed an internal stakeholder list made up of community members and organisations to support the conciliation journey.
- Continued to share and provide feedback to community through ongoing engagement.
- Launched the first Conciliation Action Plan in March 2019.
- Worked with local organisations and the Aboriginal community in the planning and delivery of NAIDOC events.
- Developed a poster of NAIDOC events and circulated to stakeholders.
- Supported community groups and organisations to deliver projects across the City including, Relationships Australia's National Empowerment program and the 'Blue Tree' community project.
- City of Kwinana staff and members of the Conciliation Advisory Group attended the Sorry Day event planned and delivered by Moorditj Koort.
- Hosted two Aboriginal and Torres Strait Islander community engagement meetings in May 2019 and March 2020.

Respect

- Provided Aboriginal cultural training to 230 City staff as well as Elected Members.
- Liaised with an external provider to support grant applications to deliver cultural awareness training to community members.
- Displayed Aboriginal and Torres Strait Islander flags at all citizenship ceremonies and significant events.

14.1 ADOPTION OF THE INNOVATE RECONCILIATION ACTION PLAN 2020-2022

- Permanent Aboriginal flag displayed at the City Administration building.
- Kwinana Loop Trail signage upgrade includes Acknowledgement to Country, dual language stories, and rest stops at significant Aboriginal sites.
- Developed a marketing and communications plan to promote Aboriginal and Torres Strait Islander days of significance via social media.
- Approved inclusion of Acknowledgement of Country on all staff signatures, PowerPoint presentations and City agenda templates (yet to be implemented).

Opportunities

- Continued to host Youth Intervention meetings.
- Creation of an additional two 50D (Aboriginal identified) positions in the Community Engagement team.
- Continued one Aboriginal and Torres Strait Islander traineeship at the City Operations Centre in partnership Kwinana Industries Council and Clontarf Academy.
- Worked in collaboration with Nyoongar Wellbeing and Sports Corporation to deliver fortnightly Beat-Ball program at the City's Recquatic Centre.
- Koya - Kinship Empowerment Program was supported through provision of office accommodation at no charge at the City's Darius Wells Library and Resource Centre.

Outstanding deliverables from the first Conciliation Action Plan that the City will have a strong focus on achieving in the next two years include:

- Developing Welcome to Country and Acknowledgement of Country protocols document.
- Developing an Aboriginal and Torres Strait Islander employment strategy.
- Developing a policy for procurement from Aboriginal and Torres Strait Islander owned business.

***INNOVATE* Reconciliation Action Plan**

The next phase of the City's conciliation journey is development and adoption of an *Innovate* RAP, which is proposed to be implemented over the next two years - 2020 to 2022.

The *second* CAP outlines actions that work towards achieving the City's Conciliation Statement of Intent and will continue to drive the strengthening of relationships with Aboriginal and Torres Strait Islander peoples. This process will engage staff and stakeholders in conciliation and will focus on developing and piloting innovative strategies to empower Aboriginal and Torres Strait Islander people.

In developing the *second* CAP, the City asked the following three (3) questions as part of its engagement process:

Why is the CAP important to us?

- It allows the Council and community to meet together and have the same agenda, and be accountable.
- To ensure both parties get to have their say.
- Both groups coming together and creating understanding.
- To create better opportunities for future generations.

14.1 ADOPTION OF THE INNOVATE RECONCILIATION ACTION PLAN 2020-2022

What else needs to happen to ensure that the CAP makes a genuine difference?

- All actions must be met and a process needs to be followed to ensure things are achieved.
- Involve the Aboriginal and Torres Strait Islander Elders and children in discussions, activities, programs and events.
- Come to Aboriginal and Torres Strait Islander community to engage and seek feedback
- Making sure people are aware of their responsibilities.
- Have a good plan (that includes achievable actions and strategies) to set a good pathway for future generations.

The key messages from the Aboriginal and Torres Strait Islander community to the City of Kwinana with regard to implementation of the Conciliation Action Plan over the next two (2) years?

- The CAP can't be tokenistic and needs to add value.
- Follow through on actions.
- Communicate achievements and challenges with the community.
- Offer employment and training opportunities.

Deliverables to advance Conciliation are outlined within the Action Plan (Attachment A).

The overarching *Innovate* RAP document is based on a template provided by Reconciliation Australia, adapted through engagement to address the City and community partner priorities.

Reconciliation Australia have reviewed the City's draft *Innovate* RAP and have provided feedback which has been incorporated into the document. In order to achieve endorsement by Reconciliation Australia, however, the document will need to be reviewed by them again. It is anticipated that any further changes required by Reconciliation Australia would be of a non material nature. It is therefore requested that delegated authority be granted to the Chief Executive Officer to make any further non material changes to the document in order to achieve endorsement by Reconciliation Australia.

Achieving all the actions within the *Innovate* RAP will allow the City to advance to the *Stretch* RAP.

Reconciliation Australia requires the City to report on the actions within the CAP annually.

LEGAL/POLICY IMPLICATIONS:

The *Western Australian Equal Opportunity Act (1984)*.

FINANCIAL/BUDGET IMPLICATIONS:

While custodianship of the CAP is the responsibility of the Community Engagement Business Unit, delivery of the CAP is a responsibility shared across the organisation with budget allocations existing within each area for these purposes. Additional financial resources required to implement the CAP would be considered as part of the review of the Long Term Financial Plan and annual budget deliberation process.

14.1 ADOPTION OF THE INNOVATE RECONCILIATION ACTION PLAN 2020-2022

ASSET MANAGEMENT IMPLICATIONS:

There were no asset management implications identified as a result of this report or recommendation.

ENVIRONMENTAL IMPLICATIONS:

Current and future landscaping and other environmental design initiatives should take into consideration respect for Aboriginal and Torres Strait Islander culture and histories.

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support achievement of the following outcomes and objectives detailed in the Strategic Community Plan.

Plan	Outcome	Objective
Strategic Community Plan	A unique identity	1.1 Develop and strengthen community identity to create a sense of belonging
Strategic Community Plan	A City alive with activity	1.2 Inspire and strengthen community spirit through community activities and events
Strategic Community Plan	Varied job opportunities	2.1 Residents have access to ample job opportunities locally
Strategic Community Plan	A beautiful environment	3.2 Educate and promote improved environment land management

COMMUNITY ENGAGEMENT:

1. The City undertook a range of internal and external engagement meetings throughout the development of this plan including:
 - The Aboriginal and Torres Strait Islander Elders group lunch, December 2019.
 - Two Aboriginal and Torres Strait Islander community engagement meetings held in May 2019 and March 2020.
 - Two internal staff forums/planning meetings held February 2020 and March 2020.
 - Ongoing one-on-one internal and external meetings.
 - Ongoing consultation and advice received from the City's Conciliation Advisory Group.

2. The following organisations were consulted and have been instrumental in the City's delivery of the *Reflect* Reconciliation Action Plan, and development of the City's *Innovate* Reconciliation Action Plan:
 - Medina Aboriginal Cultural Centre (MACC).
 - Moorditj Koort.
 - Koya.
 - Nyoongar Wellbeing and Sports.
 - Ngalla Yorga Waangkan.

14.1 ADOPTION OF THE INNOVATE RECONCILIATION ACTION PLAN 2020-2022

3. Following endorsement of the *Innovate* Reconciliation Action Plan by Reconciliation Australia and the Council, the plan will be promoted to the community by the following methods:
- The City of Kwinana's website.
 - The City of Kwinana's social media pages.
 - A notice in the local newspaper.
 - Notification to staff via internal methods, intranet and at relevant staff meetings.
 - Embedding with the City's Corporate Reporting processes.

PUBLIC HEALTH IMPLICATIONS

The recommendation has the potential to cause a significant improvement to the following determinants of health:

- Built Environment – environmental quality
- Health Behaviours – participation
- Socio-economic Factors – education, employment, income, family and social support, community safety.

RISK IMPLICATIONS:

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

Risk Event	The City of Kwinana has publically committed to Reconciliation Australia's program to support the national reconciliation movement and to further develop respectful relationships and create meaningful opportunities with Aboriginal and Torres Strait Islander peoples. Not delivering on this commitment would risk reputation and relationships.
Risk Theme	Providing inaccurate advice/ information
Risk Effect/Impact	Service Delivery Reputation
Risk Assessment Context	Operational
Consequence	Moderate
Likelihood	Likely
Rating (before treatment)	High
Risk Treatment in place	Avoid - remove cause of risk
Response to risk treatment required/in place	Adoption of the CAP. If the CAP requires further refinements / is not adopted, the City would be required to develop and implement a Communications Plan.
Rating (after treatment)	Low

14.1 ADOPTION OF THE INNOVATE RECONCILIATION ACTION PLAN 2020-2022

COUNCIL DECISION

178

MOVED CR M ROWSE

SECONDED CR S WOOD

That Council:

1. **adopt the City of Kwinana's amended *Innovate* Reconciliation Action Plan, Boola Maara Baldja Koorliny 2020-2022 (Attachment A).**
2. **delegate to the Chief Executive Officer the authority to make any non material amendments to the City of Kwinana's amended *Innovate* Reconciliation Action Plan in order to achieve endorsement of the Plan by Reconciliation Australia.**

**CARRIED
8/0**

The Officer Recommendation has been amended at the request of Officers to include the word 'amended' at points 1 and 2 due to the original Attachment A being amended. Amendments were made to pages 2, 6 and 13. The amendments to pages 2 and 6 are minor, the amendment to page 13 is the addition of two new strategies dealing with dual Nyoongar/English naming of City owned buildings.

INNOVATE

Reconciliation Action Plan (RAP)

City of Kwinana

Innovate Reconciliation Action Plan July 2020 – June 2022

City of Kwinana acknowledges the Traditional Custodians of the land on which we live, work, and play, the Nyoongar people. We recognise their connection to the land and local waterways, their resilience and commitment to our community, and pay our respect to Elders past and present.

The City would also like to acknowledge and thank all individuals, community groups, and organisations who have provided input and feedback, which has been instrumental in the development of this City's Innovate Reconciliation Action Plan (RAP).

Warning: Aboriginal and Torres Strait Islander readers are advised that this document may contain sensitive information, and references to, or images of, people who are deceased.

Conciliation Statement of Intent

City of Kwinana's Conciliation Statement of Intent, was announced during National Reconciliation Week in May 2018. This statement and the Nyoongar translation outlines the City's commitment towards conciliation.

The City of Kwinana is committed to the journey of conciliation and respects Aboriginal and Torres Strait Islander people's connection to Country as the Traditional Custodians of the land. The City of Kwinana's mission is to work together with the Kwinana community to build positive relationships between Aboriginal and Torres Strait Islander communities and non-Aboriginal communities. Throughout this journey, the City aims to promote and assist with the development of pathways and opportunities in support of Aboriginal and Torres Strait Islander communities that are meaningful, mutually beneficial, and sustainable.

Kaya Wanjoo

The City of Kwinana baldja warelook kolbang nidja noonookatinj moort Nyoongar Boodja.

The City of Kwinana kaadatjiny kidji kandidjoogoo moorditj maar-koodjal kolbang weyaniny bidi noonookatinj djoowak mila.

Hello and Welcome

The City of Kwinana is firmly united in jointly going forward with you all on this, your people's land.

The City of Kwinana understands and extends both our hands in strong friendships going forward in the aim to build pathways for present and future generations here after.

Our Vision

Our Vision of conciliation is for a community that embraces culture and demonstrates respect for Aboriginal and Torres Strait Islander peoples and histories. A community where strong foundations have been embedded that support lasting relationships into the future. We envision a community where greater equality is experienced by all Aboriginal and Torres Strait Islander people and one where we can all walk together to champion new opportunities and celebrate success.

Mayors Message

I am delighted to present the City of Kwinana's Innovate RAP for the period 2020-2022.

The City has made great progress to date since the launch of our first RAP in March 2019, successfully implementing and delivering on its first 'Reflect' RAP. The City will now continue its journey by implementing the Innovate RAP, as we continue to further develop and strengthen the City's relationship with the local Aboriginal and Torres Strait Islander communities.

This plan has been created to drive and support community aspirations, build capacity, and create pathways for future employment. It is designed to embed the practice of consulting with our Aboriginal and Torres Strait Islander communities on City business, developing strategies that will have the greatest impact on our communities, as well as development of programs, events, activities and services within the City.

Our City continues to develop and nurture strong relationships with Elders and Aboriginal and Torres Strait Islander community members who live and work in and around Kwinana and I have been personally involved in listening to their feedback as we implement the important phases of this journey together.

Together we have delivered a number of milestones since the original CAP was launched. These include the provision of inspiring cultural awareness training to City staff, the upgrade of the Kwinana loop trail signage to reflect past histories, the creation of two additional Aboriginal and or Torres Strait Islander specific staff positions at the City and broad support for a variety of community projects, activities and events.

I have particularly fond memories of the NAIDOC Week celebrations the community held in July 2019 at the City's Darius Wells Library and Resource Centre, where I witnessed local Aboriginal and Torres Strait Islander youth perform traditional tributes to their heritage through dance and music, to a hall packed to the brim with local community members.

Through this plan, the City continues to find ways to support and connect with our Aboriginal and Torres Strait Islander communities, as we walk along the path to conciliation together.

Carol Adams OAM
Mayor, City of Kwinana 2020

Introduction:

The City of Kwinana (the City) sits within the lands of the Nyoongar people. While Noongar is identified as a single language, there are variations in both pronunciation and spelling – Noongar, Nyungar, Nyoongar, Nyoongah, Nyungah, Yungar, and Noonga. The City of Kwinana uses the spelling ‘Nyoongar’ which is reflected throughout this document except when specifically referring to an external organisation that utilises alternative spelling.

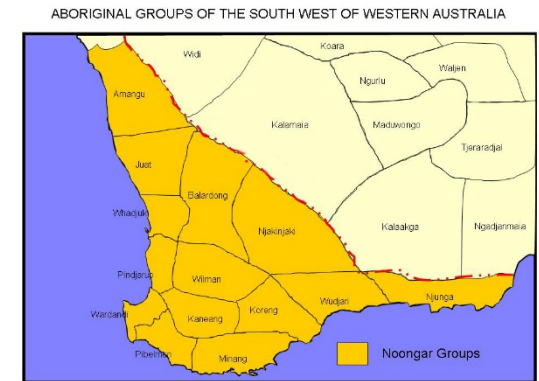
The Nyoongar people are the Traditional Custodians of Kwinana and surrounding areas. The City has a strong, active, Aboriginal and Torres Strait Islander community representing 3.6% of our population. Within the Perth Metropolitan Region, the City of Kwinana has the highest proportion of residents that identify as Aboriginal and/or Torres Strait Islander people.

Nyoongar Country is the land in the south-west corner of Western Australia. There are 14 clan groups of people from Nyoongar descent within Australia.

The City’s Conciliation Advisory Group was formed in May 2018. The Kwinana Conciliation Advisory Group advised the City to use the term “Conciliation” as it is more accurate with respect to the process and journey we are embarking upon.

The City sort guidance and took direction form the Conciliation Advisory Group when seeking a name for the Reflect RAP. The Conciliation Advisory Group chose to name the Plan “Boola Maar Baldja Koorliny”. Which means, “Many hands firmly united going forward”. The Conciliation Advisory Group were unanimous in the vote to retain the name for the Innovate RAP.

Reconciliation Australia provides a framework for organisations to support the national reconciliation movement. The framework has three pillars: Relationships, Respect and Opportunities. Each of the four types of a Reconciliation Action Plan (Reflect, Innovate, Stretch and Elevate) outline the minimum elements required for an organisation’s plan to be endorsed by Reconciliation Australia.



Our business:

The City of Kwinana is located in Perth’s outer southern suburbs between 25 and 37 kilometres south of the Perth CBD. The City is a rapidly growing residential area with substantial industrial, rural, and rural-residential areas and some commercial areas. The City encompasses a land total of nearly 120 square kilometres and is the second fastest growing local government area in Western Australia. Our population is predicted to double in the next 15 to 20 years.

In the 2016 Census, 3.6% of the City’s population identified as Aboriginal and/or Torres Strait Islander, totalling 1,405 people. This is double the percentage of Aboriginal and Torres Strait Islander people in the greater Perth area (1.8%).

The City has nine work locations including the Administration Building, Bright Futures Family Day Care, the Operations Centre, Darius Wells Library and Resource Centre, John Wellard Community Centre, William Bertram Community Centre, the Recquatic, Callistemon Court Aged Persons Units and the Zone Youth Space. The City currently employs 436 staff, of this number four employees identify as being Aboriginal and/or Torres Strait Islander. The City’s ambition is to grow the number of Aboriginal and Torres Strait Islander people within the organisation, particularly within the

City Engagement Directorate where the majority of direct interactions with the community occur. This is important step in strengthening our community relationships and will support the development of all staff by providing more understanding of cultural practices and protocols.

The City's core business comprises delivery of a variety of services to the residents of Kwinana. These services include recreation and events, library services, waste collection, youth programs, environmental protection and community development, to name a few. In addition to this, The City is involved in the provision and maintenance of facilities and infrastructure such as roads, parks, and community spaces.

The City's vision for the future is "Rich in spirit, alive with opportunities, surrounded by nature – It's all here." The vision statement succinctly represents the community's aspirations for the future and is derived directly from the community visioning priorities. The Innovate Reconciliation Action Plan (Boola Maar Baldja Koorliny) aligns directly with this vision.

This Reconciliation Action Plan will assist in driving the organisation's conciliation journey. It will continue to build meaningful relationships, demonstrate respect and be accountable to our Conciliation Statement of intent.

Brief historical overview and summary of Kwinana's Conciliation journey:

- 1950s - The Hill (Harry McGuigan Park in Medina) a significant social meeting place, both for local Aboriginal families and for families travelling through.
- 1951 - Assimilation becomes the Government policy for Aboriginal and Torres Strait Islander people in Australia. Assimilation had been the unofficial policy since 1900 where 'part Aboriginal' people were separated from 'full Aboriginal' people and expected to assimilate into white society.
- 1954 – Kwinana Council began as the Kwinana Road Board through passing the Kwinana Roads Districts Act.
- 1955 – Aboriginal man Simon Gentle, related to the Nyoongar (Noongar) Jacobs family, hired as the first employee of the Kwinana Road Board.
- 1953 - Native Housing Scheme implementation, which allows Aboriginal and Torres Strait Islander people to apply for State Housing so long as they maintained certain financial, social and domestic standards imposed by the Housing Commission.
- 1954 - Native Welfare Act passed. The Commissioner for Native Affairs still recognised as the legal guardian of all Aboriginal and/ or Torres Strait Islander children until they reached the age of 21.
- 1959 - 80% of the Aboriginal and Torres Strait Islander population deemed as not meeting the standards of the Native Housing Scheme and therefore not given housing. In Kwinana, that meant that Aboriginal and /or Torres Strait Islander people employed by BP at the Kwinana Oil Refinery resided at a camp on Chalk Hill in Medina. Thomas Oval in Medina also used for camping and washing.
- 1961 – Kwinana became a Shire.
- 1966 – Aboriginal and Torres Strait Islander children from Sister Kate's Children's Cottage Home in Queens Park invited to "holiday for Christmas" with local Medina families.
- 1967 - Federal referendum to determine whether Aboriginal and/ or Torres Strait Islander people should be included in the national census as Australian citizens and whether the Commonwealth Government should be given the power to make laws for Aboriginal and Torres Strait Islander people. The referendum returned a "YES" vote of 90.77%, still the highest positive vote in any referendum in Australia.
- 1968 - Medina resident and BP employee Alfons Boschman and his wife attempt to migrate back to Holland with their five adopted Aboriginal children. The Foundation for Aboriginal Affairs protest against the removal of the children from Australia. The case made international media and continued for many months, with the government in December 1969 eventually assisting the family to resettle in Medina.

- 1972 - Medina Aboriginal Cultural Group officially formed.
- 1973 - Medina Aboriginal Cultural Group given premises on Leasham Way Medina from the Aboriginal Lands Trust. Then Premier, Hon John Tonkin, officially opens the Medina Aboriginal Cultural Centre (MACC) on 8 December 1973.
- 1975 - The Commonwealth Racial Discrimination Act passed, making it illegal to discriminate against anyone on the grounds of race, colour, descent, nationality or ethnic origin.
- 1977 – The Shire of Kwinana becomes the Town of Kwinana.
- 1993 – Native Title discussions occur regarding Kwinana Freeway extension through Wellard and naming of Walley Bridge. The bridge named after a local Aboriginal family. The Aboriginal tin hut camp beneath the bridge displaced at this time.
- 2001 – Kwinana population reaches 20,000 people.
- 2010 - Moorditi Koort Aboriginal Health and Wellness Centre opens in Medina.
- 2012 – The Town of Kwinana becomes the City of Kwinana.
- 2016 – City of Kwinana recognises the need to develop a Reconciliation Action Plan. Kwinana population reaches almost 40,000 people.
- 2017 - Medina Revitalisation Project complete including revitalisation of The Hill (Harry McGuigan Park in Medina).
- 2018 – Kwinana Conciliation Advisory Group was established
- 2018 May - Conciliation Statement of Intent was announced during National Reconciliation Week
- 2019 March - the City's Reflect Conciliation Action Plan was launched
- 2020 March - Internal Conciliation Working Group was established 2020 June - the City's Loop Trail signage upgrade included Acknowledgment of the Nyoongar people and stories from local Aboriginal families

Our RAP:

The City of Kwinana has progressed through the development and implementation of its initial Reflect RAP and will now continue to progress conciliation through the implementation of the City's Innovate RAP. Over the next two years, the City will be delivering on its Innovate RAP this will support the City to deepen its impact by helping to set measurable targets across the organisation.

The City has developed and maintained strong relationships with Elders and Aboriginal and Torres Strait Islander community members who live and work in and around Kwinana. The Aboriginal and Torres Strait Islander communities have expressed a need for increased awareness of histories and cultures among the wider community, and aspires to develop a strong sense of pride in Aboriginal and Torres Strait Islander youth and children.

The purpose of this plan is to:

- Further develop and strengthen the relationship between the City and the community; and
- To embed the practice of consulting with Aboriginal and Torres Strait Islander communities on City business. In particular, when developing frameworks and strategies that have the greatest impacts on our community, but also when developing programs, events, activities, and services within the City.

This Reconciliation Action Plan is created to identify and support the achievement of community aspirations, build capacity, and create pathways for future employment. We understand conciliation is a journey, and we hope to learn and adapt as we progress.

The City's Conciliation Advisory Group (CAG) is made up of Elders, community members, representatives from community organisations, City staff, and Councillors. The Conciliation Advisory Group will continue to provide advice and guidance to the City on all matters relating to Aboriginal and Torres Strait Islander peoples and will continue to monitor the implementation of the Innovate Reconciliation Action Plan.

Our Conciliation Advisory Group:

Mayor Carol Adams, OAM	Council Co-Chair, City of Kwinana Mayor
Barry Winmar	Community Co-Chair – CEO, Institute of Indigenous Wellbeing and Sports
Cr Matthew Rowse	City of Kwinana, Councillor
Sarah-Jane Patton	City of Kwinana, Community Development Officer-Diversity
Russell Cox	City of Kwinana, Community Development Officer- Recreation
Charlie Kickett	Community Member (Elder)
Doris Getta	Community Member (Elder)
Lindsay Calyun	Community Member (Elder)
Marianne Mackay Headland	Community Member
Tilman Lowe	Community Member
Paul Garlett	Chairperson Medina Aboriginal Cultural Centre

As part of the development process, the City has also formed its first Conciliation Working Group. This group is made up of internal staff who are responsible for championing the Plan throughout the organisation and delivering and reporting on the City's agreed actions and deliverables. The City has one Aboriginal and /or Torres Strait Islander employee represented on the working group. In addition to the below working group members the City's Director of Community Engagement champions the RAP at the senior leadership level.

Our internal Conciliation Working Group:

Michelle Bell	Director City Legal	
Geraldine Atkinson	Contracts Coordinator / Contracts Specialist	
Melaney Jefferys	Human Resources Performance and Development Officer	
Gary Kay	Human Resources Development Coordinator	
Anna Savill	Senior Team Leader- Community Wellbeing	
Moira Wilson	Community Outreach Worker	
Amanda Lindsay	Senior Marketing and Communications Officer	
Samantha Hay	Community Programming Team Leader	
Emma Lavery	Aquatic Programs Team Leader	
Donna Howatson	Dry Program Team Leader	
Sarah-Jane Patton	Community Development Officer-Diversity	
Vanessa Wiggan	Local History Officer	
Angela Jacob	Bush Care Officer Jade McCallum	Community Development Officer – Arts and Culture

Achievements and challenges from the Reflect RAP

Achievements:

Relationships

- Maintained a Conciliation Advisory Group that has continued to provide feedback on City projects and support the implementation of the CAP
- Developed an internal stakeholder list made up of community members and organisations to support our Conciliation Journey.
- Continued to share and provide feedback to the community through ongoing engagement.
- Launched the Reflect Conciliation Action Plan March 2019.
- Worked with local organisations and the Aboriginal and Torres Strait Islander communities in the planning and delivery of NAIDOC events.
- Developed a poster of NAIDOC events and circulated this to all stakeholders.
- Supported community groups and organisations to deliver projects across the City including, Relationships Australia's National Empowerment Program, Blue Tree community project.
- Staff and members of Conciliation Advisory Group attended Sorry Day event planned and delivered by Moorditj Koort.
- Hosted two Aboriginal and Torres Strait Islander community engagement meetings May 2019 and March 2020.

Respect

- Provided Aboriginal and Torres Strait Islander cultural awareness training to 230 staff members, delivered by Traditional Owners Danny Ford and Rosemary Walley of Kambarang Services.
- Liaised with an external provider to support grant applications to deliver Aboriginal and Torres Strait Islander cultural awareness training to community members.
- Displayed Aboriginal and Torres Strait Islander flags at all citizenship ceremonies and significant events.
- Permanent Aboriginal Flag displayed at the City's Administration Building.
- Loop Trail signage upgrade includes Acknowledgement to Country, dual language, stories and rest stops at significant Aboriginal sites.
- Developed a marketing communications plan to promote Aboriginal and Torres Strait Islander days of significance via social media.
- Included Acknowledgement to Country on all staff signatures, power point presentations and City agenda templates.

Opportunities

- Created an additional two Aboriginal and Torres Strait Islander specific (50D) positions across the City Engagement Directorate.
- Continued one Aboriginal and Torres Strait Islander traineeship at the City Operations Centre in partnership with Kwinana Industries Council and Clontarf Academy.
- Worked in collaboration with Nyoongar Wellbeing and Sports Association to deliver a fortnightly Beat Ball program at the Recquatic.
- The Koya, Kinship Empowerment Program has been supported with in-kind services to assist the delivery of their programs throughout the City.

Challenges:

- A restructure and recruitment of staff has meant that relationships and mutual trust needed to be built between new staff and the Aboriginal and Torres Strait Islander communities. This has allowed us to identify the need for ongoing networking and consultation to support the development of mutually beneficial and sustainable relationships.
- The City has had a low number of Aboriginal and Torres Strait Islander applicants applying for City of Kwinana jobs. The City is committed to identifying how we can recruit and retain Aboriginal and Torres Strait Islander peoples in the City's workforce.

- Some staff have limited understanding of the significance of Cultural protocols and histories of the Aboriginal and Torres Strait Islander peoples. In addition to the development of cultural protocol document, the City aims to continue to promote cultural Aboriginal and Torres Strait Islander Cultural awareness training to all staff.

To support us in overcoming these challenges the City will have a strong focus on the outstanding deliverables from the Reflect RAP and will strive to achieve these over the next two years:

- Developing Welcome to Country and Acknowledgement to Country Protocols document.
- Develop Aboriginal and Torres Strait Islander Employment Strategy.
- Develop an Aboriginal and Torres Strait Islander procurement strategy to support the procurement of goods and services from Aboriginal and Torres Strait Islander owned businesses.

Internal and External Stakeholder Engagement:

The City undertook a range of internal and external engagement activities throughout the development of this plan including:

- Redcross invited City staff to speak with Elders during a group lunch to seek support and guidance to inform the City's Innovate RAP, December 2019.
- Two Aboriginal and Torres Strait Islander Community Engagement meetings held in May 2019 and March 2020.
- Two internal staff forums/planning meetings held February 2020 and March 2020.
- Conducted several one-on-one consultation meetings with staff members responsible for the deliverables within the Reflect RAP to identify actions achieved, and to inform the development of the Innovate RAP.
- City staff held external meetings with local organisations listed below, to discuss the support needs of Aboriginal and Torres Strait Islander peoples and to identify potential future collaborative projects.
- Ongoing consultation and advice received from the City's Conciliation Advisory group.

The City would like to acknowledge the following community organisations who have been instrumental in assisting the City with the delivery of the Reflect RAP, and development of the City's Innovate RAP:

- Medina Aboriginal Cultural Centre (MACC)
- Moorditj Koort
- KoyaAboriginal Corporation
- Nyoongar Wellbeing and Sports
- Ngalla Yorga Waangkan

The key community aspirations for reconciliation remain constant:

- The need for the City to develop strategies involving the Aboriginal and Torres Strait Islander community in order to build stronger relationships and rapport with the community; and
- The need to have more Aboriginal and Torres Strait Islander people working internally at the City of Kwinana and externally within the City of Kwinana.

The City recognises that the Innovate CAP (Boola Maar Baldja Koorliny) will enable the organisation to spend time developing these relationships while together deciding on the future vision for conciliation between the organisation and the community.

Relationships

The City recognises that building and developing strong relationships is the foundation to creating sustainable and mutually beneficial partnerships. Relationships help us to communicate and understand shared goals and aspirations. Building sustainable relationships will not only help the City to foster connections, but will bring to the organisation a better understanding of the needs of the community and will enhance community and organisational outcomes.

Focus areas:

For City staff to build and maintain relationships with our advisory group, and the wider community, and to develop collaborative partnerships with the Aboriginal and Torres Strait Islander communities and other likeminded organisations.

Action	Deliverable	Timeline	Responsibility
1. Maintain and strengthen mutually beneficial relationships with Aboriginal and Torres Strait Islander communities, organisations and groups.	Consult with the Conciliation Advisory Group and service providers on appropriate actions/ protocols to follow when engaging with the Aboriginal and Torres Strait Islander community.	October 2020	Community Development Officer - Diversity
	Develop and implement an engagement plan to work with Aboriginal and Torres Strait Islander stakeholder and organisations.	June 2021	Community Development Officer - Diversity
	Host Aboriginal and Torres Strait Islander community engagement meetings twice a year to provide feedback on RAP actions and deliverables, and identify community needs and aspirations.	March and October 2021, 2022	Community Development Officer - Diversity
2. Build relationships through celebrating and supporting National Reconciliation Week (NRW).	Internal Conciliation Action Plan Working Group members to participate in a minimum of one external National Reconciliation Week activity.	27 May - 3 June 2021, 2022	Community Development Officer - Diversity
	Encourage and support senior leaders to participate in at least one external event to recognise and celebrate National Reconciliation Week.	27 May - 3 June 2021, 2022	Community Development Officer - Diversity

	Organise at least one National Reconciliation Week activity or event each year.	27 May - 3 June 2021, 2022	Community Development Officer - Diversity
	Register all our National Reconciliation Week events and activities on Reconciliation Australia's National Reconciliation Week website.	27 May - 3 June 2021, 2022	Community Development Officer - Diversity
	Circulate Reconciliation Australia's NRW resources and reconciliation materials to our staff.	May 2021, 2022	Community Development Officer - Diversity
3. Promote our RAP across all sector areas internally and to key community stakeholders to help drive our commitment to Conciliation	Develop and implement an internal Communication Plan to inform and engage staff in our conciliation journey.	Annually June 2021, 2022	Community Development Officer -Diversity, Senior Marketing and Communications Officer
	Develop and implement an annual external marketing plan that demonstrates our commitment to conciliation publically.	Annually June 2021, 2022	Community Development Officer - Diversity, Senior Marketing and Communications Officer
	Explore opportunities to positively influence our external stakeholders to drive reconciliation outcomes.	Ongoing with annual review March 2021, 2022	Community Development Officer - Diversity
	Work with Local Government Authorities and other RAP organisations to identify existing services and activities that support conciliation and identify how we can collaborate and work with stakeholders to develop ways to advance reconciliation.	Ongoing with review twice a year - July, December 2020, 2022	Community Development Officer - Diversity
4. Promote positive race relations	Continue to review, update, implement and communicate the anti-discrimination strategies that are included in the City's Equal Opportunity Management Plan.	December 2020	Manager Human Resources

through anti-discrimination strategies and ensure all City processes and procedures are equitable and inclusive	Continue to review, update, implement and communicate the City's Workplace Behaviour Harassment, Discrimination and Bullying policy.	March 2021	Manager Human Resources
	Engage and consult with Aboriginal and/or Torres Strait Islander staff and the Conciliation Action Plan Working Group to identify current and future needs of staff.	March 2021	Manager Human Resources
	Provide ongoing coaching and support to senior leaders to promote anti-discrimination needs, and education on the effects of racism.	Annually June 2021,2022	Manager Human Resources

Respect			
<p>The City is committed to improving awareness of Aboriginal and Torres Strait Islander cultural practices, histories and knowledge amongst City staff and our community. Developing understanding of where we have come from and what is important to our local community. Respect brings with it healthy relationships and work places that embrace diversity.</p> <p>Focus Areas: To create a City that embraces culture, demonstrates respect and creates understanding.</p>			
Action	Deliverable	Timeline	Responsibility
5. Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through continuous cultural learning.	Conduct a review of our cultural learning needs within the City.	December 2021, 2022	Manager Human Resources
	Consult with our Conciliation Advisory Group and Aboriginal and Torres Strait Islander staff on the development and implementation of a Cultural Learning Strategy.	December 2021	Manager Human Resources
	Develop, implement and communicate a Cultural Learning Strategy for City staff.	June 2022	Manager Human Resources
	Identify and provide additional appropriate formal and structured cultural learning / training to senior management, HR managers and Conciliation Action Plan Working Group to enhance their understanding of local Aboriginal and Torres Strait Islander histories.	Ongoing with review March 2022	Manager Human Resources
6. Demonstrate respect to Aboriginal and Torres Strait	Invite local Elders and Traditional Custodians to speak to City staff to increase staff understanding and explain the purpose and importance of a Welcome to Country, Acknowledgement of Country and other cultural protocols and what this means to the community.	September 2020, 2021	Community Development Officer - Diversity

Islander peoples by increasing employee and community understanding of, and by observing the significance of cultural protocols including Welcome to Country and Acknowledgement to Country.	Consult with the Conciliation Advisory Group to develop a cultural protocol document, implement and communicate this to all staff including protocols for Welcome to Country and Acknowledgement to Country.	December 2020	Community Development Officer - Diversity
	Provide information to new staff during the City induction process informing them of the City's Conciliation Statement of Intent the RAP and our cultural protocols document.	Review annually December 2020, 2021	Community Development Officer - Diversity
	Invite a Traditional Owner or Custodian to provide a Welcome to Country or other appropriate cultural protocol at significant events and important meetings.	Review March 2021, 2022	Events and Stakeholder Management Specialist, Community Development Officer - Diversity
	Educate, promote and encourage grant recipients and external event organisers to conduct an Acknowledge of Country at the beginning of their events and meetings.	Ongoing with annual review December 2020, 2022	Manager Community Engagement
7. Celebrate, promote and participate in cultural celebrations including a NAIDOC week.	Develop an internal communication plan to promote participation in cultural celebrations and ensure all staff and elected members are made aware of events and resources relating to NAIDOC Week.	July 2020, 2021, 2022	Community Development Officer - Diversity
	Conciliation Action Plan Working Group to participate in one external NAIDOC week event.	July 2021, 2022	Internal Conciliation Action Plan Working Group
	Review Human Resources policies and procedures to remove barriers to staff participating in NAIDOC Week.	December 2021	Manager Human Resources
	Promote and encourage participation in external NAIDOC events to all staff.	July 2020, 2021	Community Development Officer - Diversity
	When invited, assist and support community groups in the planning and delivery of NAIDOC Week events.	July 2020, 2022	Community Development Officer - Diversity

8. Build respect and recognition for Aboriginal and Torres Strait Islander people by including visual representation of Aboriginal and Torres Strait Islander histories, cultures, and art within City buildings, landmarks and at Aboriginal Heritage sites.	Review existing Aboriginal named and themed landmarks and research the location interpretation, spelling, meaning, and history of existing significant sites within the City.	September 2021	Community Development Officer - Diversity, Local History Officer
	Liaise with the Conciliation Advisory Group to identify and list appropriate Nyoongar names to consider when naming City parks, buildings, and place areas within the City.	March 2021	Community Development Officer - Diversity
	Identify opportunities to Acknowledge local registered Aboriginal heritage sites and promote areas of cultural significance through dual naming and appropriate signage to learn about local Aboriginal and Torres Strait Islander histories and culture.	September 2021	Community Development Officer - Diversity, Community Development Officer - Arts and Culture, Local History Officer
	Investigate dual Nyoongar/English naming and develop a signage plan for City owned buildings.	July 2021	Community Development Officer - Diversity, Community Development Officer - Arts and Culture, Local History Officer
	Subject to funding, implement dual Nyoongar/English naming signage to City owned buildings.	July 2022	Community Development Officer - Diversity, Community Development Officer - Arts and Culture, Local History Officer, Manager Asset Management Services

	Review and update the City's History and Heritage Implementation Plan, the Arts and Cultural Plan and Policy, to include reference to all Aboriginal sites within Kwinana.	June 2022	Community Development Officer - Arts and Culture
--	--	-----------	--

Opportunities

The City seeks to identify, create and support opportunities for current and future generations by building capacity and creating pathways for improved economic and social outcomes. We recognise that having a workforce that is reflective of our community helps to build relationships, create diversity and offers sustainable pathways not only for Aboriginal and Torres Strait Islander peoples but also for the wider community in general.

Focus Areas:

We aim to develop strong foundations to support increased employment opportunities of Aboriginal and Torres Strait Islander people, whilst also supporting current employees in their professional development.

Action	Deliverable	Timeline	Responsibility
9. Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention and professional development.	Investigate the retention of previous and current Aboriginal and Torres Strait Islander staff to build understanding of how to support employment, retention and professional development opportunities for current and future Aboriginal and Torres Strait Islander peoples.	March 2021	Manager Human Resources
	Engage with Aboriginal and Torres Strait Islander staff and the Conciliation Advisory Group regarding development of a recruitment, retention and professional development strategy.	June 2021	Manager Human Resources
	Develop and implement an Aboriginal and Torres Strait Islander recruitment, retention and professional development strategy.	March 2022	Manager Human Resources
	Continue to review and update HR recruitment procedures and policies to remove barriers to Aboriginal and Torres Strait Islander participation in our workforce.	Ongoing with review every second year. March 2021, 2022	Manager Human Resources
	Consult with Aboriginal and Torres Strait Islander staff to identify how to best support their professional development outcomes.	March 2021	Manager Human Resources
	Upskill HR staff to be able to provide additional training / information to managers about the Staff Development Review process.	March 2022	Manager Human Resources
	Provide training and update business case templates to include additional information outlining the importance of developing a work force that is truly reflective of our community.	September 2021	Manager Human Resources

	Advertise job vacancies to effectively reach Aboriginal and Torres Strait Islander stakeholders.	Ongoing with review quarterly September, December, March, June 2020, 2022	Manager Human Resources
	Increase the Percentage of Aboriginal and Torres Strait Islander staff employed in our work force.	June 2022	Manager Human Resources, Internal Conciliation Working Group
	Subject to budget capacity, develop an Aboriginal and Torres Strait Islander specific (50D) Apprentice Mechanic position at the City's Operations Centre.	June 2022	Director City Infrastructure
10. Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.	Liaise with the Conciliation Advisory Group to develop and implement an Aboriginal and Torres Strait Islander Procurement Strategy.	March 2022	Contracts Coordinator/ Contracts Specialist
	Investigate Supplier Nation Membership	March 2021	Contracts Coordinator/ Contracts Specialist
	Develop and communicate opportunities to staff for procurement of goods and services from Aboriginal and Torres Strait Islander businesses.	June 2022	Contracts Coordinator/ Contracts Specialist
	Review and update the City's Procurement Policy and practices to remove barriers to procuring goods and services from Aboriginal and Torres Strait Islander businesses.	December 2020	Contracts Coordinator/ Contracts Specialist
	Develop and maintain a list of local Aboriginal and Torres Strait Islander suppliers City staff can draw upon for the procurement of goods and services.	September 2020, 2021	Manager Finance
	Develop and maintain commercial relationships with Aboriginal and Torres Strait Islander businesses.	December , 2021	Economic Development and Advocacy Manager,

			Community Development Officer - Diversity
11. Provide opportunities that support and promote the wellbeing, education and health of Aboriginal and Torres Strait Islander peoples through delivering collaborative and culturally sensitive programs and events.	Investigate opportunities to provide resources and support to local organisations and community groups in the delivery of programs and events that promote the education, wellbeing, and health of Aboriginal and Torres Strait Islander people.	September, December, 2020 and March, June, September, December 2021,2022	Manager Library and Community Resource Centres Manager, Kwinana Recquatic Manager, Youth and Community Wellbeing Manager, Coordinator Community Engagement and Place
	'Investigate the option of employment based training programs to support Aboriginal and Torres Strait Islander peoples seek future ongoing employment in their chosen fields.'	June 2022	Manager Human Resources
	Work in collaboration across business units to deliver health and educational programs that build capacity and create opportunities to support the growth and development of Aboriginal and Torres Strait Islander peoples.	Ongoing with review every quarter September, December, March, June 2020, 2022	Library and Community Resource Centres Manager, Kwinana Recquatic Manager, Youth and Community Wellbeing

	Investigate Aboriginal and Torres Strait Islander land management practices and programs, and identify how these could be incorporated into City strategies / approaches.	December 2021	Bush Care Officer
--	---	---------------	-------------------

Governance, Tracking, Reporting			
Action	Deliverable	Timeline	Responsibility
12. Provide appropriate support for effective implementation of RAP commitments.	Define resource needs for RAP implementation.	January 2021, 2022	Manager Community Engagement
	Engage our senior leaders and other staff in the delivery of RAP commitments.	September 2020,2021	Director Community Engagement
	Appoint and maintain an internal RAP Champion from senior management.	September 2020	Director Community Engagement
	Define and maintain appropriate systems to track, measure and report on RAP commitments.	January 2021	Community Development Officer- Diversity
13. Maintain an effective Conciliation Working Group (CWG) and Conciliation Advisory Group (CAG) to drive governance of the RAP.	CWG to meet at least four times per year to oversee the development, endorsement, and drive and monitor the implementation of the Innovate RAP.	Meetings quarterly September, December, March, June 2020, 2021,2022	Conciliation Action Plan Working Group
	Maintain Aboriginal and Torres Strait Islander representation on the CWG.	September 2020,2021	Community Development Officer - Diversity
	Continue to conduct regular CAG meetings to seek support and advice when working towards achieving RAP deliverables.	Bi monthly: February, April June, August, October, December 2020,2021,2022	Community Development Officer - Diversity

	Establish and apply a Terms of Reference for the CWG and the CAG.	September 2020, 2021	Community Development Officer - Diversity
14. Build accountability and transparency through reporting RAP achievements, challenges and learnings to Reconciliation Australia	CWG to seek and provide data for the RAP Impact Measurement Questionnaire.	July 2020,2021, 2022	Community Development Officer - Diversity
	Complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia.	August 2020, 2021,2022	Community Development Officer - Diversity
	Investigate participation in the Reconciliation Action biennial Workplace RAP Barometer.	April 2022	Community Development Officer - Diversity
15. Report on the progress of our CAP internally and externally	CWG to provide feedback and updates on individual team actions and deliverables to all staff and senior leaders through internal systems.	Quarterly September, December, March, June 2020, 2022	Conciliation Action Plan Working Group
	Publically report on the progress of implementation of the RAP in the City's Annual Report.	August 2020, 2021	Community Development Officer - Diversity
16. Review, refresh and update the CAP	Liaise with Reconciliation Australia to develop a new Conciliation Action Plan based on learning challenges and achievements of the Innovate Conciliation Action Plan.	December 2021	Community Development Officer - Diversity
	Send draft RAP to Reconciliation Australia for feedback and conditional endorsement.	April 2022	Community Development Officer - Diversity
	Submit draft RAP to Reconciliation Australia for final endorsement.	July 2022	Community Development Officer - Diversity

Contact details

Name: Sarah-Jane Patton

Position: Community Development Officer - Diversity

Phone: 9439 0226

Email: sarah-jane.patton@kwinana.wa.gov.au

15 Reports – Economic

Nil

16 Reports – Natural Environment

Nil

17 Reports – Built Infrastructure

17.1 Submission to the Department of Water and Environmental Regulation – Lot 110 Office Road, Kwinana Beach – Clearing of native vegetation

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

The Department of Water and Environmental Regulation (DWER) is seeking comment on an application to clear native vegetation at Lot 110 Office Road, Kwinana Beach (Attachment A). The proposal to clear the lot is for the purpose of installing a transmission line across the site that connects with the Rockingham Waste to Energy project. Council will recall that concerns have been expressed with the project in the past, with submissions being lodged most recently to the City of Rockingham and Environmental Protection Authority (EPA) in 2018.

While the previous concerns regarding the impact of the project remain, this application to clear vegetation is related to a proposal to install transmission lines on a nearby site. A map indicating the site, location of the transmission line and proposed species to be cleared is included as Attachment B. The lot is largely clear of vegetation currently, and it is considered that the more significant species can be retained while still providing a clear path for the transmission line. It is recommended that DWER be notified that notwithstanding the City's previous submissions on the issue, the City does not object to the application to clear the site for a transmission line provided that:

- The Eucalyptus Gomphocephala and Acacia Rostellifera indicated on site are retained.
- Approval is sought from the Western Australian Planning Commission (WAPC) under the Metropolitan Region Scheme (MRS).

A copy of the submission is included as Attachment C.

OFFICER RECOMMENDATION:

That Council:

1. Endorses the submission on the application to clear native vegetation under the *Environmental Protection Act 1986* as detailed in Attachment C.

DISCUSSION:

The City has received an invitation for comment from the Department of Water and Environmental Regulation (DWER) on an application to clear native vegetation at Lot 110 Office Road, Kwinana Beach (the subject site). The application is for the purpose of installing a transmission line which will connect the proposed Rockingham Waste to Energy Project with the electricity grid. Specifically, DWER is seeking comment on the following:

17.1 SUBMISSION TO THE DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION – LOT 110 OFFICE ROAD, KWINANA BEACH – CLEARING OF NATIVE VEGETATION

In accordance with section 51E(4)(b) of the Environmental Protection Act 1986 (EP Act), the Chief Executive Officer (CEO) of DWER considers that you may have direct interest in the subject matter of the application, and invites your comment. In addition to any comments regarding environmental matters, please advise if this application is consistent with your local Town Planning Scheme and whether any planning approvals have been granted and/or are required. If planning approvals are required, please advise whether an application has been received.

A recommended submission is included as Attachment C, but the planning and environmental issues are detailed below.

Background

The City has provided a number of submissions on the Rockingham Waste to Energy Project in the past. The City most recently provided comment on the proposal in 2018 during the EPA review and JDAP application, summarised as follows:

- EPA Public Environmental Review
 - Given the prevailing wind direction the proposal has the potential to negatively impact on the air quality of the residents nearby during periods of plant shut down.
 - The odour contour during periods of shutdown exceeds the acceptable level and will potentially impact surrounding areas.
 - Noise emissions from the facility will have the potential to impact on residents.
 - Any potential fugitive emission releases during emergency shutdown periods should be modelled and addressed.
- City of Rockingham/JDAP Development application
 - Concerns as per EPA submission.
 - The transport network has the potential to accommodate the increase in traffic but requires an upgrade to the standard of the road, as well as the intersections nearby to accommodate B-Double vehicles.
 - A waste management plan should detail how waste will be prevented from becoming windblown during transport and entry into the facility.

This clearing permit relates to the installation of transmission lines across Lot 110 Office Road, Kwinana Beach, which is across the road from the proposed Waste to Energy facility. The subject site falls within the City of Kwinana boundary, hence the referral from DWER regarding the clearing of vegetation. The site location can be seen in Attachment A. It does not appear that the installation of transmission lines or clearing of an adjoining site was considered as part of the proposal nor raised as a concern by the City in the past.

As the comment was due to the DWER on 2 June 2020, this report seeks Council's endorsement of the submitted comments.

Environmental

The subject site is currently vacant of any built form but is occupied by some vegetation. Six species have been identified (see Attachment B), however only two are considered to be ecologically significant – Eucalyptus Gomphocephala (Tuart tree) and Acacia Rostellifera (Summer-scented Wattle).

17.1 SUBMISSION TO THE DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION – LOT 110 OFFICE ROAD, KWINANA BEACH – CLEARING OF NATIVE VEGETATION

Given their locations on lot boundaries at a distance from the proposed transmission lines, it is reasonable to expect that they should be retained. It is acknowledged that some of the Wattle may need to be removed to ensure appropriate clearance from the transmission line, however the majority of it should be able to be retained. Further, should the site be developed in the future, the vegetation proposed to be retained is on the boundary of the lot, allowing for a large, clear development area.

Planning

The proposal for transmission lines does not require planning approval under Local Planning Scheme No. 2 (LPS2) due to public works exemptions for Western Power under the *Electricity Corporations Act 2005*.

These exemptions do not however apply to a region scheme, meaning that the clearing and installation of the transmission lines require approval under the Metropolitan Region Scheme (MRS). At the time of writing this report, an MRS application had not been received by City Officers.

Despite this not being an MRS application, City Officers have considered the proposal against the MRS and relevant State Planning Policies. Accordingly, the site is zoned Industrial under the MRS and it is considered that the clearing of the land, retaining the ecologically significant species and installation of transmission lines is broadly consistent with the intent of the zone. The proposal will however be considered in more detail at the time of lodgement, noting that the City would have the opportunity to comment even though it is determined by the WAPC.

Notwithstanding the above, it is considered that there are not any significant planning issues with the installation of the transmission lines across the lot.

Submission

A submission to DWER is due on 2 June 2020. Considering the above, a submission has been drafted and sent to the agency. The submission notes that while the City reiterates its concerns regarding the project overall, the clearing of this lot for the purposes of installing a transmission line is of limited significance. Specifically, it is requested that the Tuart tree and Summer-scented Wattle not be cleared and that the applicant has not yet submitted an application for development approval under the MRS.

LEGAL/POLICY IMPLICATIONS:

For the purpose of Councillors considering a financial or impartiality interest only, the proponent/owner is Development WA.

The submission detailed in this report is under section 51E of the *Environmental Protection Act 1986*.

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial/budget implications related to this item.

17.1 SUBMISSION TO THE DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION – LOT 110 OFFICE ROAD, KWINANA BEACH – CLEARING OF NATIVE VEGETATION

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications related to this item.

ENVIRONMENTAL IMPLICATIONS:

The purpose of this report is to consider the proposal to clear Lot 110 and whether any vegetation of significance is intended to be removed. City officers have recommended that specific species be retained.

STRATEGIC/SOCIAL IMPLICATIONS:

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

Plan	Outcome	Objective
Strategic Community Plan	A beautiful environment	3.1 Improve conservation of biodiversity and protection of native vegetation whilst achieving high levels of environmental protection in new developments

COMMUNITY ENGAGEMENT:

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

PUBLIC HEALTH IMPLICATIONS

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

RISK IMPLICATIONS:

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

Risk Event	Significant vegetation be approved to be cleared.
Risk Theme	Inadequate environmental management
Risk Effect/Impact	Environment
Risk Assessment Context	Strategic
Consequence	Moderate
Likelihood	Possible
Rating (before treatment)	Moderate

17.1 SUBMISSION TO THE DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION – LOT 110 OFFICE ROAD, KWINANA BEACH – CLEARING OF NATIVE VEGETATION

Risk Treatment in place	Share - Share with another party
Response to risk treatment required/in place	Ensure submission lodged with the 28 day timeframe to DWER with specific details about which vegetation is recommended to be retained.
Rating (after treatment)	Moderate

COUNCIL DECISION

179

MOVED CR M KEARNEY

SECONDED CR S LEE

That Council:

- 1. Endorses the submission on the application to clear native vegetation under the *Environmental Protection Act 1986* as detailed in Attachment C.**

**CARRIED
5/3**


CPS 8873/1 - Map

ATTACHMENT A




Legend

CPS layers

 CPS areas applied to clear

base layers

 Road Centrelines



0 10 20 30 40 m



MGA 94
Geocentric Datum of Australia 1994



GOVERNMENT OF
WESTERN AUSTRALIA

CADASTRAL SOURCE: Landgate, January 2020.
AERIAL PHOTOGRAPH SOURCE: NearMap, flown February 2020.

East Rockingham RRF, Op Pty Ltd
VEGETATION CLEARING PERMIT APPLICATION
LOT 110 OFFICE ROAD, KWINANA

FLORA SPECIES IDENTIFIED ON SITE

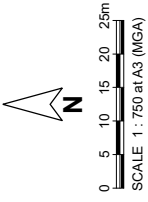


Aurora
environmental
ASSESS / ADVISE / APPLY

Drawn: A. Taylor Date: 31 Mar 2020



- Legend**
- - - Lot 110 Boundary
 - Cadastral Boundary
 - Easement Boundary
 - Indicative Alignment for Transmission Line
- Flora Species**
- Eucalyptus gomphocephala*
 - Acacia saligna*
 - Nicotiana glauca* (invasive)
 - Acacia cyclops*
 - Acacia rostellifera*
 - Spyridium globulosum*



18 May 2020

Our Ref.: D19/

Jane Clarkson
Manager – Native Vegetation Regulation
Locked Bag 10
JOONDALUP DC WA 6919

Dear Ms Clarkson,

APPLICATION TO CLEAR NATIVE VEGETATION – LOT 110 OFFICE ROAD, KWINANA BEACH

I refer to the Department of Water and Environmental Regulation's (DWER) letter of 5 May 2020 seeking comments on an application to clear native vegetation at Lot 110 Office Road, Kwinana Beach.

The City of Kwinana (the City) has taken the opportunity to review the proposed application and provide the following comments for your consideration.

Native vegetation

The City does not object to the clearing of the *Acacia saligna*, *Nicotiana glauca*, *Acacia cyclops* or *Spyridium globulosom*. However, the *Eucalyptus Gomphocephala* and *Acacia rostellifera* are ecologically significant and should be retained. It is noted that both of these species are near the lot boundary and predominantly clear from the proposed transmission line.

Planning

It is confirmed that development approval is not required under the Local Planning Scheme No.2 due to public works exemptions available for Western Power. However, this does not extend to the Metropolitan Region Scheme, meaning that development approval is required

City of Kwinana Administration
Corner Gilmore Avenue and Sulphur Road, Kwinana WA 6167
PO Box 21, Kwinana WA 6966 | Telephone 08 9439 0200 | NRS 133 677 (hearing/speech impaired)
Email customer@kwinana.wa.gov.au | Website kwinana.wa.gov.au



prior to commencement of any works. At the time of writing this submission, the City had not received an application for development approval.

Please contact Chloe Johnston, Coordinator Statutory Planning on 9439 0427 if you require more information or wish to discuss this matter further.

Yours sincerely

Wayne Jack

Chief Executive Officer

17.2 Proposed Scheme Amendment 160 to Local Planning Scheme No. 2 to rezone Lot 358 (1) Christmas Avenue, Orelia from 'Public Purpose – State Government' reserve to 'Residential' (R20) zone

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

The City of Kwinana (City) received a request to amend Local Planning Scheme No. 2 (LPS2) to rezone Lot 358 (1) Christmas Avenue, Orelia from 'Public Purpose – State Government' to 'Residential' (R20) (Attachment A) from the Water Corporation (the owner of Lot 358). A Water Corporation wastewater pump station was situated on Lot 358 until it was decommissioned in 2011. The site is currently vacant and surplus to the needs of the Water Corporation (Attachment B).

Lot 358 is a 1,235m² site situated on the corner of Christmas Avenue and Clark Place (Figure 1). The proposed rezoning to 'Residential' (R20) will allow two dwellings to be developed on the site. Although, three dwellings may be permitted if a variation to the Residential Design Codes (R Codes) is approved by the Western Australian Planning Commission (WAPC).

At its Ordinary Council Meeting on 26 February 2020 Council resolved that Amendment 160 to LPS2 be advertised for 42 days in accordance with Regulation 47(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (P&D Regulations) on the basis that it is a 'Standard' amendment under Regulation 35(2)(a) of the P&D Regulations.

During the submission period the City received one submission from the Water Corporation supporting the proposed rezoning of Lot 358. The submission is set out in the Schedule of Submissions (Attachment C).

Amendment 160 and the resulting development potential of two to three dwellings, is consistent with the surrounding area. Accordingly, City Officers recommend the amendment be supported.

OFFICER RECOMMENDATION:

That Council:

1. In accordance with Regulation 50(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* determines to support Amendment 160 to the City of Kwinana Local Planning Scheme No. 2 for the purpose of rezoning Lot 358 (1) Christmas Avenue, Orelia from 'Public Purpose – State Government' to 'Residential' (R20).
2. In accordance with Regulation 50(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* notes the submissions received in respect of Amendment 160 to City of Kwinana Local Planning Scheme No. 2 and endorses the response to the submissions as contained in this report.

17.2 PROPOSED SCHEME AMENDMENT 160 TO LOCAL PLANNING SCHEME NO. 2 TO REZONE LOT 358 (1) CHRISTMAS AVENUE, ORELIA FROM 'PUBLIC PURPOSE – STATE GOVERNMENT' RESERVE TO 'RESIDENTIAL' (R20) ZONE

3. Ensure the documentation for Amendment 160 be signed and sealed and then submitted to the Western Australian Planning Commission, with a request for the endorsement of final approval by the Hon Minister of Planning.

PROPOSAL:

The owner of Lot 358 (Water Corporation) has requested that Council progress Amendment 160 to rezone Lot 358 (1) Christmas Avenue, Orelia from 'Public Purpose – State Government' to 'Residential' with an applicable residential coding of R20.

Lot 358 is a 1,235m² corner site and the proposed rezoning to 'Residential' (R20) will allow two dwellings to be developed on the property in accordance with the Residential Design Codes (R Codes). Three dwellings may be permitted if a variation to the R Codes is approved by the WAPC.

Figure 1: Locality map



PLANNING CONTEXT:

The Perth and Peel @ 3.5 million and associated South Metropolitan Peel Sub-Regional Planning Framework (Sub-Regional Planning Framework) set out objectives for housing diversity and mix across the Perth metropolitan area. The Sub-Regional Planning Framework indicates targets for the City.

Similarly, Liveable Neighbourhoods (WAPC, 2009) promotes the provision of a diversity of residential densities and dwelling types within neighbourhoods to provide for housing and lifestyle choices.

17.2 PROPOSED SCHEME AMENDMENT 160 TO LOCAL PLANNING SCHEME NO. 2 TO REZONE LOT 358 (1) CHRISTMAS AVENUE, ORELIA FROM 'PUBLIC PURPOSE – STATE GOVERNMENT' RESERVE TO 'RESIDENTIAL' (R20) ZONE

The current zoning of the lots surrounding Lot 358 is R20 and the density coding proposed by Amendment 160 is consistent with the surrounding areas. The City is currently preparing a draft Local Planning Strategy and is considering future residential densities and demand for a diversity of dwelling types within the City. City officers consider that the Local Planning Strategy should determine appropriate densities and locations in accordance with the City's land use vision. These densities and associated provisions would then apply statutorily via the City's new Local Planning Scheme.

ENVIRONMENTAL ASSESSMENT:

Amendment 160 was referred to the Environmental Protection Authority (EPA) in accordance with Section 82 of the *Planning and Development Act 2005* (P&D Act). The EPA advised on the 27 March 2020 that Amendment should not be assessed under the *Environmental Protection Act 1986* (EP Act) and that it is not necessary to provide any advice or recommendations (Attachment D).

DISCUSSION:

Lot 358 is a decommissioned waste water pump station site and City Officers support the proposed rezoning to enable the site to be used for residential purposes. The proposed rezoning to 'Residential' (R20) is consistent with the zoning and density of the surrounding residential area.

Pursuant to Table 1 of the Residential Design Codes (R Codes), the deemed to comply minimum and average site area per dwelling for R20 lots is 350m² (minimum) and 450m² (average). This would allow two dwellings to be developed on the subject site, which is 1,235m² in area. However, Clause 5.1.1 (P1.2) of the R Codes allows the WAPC to approve the creation of lots that do not meet the average or minimum site requirements of Table 1, provided the proposed variation would be no more than five per cent less in area than that specified in the R Codes.

Development Control Policy 2.2 – Residential Subdivision (DC2.2) (WAPC, 2017) provides guidance in relation to varying the 'site area per dwelling standards' contained in the R-Codes. Under DC2.2 variations to any average lot size greater than five per cent are capable of being approved, given they meet the follow criteria.

- the site is a corner lot with frontage to two different street names;
- all proposed lots comply with the minimum lot size and frontage requirements specified in Table 1 of the R Codes;
- crossovers and driveways to proposed lots are provided in accordance with Australian Standard (AS) 2890 and the R Codes; and
- any corner truncation, pedestrian access way, vehicle right of way or laneway widening is excluded from the calculation of the minimum lot size.

The proponent contends that the subject site is capable of meeting the above criteria and is therefore capable of supporting three lots. However, it is important to note that any variation to the lot sizes standards set out in the R Codes can only be approved by the WAPC through an application for subdivision.

17.2 PROPOSED SCHEME AMENDMENT 160 TO LOCAL PLANNING SCHEME NO. 2 TO REZONE LOT 358 (1) CHRISTMAS AVENUE, ORELIA FROM 'PUBLIC PURPOSE – STATE GOVERNMENT' RESERVE TO 'RESIDENTIAL' (R20) ZONE

LEGAL/POLICY IMPLICATIONS:

For the purpose of Councillors considering a financial or impartiality interest only, the proponent/owner is the Water Corporation.

Acts and Regulations

- *Environmental Protection Act 1986*
- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*

Schemes

- *Metropolitan Region Scheme*
- *City of Kwinana Local Planning Scheme No. 2*

State Government Policies

- Perth and Peel @ 3.5 million (WAPC)
- South Metropolitan Peel Sub-Regional Planning Framework (WAPC)
- Residential Design Codes (WAPC)
- Liveable Neighbourhoods 2009 (WAPC)
- Development Control Policy 2.2 – Residential Subdivision (WAPC, 2017)
- State Planning Policy 3.1 – Residential Design Codes (WAPC, 2018)

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications arising from the recommendation of the report.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications arising from the recommendation of the report.

ENVIRONMENTAL IMPLICATIONS:

There are no environmental implications arising from the recommendation of the report.

17.2 PROPOSED SCHEME AMENDMENT 160 TO LOCAL PLANNING SCHEME NO. 2 TO REZONE LOT 358 (1) CHRISTMAS AVENUE, ORELIA FROM 'PUBLIC PURPOSE – STATE GOVERNMENT' RESERVE TO 'RESIDENTIAL' (R20) ZONE

STRATEGIC/SOCIAL IMPLICATIONS:

The officer recommendation seeks to support the achievement of the following outcome and objective detailed in the Strategic Community Plan.

Plan	Outcome	Objective
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:

In accordance with Council's resolution on the 26 February 2020, Amendment 160 was advertised for public submissions for 42 days, from 6 March 2020 to 25 April 2020, in accordance with Regulation 51 of the P&D Regulations.

Amendment 160 to rezone Lot 358 (1) Christmas Avenue, Orelia from 'Public Purpose – State Government' to 'Residential' R20 is a Standard amendment and the required community consultation period for a Standard amendment under the P&D Regulations is a minimum of 42 days.

During the submission period the City received one submission from the Water Corporation supporting the proposed rezoning of Lot 358. The submission is set out in the Schedule of Submissions.

Should the amendment be adopted by Council and subsequently approved by the Western Australian Planning Commission, the landowner will be notified of the decision and resultant changes. The decision will also be published in a local newspaper and on the City's website.

PUBLIC HEALTH IMPLICATIONS:

There are no public health implications arising from the recommendation of the report.

RISK IMPLICATIONS:

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

Risk Event	The proposed amendment is not gazetted and the site remains as a vacant Public Purpose site.
Risk Theme	Failure to fulfil statutory regulations or compliance requirements.
Risk Effect/Impact	Compliance

17.2 PROPOSED SCHEME AMENDMENT 160 TO LOCAL PLANNING SCHEME NO. 2 TO REZONE LOT 358 (1) CHRISTMAS AVENUE, ORELIA FROM 'PUBLIC PURPOSE – STATE GOVERNMENT' RESERVE TO 'RESIDENTIAL' (R20) ZONE

Risk Assessment Context	Strategic
Consequence	Moderate
Likelihood	Possible
Rating (before treatment)	Moderate
Risk Treatment in place	Consideration of future residential development in Orelia as part of the proposed Local Planning Strategy
Response to risk treatment required/in place	If the proposed amendment is not gazetted and the site remains as a vacant Public Purpose site, the site may be rezoned in the future consistent with the outcome of the Local Planning Strategy at the time.
Rating (after treatment)	Moderate

COUNCIL DECISION

180

MOVED CR M KEARNEY

SECONDED CR M ROWSE

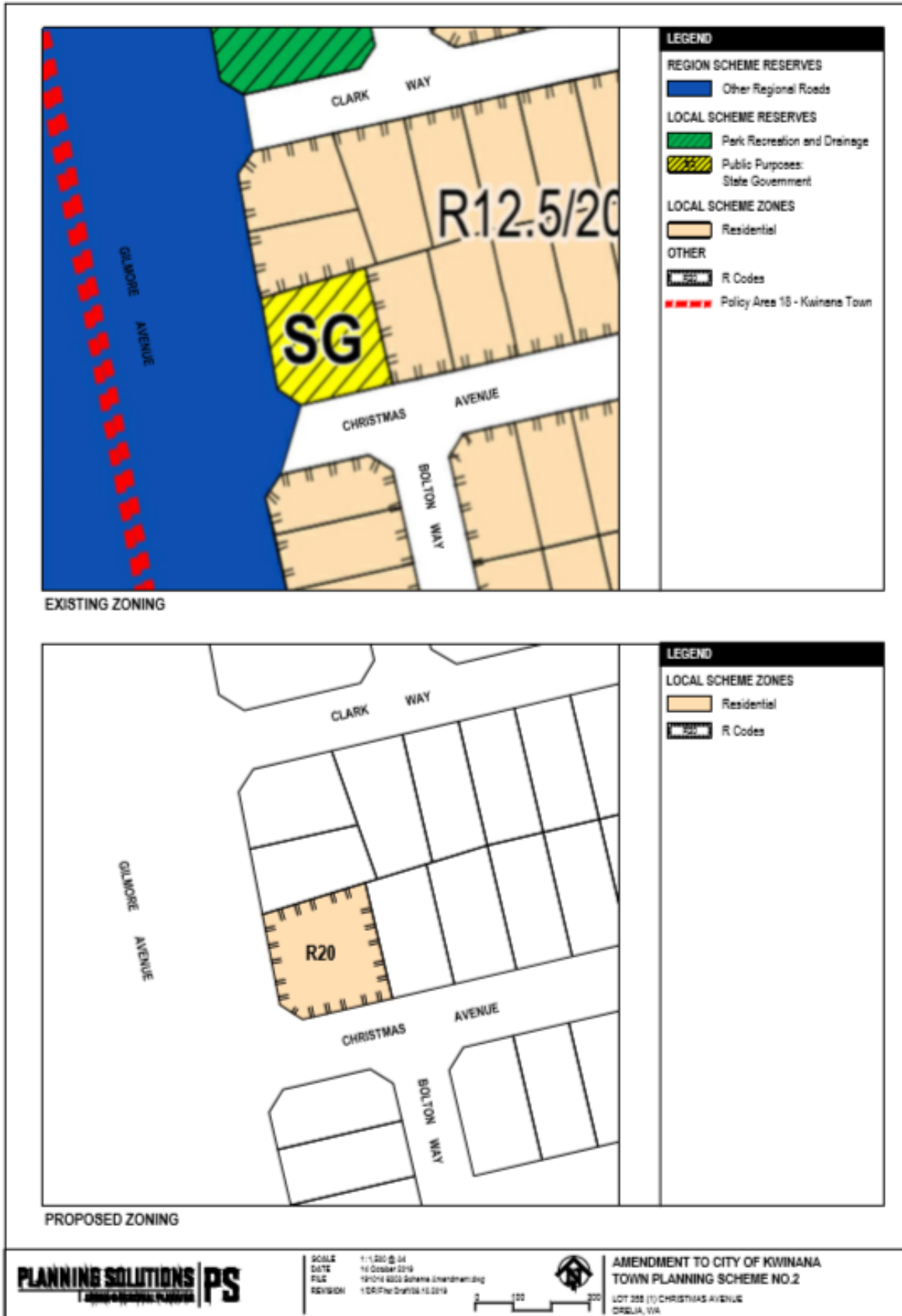
That Council:

1. In accordance with Regulation 50(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* determines to support Amendment 160 to the City of Kwinana Local Planning Scheme No. 2 for the purpose of rezoning Lot 358 (1) Christmas Avenue, Orelia from 'Public Purpose – State Government' to 'Residential' (R20).
2. In accordance with Regulation 50(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* notes the submissions received in respect of Amendment 160 to City of Kwinana Local Planning Scheme No. 2 and endorses the response to the submissions as contained in this report.
3. Ensure the documentation for Amendment 160 be signed and sealed and then submitted to the Western Australian Planning Commission, with a request for the endorsement of final approval by the Hon Minister of Planning.

**CARRIED
8/0**

Attachment A

Existing and proposed zoning in Local Planning Scheme No. 2



Attachment B
Aerial view of Lot 358 Christmas Avenue, Orelia



Attachment C

SCHEDULE OF SUBMISSIONS

**Amendment 160
City of Kwinana
Local Planning Scheme No. 2
Lot 358 (1) Christmas Avenue, Orelia
'Public Purpose – State Government' reserve to 'Residential' (R20) zone**

Submitter and property affected by amendment (where applicable)	Overall object / support / neutral	Summary of Submission	City Response
1 Water Corporation (owner of Lot 358 Christmas Avenue, Orelia)	Support	The Water Corporation has no objection to the proposed amendment.	Noted

Mr Graeme Mackenzie
A/Chief Executive Officer
City of Kwinana
PO Box 21
KWINANA WA 6966

Our Ref: CMS17793
Enquiries: Steve Pavey, 6364 7600
Email: Steve.Pavey@dwer.wa.gov.au

Dear Mr Mackenzie

DECISION UNDER SECTION 48A(1)(a)
Environmental Protection Act 1986

SCHEME: City of Kwinana Local Planning Scheme 2
Amendment 160
LOCATION: Lot 358 (No.1) Christmas Avenue, Orelia
RESPONSIBLE AUTHORITY: City of Kwinana
DECISION: Referral Examined, Preliminary Investigations
and Inquiries Conducted. Scheme Amendment
Not to be Assessed Under Part IV of EP Act. No
Advice Given. (Not Appealable)

Thank you for referring the above scheme to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) and that it is not necessary to provide any advice or recommendations. I have attached a copy of the Chairman's determination of the scheme.

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.

- There is no appeal right in respect of the EPA's decision to not assess the scheme.

A copy of the Chairman's determination (attached) will be made available to the public via the EPA website.

Yours sincerely



Anthony Sutton
Delegate of the Environmental Protection Authority
Executive Director
EPA Services

27 March 2020

Encl: Chairman's Determination



GOVERNMENT OF
WESTERN AUSTRALIA

S48A Referrals

Environmental Protection Authority

Title: City of Kwinana Local Planning Scheme 2 Amendment 160

Location: Lot 358 (No.1) Christmas Avenue, Orelia

Description: The City of Kwinana proposes to rezone a 1,235m² lot from Public 'Purpose – State Government' to 'Residential' with a density code of R20. The amendment will facilitate the development of the lot with 2 or 3 dwellings.

Ref ID: CMS17793

Date Received: 17/3/2020 **Date Sufficient Information Received:** 17/3/2020

Responsible Authority: City of Kwinana

Contact: Gary Williams

Preliminary Environmental Factors: None

Potential Significant Effects: None

Management: Not required

Determination: **Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of EP Act. No Advice Given. (Not Appealable)**

The EPA has carried out some investigations and inquiries before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA. The EPA notes Improvement Scheme No. 1 prohibits the establishment of new permanent residential development and other sensitive land uses.

This Determination is not appealable.

Chairman's Initials: 

Date: 25 March 2020

17.3 Metropolitan Region Scheme Development Application for conveyors, clinker shed and truck load out system –1 Risely Road, Kwinana Beach

DECLARATION OF INTEREST:

Mayor Carol Adams declared an impartiality interest due to the two organisations discussed in the officers report, namely Fremantle Port Authority and Cockburn Cement both being members of the Kwinana Industries Council, her husband's employer.

SUMMARY:

An application has been received seeking approval for conveyors, a clinker shed and truck load out system at 1 Risely Road, Kwinana Beach (the subject site). The development is proposed by Fremantle Port Authority and is intended to connect into a development being proposed at 61 Donaldson Road by Cockburn Cement (considered at Ordinary Council Meeting (OCM) 27 May 2020) ensuring the limitation of road transport for clinker being delivered to the port berth.

The site is zoned General Industry under Local Planning Scheme No. 2 (LPS2) and Industrial under the Metropolitan Region Scheme (MRS). As the development is being proposed by the Fremantle Port Authority, they have public works rights and are therefore exempt from the requirement to obtain planning approval under LPS2. The development does however still require approval under the MRS and due to its estimated construction value of \$25 million, will need to be approved by the Joint Development Assessment Panel (JDAP). As local government does not hold delegation for an application of this type, a recommendation will be forwarded to the Western Australian Planning Commission (WAPC) officers to prepare a Responsible Authority Report (RAR) for the JDAP's consideration.

Having regard to the site's Industrial zoning, the development is appropriate for this location and therefore it is recommended that a response be provided to the WAPC recommending the application be approved subject to conditions.

OFFICER RECOMMENDATION:

That Council recommend to the Western Australian Planning Commission that the application for conveyors, clinker shed and truck load out system at 1 (Lot 11 and Lot 251) Risely Road, Kwinana Beach be approved subject to the following conditions:

1. This decision constitutes development approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.
2. Storm water drainage from roofed and paved areas being contained and disposed of on site at all times to the satisfaction of the City of Kwinana.
3. Prior to the commencement of works, a dust management plan shall be submitted to, and approved by, the City of Kwinana.

17.3 METROPOLITAN REGION SCHEME DEVELOPMENT APPLICATION FOR CONVEYORS, CLINKER SHED AND TRUCK LOAD OUT SYSTEM – 1 RISELY ROAD, KWINANA BEACH

Advice notes

- i. The proponent should ensure that the proposed development complies with all other relevant legislation, included but not limited to, the *Environmental Protection Act 1986* and Regulations, *Health (Miscellaneous Provisions) Act 1911* and Regulations, *Contaminated Sites Act 2003 and Regulations* and the National Construction Code.
- ii. The proponent is advised that this approval is not a building permit, which constitutes a separate legislative requirement. Prior to any building work commencing on site, a building permit or building permit exemption must be obtained from the City of Kwinana. Significant penalties apply under the *Building Act 2011* for any failure to comply with this requirement.
- iii. The proponent shall ensure the development complies with the setbacks to the existing onsite effluent disposal system/s, being 1.2m from existing septic tanks. Further information can be obtained from the City of Kwinana's Environmental Health department.
- iv. The proponent is advised that the proposed development activity requires an application to the Department of Water and Environmental Regulation for a works approval and/or licence registration.

DISCUSSION:

Land status

Local Planning Scheme No. 2 – General Industry
Metropolitan Region Scheme – Industrial

Background

The subject site is currently occupied by a Fremantle Ports facility built in the 1960s. As this facility has a layout and condition that do not adequately meet operational needs, it is no longer fit for purpose and requires an upgrade. The proposed facility is intended to link with an existing cement milling facility at No. 61 Donaldson Road, Kwinana Beach, operated by Cockburn Cement, allowing clinker that is shipped to Kwinana to be delivered directly along the conveyor to the site. The existing cement milling facility at 61 Donaldson Road is subject to a separate application, where Cockburn Cement are proposing an expansion of their facilities. At the time of writing this report, the Cockburn Cement expansion application for 61 Donaldson Road had not yet been considered by the Joint Development Assessment Panel (JDAP), however a report recommending approval was adopted by Council at the Ordinary Council Meeting on 27 May 2020.

The Proposal

The City has received an application for conveyors, a shed and truck load out facility, combining to form a clinker import circuit at 1 Risely Road, Kwinana Beach. The conveyors are proposed by Fremantle Ports and are intended to connect into another, being proposed by Cockburn Cement at 61 Donaldson Rd, Kwinana Beach. The application includes multiple new conveyors, transfer stations, dust extraction infrastructure, storage shed and a truck loadout system. The proposal is explained by the applicant as follows:

17.3 METROPOLITAN REGION SCHEME DEVELOPMENT APPLICATION FOR CONVEYORS, CLINKER SHED AND TRUCK LOAD OUT SYSTEM –1 RISELY ROAD, KWINANA BEACH

When cement clinker is imported from the KBB2 jetty a tripper arrangement with shuttling head on the modified IC01 conveyor will be positioned over a fixed chute to deliver the product into the clinker import circuit.

The imported clinker will be stacked in a clinker storage shed or otherwise transferred to the truck loadout station via a detached hatch in the gullet conveyor which is located at the centreline of the shed. The stockpiled clinker will be gravity reclaimed from the shed via a series of hatches above a gullet conveyor. Front end loaders or excavators will be used to recover the remaining material into the hatches after gravity drawdown. At the truck loadout station, the product may either be loaded into trucks using a weighbridge or the product will bypass the loadout station and onto a (future) conveyor for direct supply to a proposed CCL shed.

Further to the above, the development will operate from 7am to 5pm Monday to Saturday and have approximately 50 employees.

Development plans are included at Attachment A.

Planning Assessment

Public works

The *Port Authorities Act 1999* includes provisions ensuring that for the purposes of port works and facilities, the Port Authority is considered an agent of the crown and are exempt from requiring development approval under a local planning scheme. However, they are still bound by the requirements of any relevant region planning scheme, which in this instance is the Metropolitan Region Scheme (MRS). In this case, as the site is zoned Industrial under the MRS and there are no exemptions that apply to the works proposed, approval is required.

As the proposal is under the MRS and is public works, delegation rests with the WAPC as the responsible authority. Given the construction value of the proposal being over the \$10 million threshold for mandatory Development Assessment Panel (DAP) applications, the WAPC will need to prepare a Responsible Authority Report (RAR) for the JDAP. The City's role in this proposal is as a referral agency.

Metropolitan Region Scheme

The subject site is zoned Industrial under the MRS. The MRS is limited in its provisions, instead leaving detailed standards and requirements to local planning schemes and state planning policies. In this instance, considerations under the City's Local Planning Scheme No. 2 (LPS2) are not relevant, nor are the City's local planning policies, which are given authority by the local scheme.

Notwithstanding the limited MRS provisions, - the proposal is industrial in nature and is therefore considered to be appropriate for the Industrial zone.

State Planning Policies

There are a number of State Planning Policies that the WAPC uses to assess development proposals. In relation to this proposal, SPP 2.6 State Coastal Planning Policy and SPP 4.1 State Industrial Buffer Policy are relevant.

17.3 METROPOLITAN REGION SCHEME DEVELOPMENT APPLICATION FOR CONVEYORS, CLINKER SHED AND TRUCK LOAD OUT SYSTEM –1 RISELY ROAD, KWINANA BEACH

Having regard to the objectives of these policies, the proposal is recommended to be supported for the following reasons:

- The proposed conveyor belts are to connect the existing port berth with Cockburn Cement's existing operations. It is designed to deliver clinker directly from the berth, and associated storage shed, into the cement milling facility, reducing road transport significantly.
- The proposal is engineered to be at a height to link with the existing jetty's conveyor.
- The structures are proposed in an area that has been established as industrial and does not involve clearing of vegetation or disruption of a natural environment.
- The system is designed to collect and retain all dust from the product moving through.
- The proposal is considered to not have a significant impact outside of its immediate vicinity.
- As the area is potentially going to form part of a new Outer Harbour, upgrading the existing facilities and expanding on their capabilities is a positive move. Additionally, the nature of the project means that the surrounding road and rail network will not be significantly disrupted and long term planning will not be jeopardised.
- The proposed development has had to have regard to coastal processes and sea level rise due to being in such close proximity to the coast. Notwithstanding the additions proposed in this application, the Fremantle Port Authority will need to consider the potential impacts of these coastal processes on their existing port facilities.

External advice

The Department of Water and Environmental Regulation (DWER) has advised that they do not object to the proposal but note the following (excerpt):

As the referral relates to a prescribed premises (Licence L4476/1984/12) which regulates bulk material loading/unloading (Categories 58, 58A), section 53 of the Environmental Protection Act 1986 applies.

The proponent is advised that the construction of a new clinker circuit will require a works approval application, followed by a licence amendment application due to the changes in processes and emissions. The extension of Cockburn Cement Limited's conveyor system will require a licence amendment to excise the area from Fremantle Port Authority's premises boundary.

DWER have also advised that while the site is a known or suspected contaminated site, the proposal is not for a more sensitive land use and there are no management conditions required in this instance.

Additionally, a response advising 'no objection' was received from the Westport Taskforce, and the Kwinana Industries Council noted their support for the proposal.

LEGAL/POLICY IMPLICATIONS:

For the purpose of Councillors considering a financial or impartiality interest only, the proponent/owner is the Fremantle Port Authority.

17.3 METROPOLITAN REGION SCHEME DEVELOPMENT APPLICATION FOR CONVEYORS, CLINKER SHED AND TRUCK LOAD OUT SYSTEM –1 RISELY ROAD, KWINANA BEACH

The following legislation is relevant to this item.

Environmental Protection Act 1986
Planning and Development Act 2005
Port Authorities Act 1999

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial/budget implications arising from this item.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications arising from this item.

ENVIRONMENTAL IMPLICATIONS:

The development proposal has been referred to DWER who have advised that the proposal will require a works approval application and licence amendment application.

STRATEGIC/SOCIAL IMPLICATIONS:

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

Plan	Outcome	Objective
Strategic Community Plan	A powerhouse industrial area	2.4 The Western Trade Coast Precinct is developed with maximum leverage being gained from investments in new infrastructure.

COMMUNITY ENGAGEMENT:

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

PUBLIC HEALTH IMPLICATIONS

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

RISK IMPLICATIONS:

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

Risk Event	The WAPC determines the application without the City's comments.
Risk Theme	Providing inaccurate advice/ information

17.3 METROPOLITAN REGION SCHEME DEVELOPMENT APPLICATION FOR CONVEYORS, CLINKER SHED AND TRUCK LOAD OUT SYSTEM –1 RISELY ROAD, KWINANA BEACH

Risk Effect/Impact	Compliance Property
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Unlikely
Rating (before treatment)	Low
Risk Treatment in place	Share - Share with another party
Response to risk treatment required/in place	Ensure recommendation is submitted to the WAPC on time.
Rating (after treatment)	Low

COUNCIL DECISION

181

MOVED CR D WOOD

SECONDED CR M KEARNEY

That Council recommend to the Western Australian Planning Commission that the application for conveyors, clinker shed and truck load out system at 1 (Lot 11 and Lot 251) Risely Road, Kwinana Beach be approved subject to the following conditions:

- 1. This decision constitutes development approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.**
- 2. Storm water drainage from roofed and paved areas being contained and disposed of on site at all times to the satisfaction of the City of Kwinana.**
- 3. Prior to the commencement of works, a dust management plan shall be submitted to, and approved by, the City of Kwinana.**

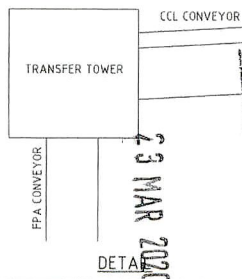
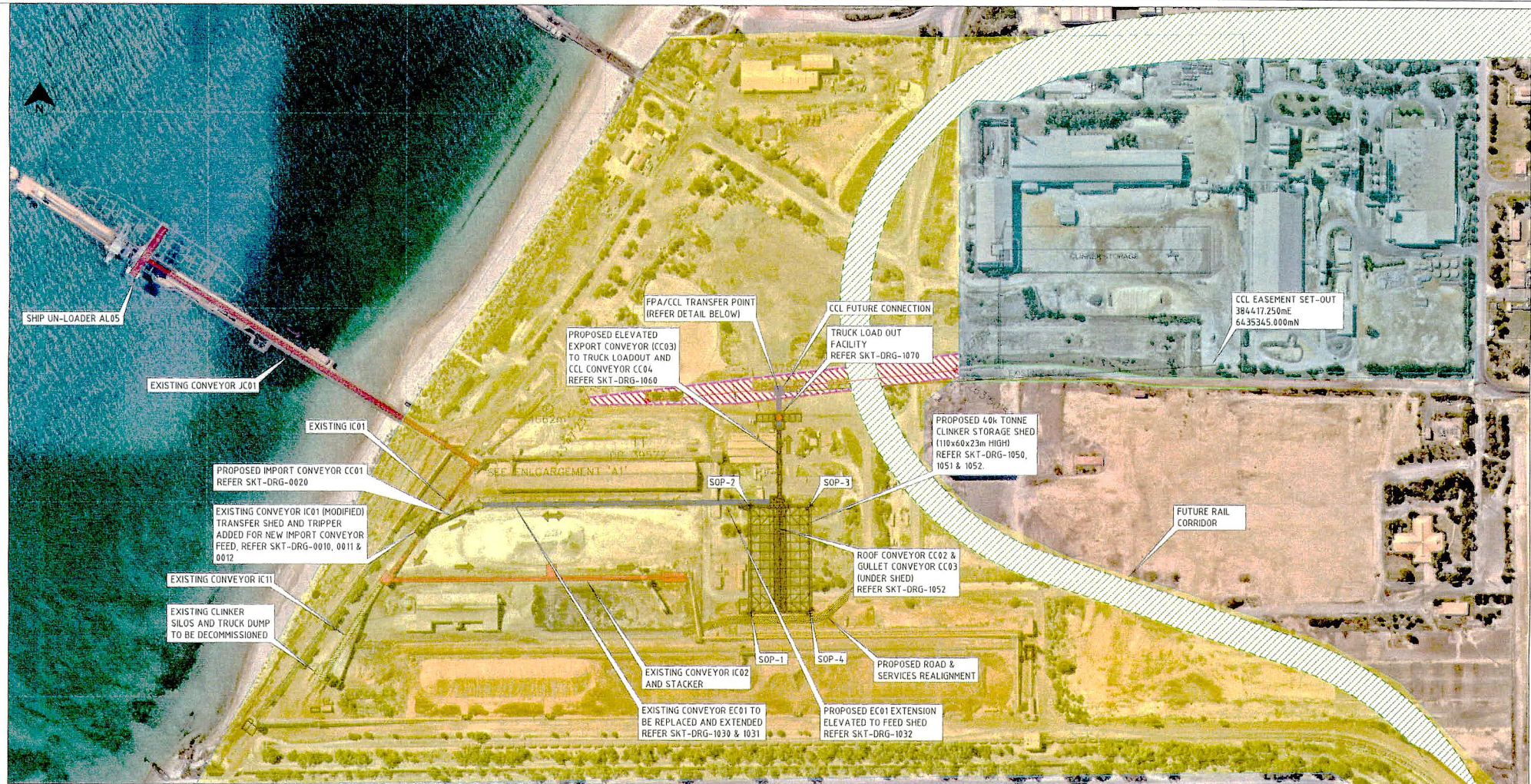
Advice notes

- i. The proponent should ensure that the proposed development complies with all other relevant legislation, included but not limited to, the *Environmental Protection Act 1986* and Regulations, *Health (Miscellaneous Provisions) Act 1911* and Regulations, *Contaminated Sites Act 2003 and Regulations* and the National Construction Code.**
- ii. The proponent is advised that this approval is not a building permit, which constitutes a separate legislative requirement. Prior to any building work commencing on site, a building permit or building permit exemption must be obtained from the City of Kwinana. Significant penalties apply under the *Building Act 2011* for any failure to comply with this requirement.**

**17.3 METROPOLITAN REGION SCHEME DEVELOPMENT APPLICATION FOR CONVEYORS,
CLINKER SHED AND TRUCK LOAD OUT SYSTEM –1 RISELY ROAD, KWINANA BEACH**

- iii. The proponent shall ensure the development complies with the setbacks to the existing onsite effluent disposal system/s, being 1.2m from existing septics. Further information can be obtained from the City of Kwinana’s Environmental Health department.**
- iv. The proponent is advised that the proposed development activity requires an application to the Department of Water and Environmental Regulation for a works approval and/or licence registration.**

**CARRIED
8/0**



NOT FOR CONSTRUCTION
FOR INFORMATION ONLY

PLANNING APPROVAL
 FREMANTLE PORTS

SITE PLAN SHOWING PROPOSED NEW CCL CLINKER IMPORT CIRCUIT ALTERNATIVE OPTION 1

- EXISTING ABOVE GROUND CONVEYOR
- NEW ABOVE GROUND CONVEYOR
- FUTURE RAIL CORRIDOR
- CCL CONVEYOR EASEMENT

SETOUT POINT TABLE

SETOUT POINT	EASTING (mE)	NORTHING (mN)
SOP-1	383949.203	6435087.660
SOP-2	383948.136	6435195.717
SOP-3	384008.060	6435196.386
SOP-4	384009.309	6435088.378



FREMANTLE PORTS
KWINANA BULK TERMINAL

PROPOSED CLINKER IMPORT CIRCUIT WITH CCL CONNECTION CONCEPTUAL LAYOUT ALTERNATIVE OPTION 1

Date	17.10.19	Scale	AS SHOWN
Survey	HGA/4 ZONES9	Checked by Engineer	JN
Design	AG	Approved for constr.	xx
Drawn	PL	Checked ID	xx
Job File No.	60610095		

DRG No	60610095-SKT-GA-1001	Rev	B
--------	----------------------	-----	---

AECOM

AECOM Australia Pty Ltd A.B.N. 20 093 846 929
AECOM Project Number: 60610095



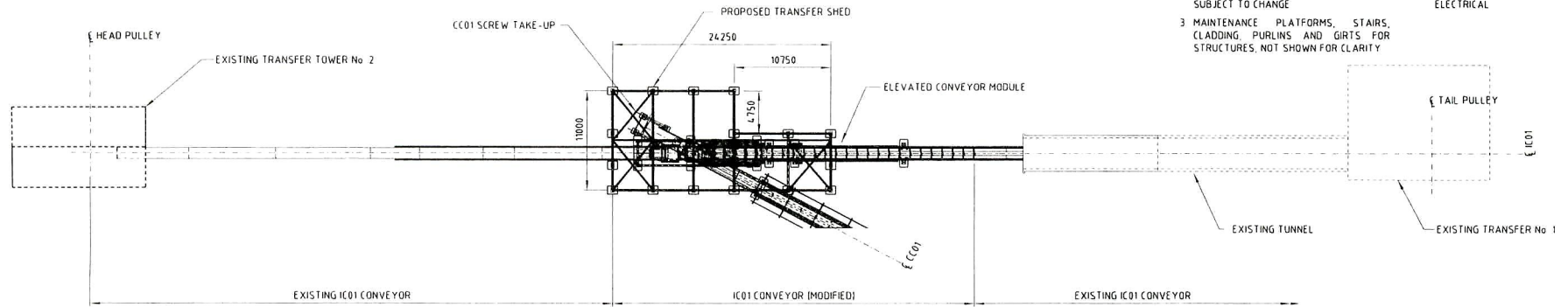
THIS DRAWING IS THE PROPERTY OF FREMANTLE PORTS. IT IS SUBJECT TO RECALL, AND IS ISSUED FOR A LIMITED PURPOSE ON CONDITION THAT IT IS NOT USED OR REPRODUCED IN ANY FORM WITHOUT FREMANTLE PORTS' PERMISSION.

Rev	Date	Comments	Drawn	Appvd
B	19.03.20	ISSUED FOR REVIEW		CW
A	17.10.19	ISSUED FOR REPORT		PL



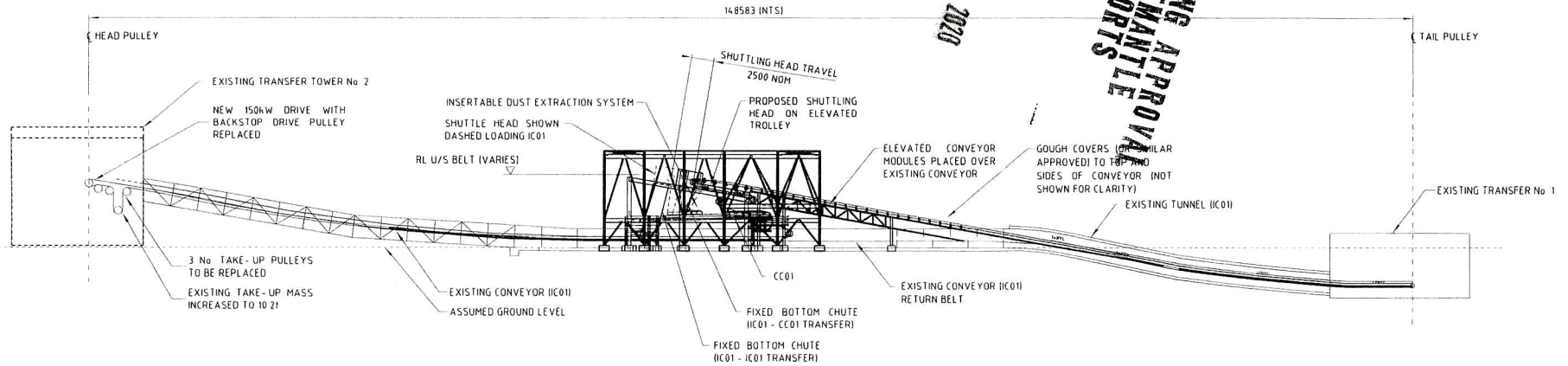
NOTES

- 1 ALL DIMENSIONS IN MILLIMETRES (mm) UNLESS OTHERWISE NOTED
- 2 ALL GROUND LEVELS ARE ASSUMED AND SUBJECT TO SURVEY AT DETAILED DESIGN RL's FOR STRUCTURES ARE BASED ON ASSUMED GROUND LEVELS AND AS SUCH SUBJECT TO CHANGE
- 3 MAINTENANCE PLATFORMS, STAIRS, CLADDING, PURLINS AND GIRTS FOR STRUCTURES, NOT SHOWN FOR CLARITY
- 4 MINIMUM ULTIMATE BEARING CAPACITY OF 300kPa WAS ASSUMED FOR DESIGN OF FOOTING
- 5 REFER BILL OF QUANTITIES FOR ALL MECHANICAL ITEMS, STEEL MEMBER SIZES, CONCRETE VOLUMES AND ELECTRICAL



PLAN ON CONVEYOR IC01

1250



ELEVATION ON CONVEYOR IC01

1250

23 MAR 2020
 PLANNING APPROVAL
 FREMANTLE PORTS

**FREMANTLE PORTS
KWINANA BULK TERMINAL**

**PROPOSED CLINKER IMPORT
CIRCUIT WITH CCL CONNECTION
IC01**

PLAN AND ELEVATION

Date	OCT 19	Scale	1:250
Survey	N/A	Checked by	Engineer
Design	AG	Drawn	PL
Checked	JP	Approved for	constr
Job File No.	4843895	DRG No.	60610095-SKT-DRG-0010
Sheet	A1	Rev	A

PRELIMINARY COPY
NOT TO BE USED FOR
CONSTRUCTION PURPOSES

**DIAL BEFORE
YOU DIG**
www.1100.com.au

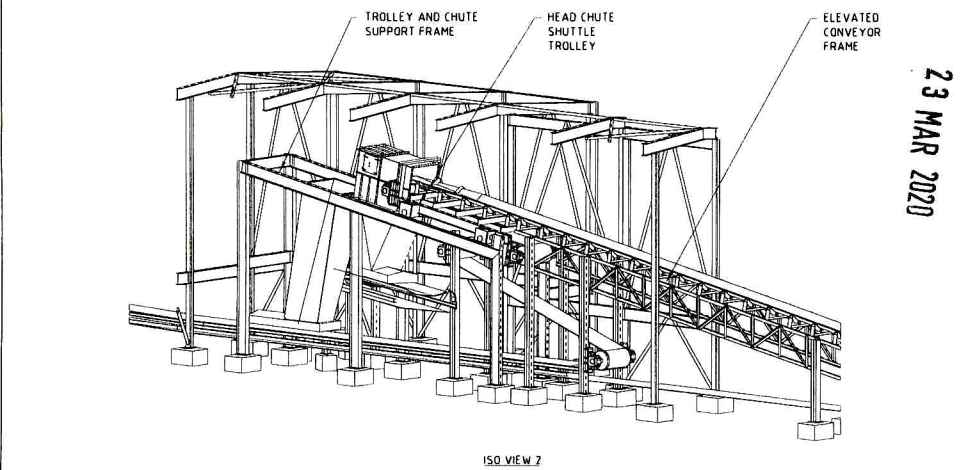
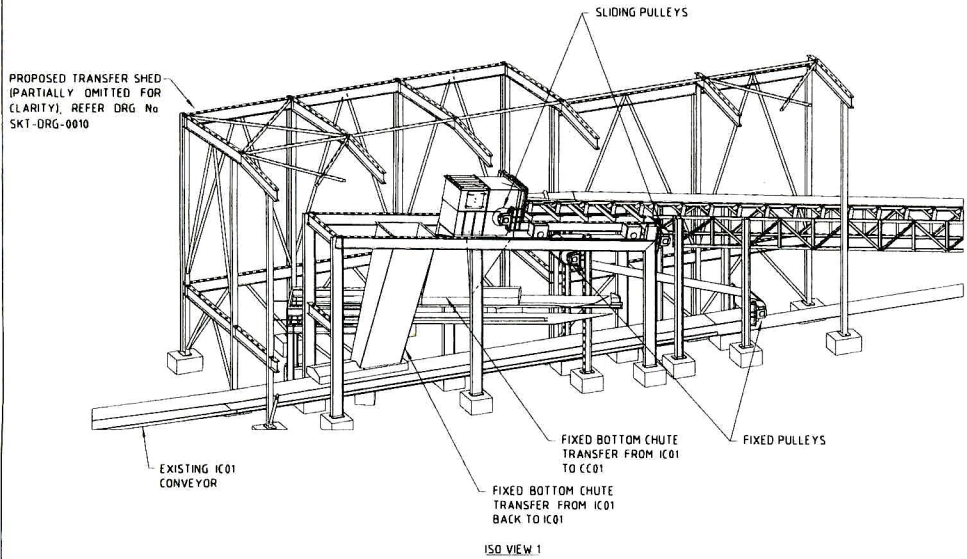
AECOM

AECOM Australia Pty Ltd A.B.N. 20 093 816 925
AECOM Project Number
60610095

Rev	Date	Comments	Drawn	Appvd

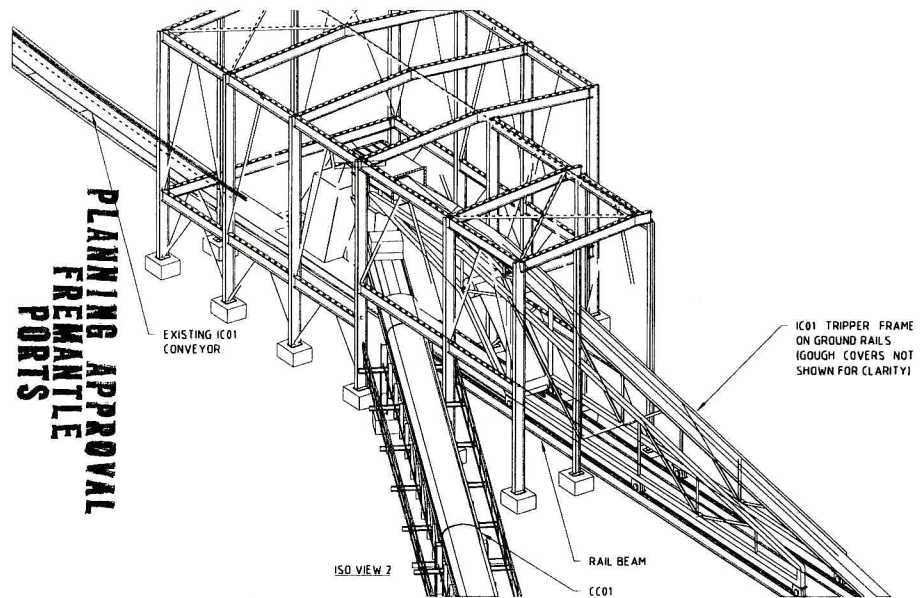
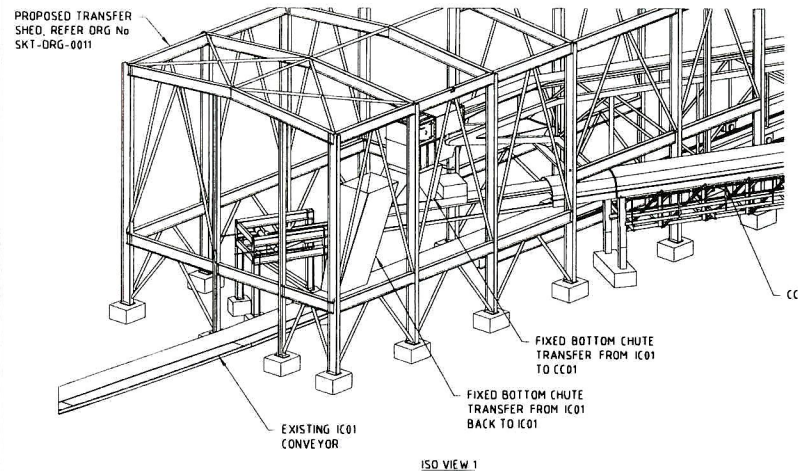
THIS DRAWING IS THE PROPERTY OF FREMANTLE PORTS
IT IS SUBJECT TO RECALL AND IS ISSUED FOR A LIMITED
PURPOSE ON CONDITION THAT IT IS NOT USED OR REPRODUCED
IN ANY FORM WITHOUT FREMANTLE PORTS, PERMISSION

ISO A1 500mm x 847mm



IC01 - CC01 TRANSFER - SHUTTLE TRIPPER ON RAISED TROLLEY

NOTES
 STRUCTURAL BRACING, PURLINS & GIRTS OMITTED FOR CLARITY
 WALKWAYS, STAIRS, PLATFORMS AND GUARDING OMITTED FOR CLARITY - REFER MTO



ALTERNATIVE OPTION
 IC01 - CC01 TRANSFER - MODULARISED TRIPPER ON GROUND RAILS

NOTES
 STRUCTURAL BRACING, PURLINS & GIRTS OMITTED FOR CLARITY
 WALKWAYS, STAIRS, PLATFORMS AND GUARDING OMITTED FOR CLARITY - REFER MTO

**FREMANTLE PORTS
 KWINANA BULK TERMINAL**

**PROPOSED CLINKER IMPORT
 CIRCUIT WITH CCL CONNECTION
 IC01 - CC01 TRANSFER
 PICTORAL DETAILS**

Rev	Date	Comments	Drawn	Apprd
A	13 10 19	ISSUED FOR REPORT	PL	JP
THIS DRAWING IS THE PROPERTY OF FREMANTLE PORTS. IT IS SUBJECT TO RECALL AND IS ISSUED FOR A LIMITED PURPOSE ON CONDITION THAT IT IS NOT USED OR REPRODUCED IN ANY FORM WITHOUT FREMANTLE PORTS' PERMISSION.				
Checked	IP	Approved for constr		
Job File No	60610095	DRG No	60610095-SKT-DRG-0012	Rev
Scale	1:1	Scale		A

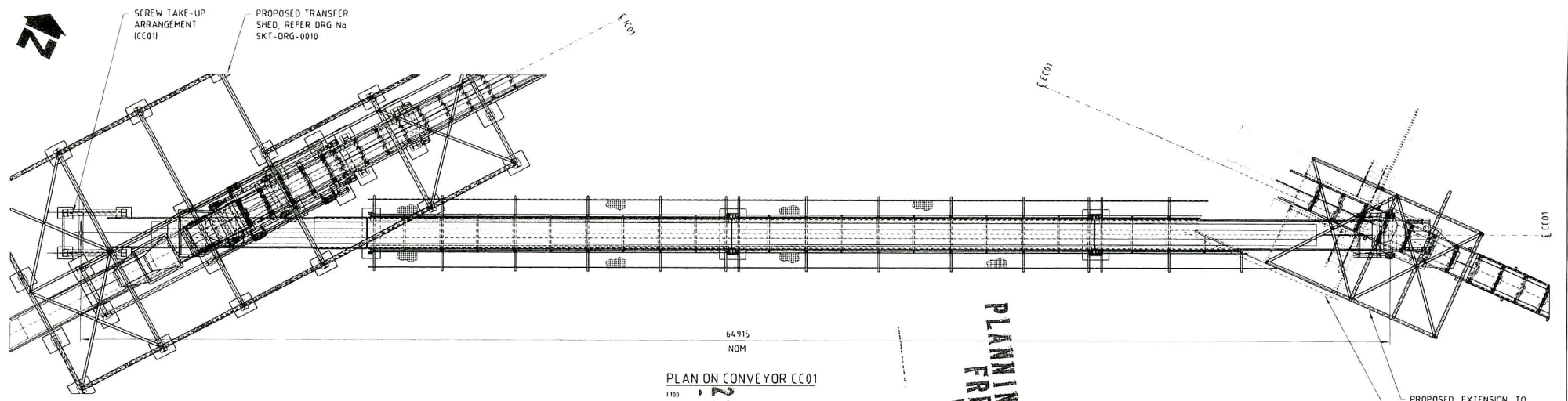
PRELIMINARY COPY
 NOT TO BE USED FOR
 CONSTRUCTION PURPOSES



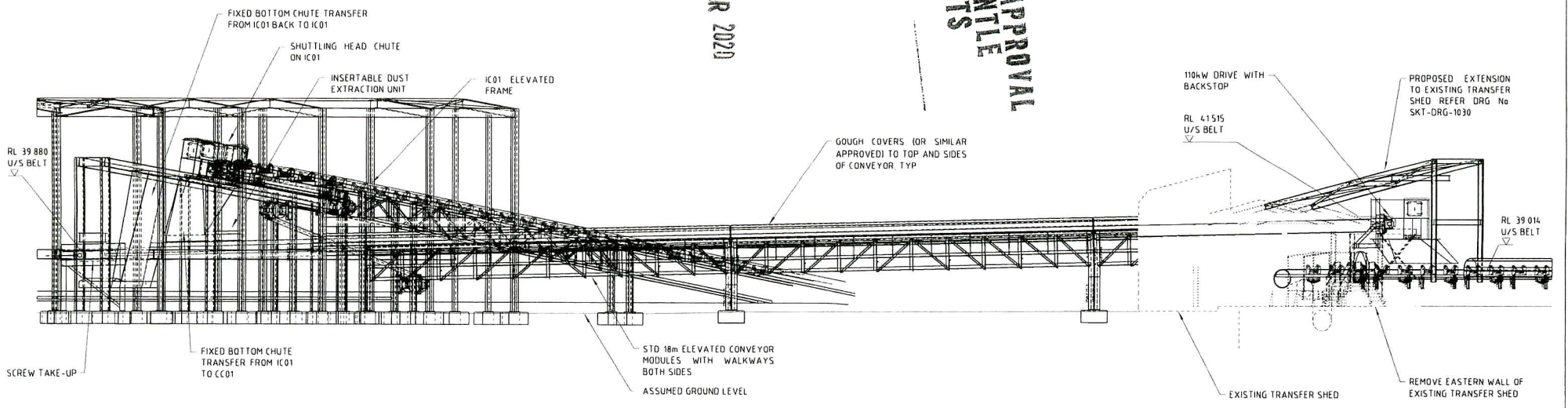
AECOM
 AECOM Australia Pty Ltd A.B.N. 20 093 846 925
 AECOM Project Number
 60610095

A1: 500mm x 847mm

BSA1: 64915-661mm



PLANNING APPROVAL
FREMANTLE PORTS



ELEVATION ON CONVEYOR CC01
1:100

NOTES

- ALL DIMENSIONS IN MILLIMETRES (mm) UNLESS OTHERWISE NOTED
- ALL GROUND LEVELS ARE ASSUMED AND SUBJECT TO SURVEY AT DETAILED DESIGN RL'S FOR STRUCTURES ARE BASED ON ASSUMED GROUND LEVELS AND AS SUCH SUBJECT TO CHANGE
- MAINTENANCE PLATFORMS, STAIRS, CLADDING, PURLINS AND GIRTS FOR STRUCTURES, NOT SHOWN FOR CLARITY
- MINIMUM ULTIMATE BEARING CAPACITY OF 300kPa WAS ASSUMED FOR DESIGN OF FOOTING
- REFER BILL OF QUANTITIES FOR ALL MECHANICAL ITEMS, STEEL MEMBER SIZES, CONCRETE VOLUMES AND ELECTRICAL



**FREMANTLE PORTS
KWINANA BULK TERMINAL**

**PROPOSED CLINKER IMPORT
CIRCUIT WITH CCL CONNECTION
CC01**

PLAN & ELEVATION

Date	02/19	Scale	1:100
Survey	N/A	Checked by Engineer	
Design	AG	Approved for constr	
Drawn	PL		
Checked	JP		
Job File No	60610095		
DRG No	60610095-SKT-DRG-0020	Rev	A

PRELIMINARY COPY
NOT TO BE USED FOR
CONSTRUCTION PURPOSES

**DIAL BEFORE
YOU DIG**
www.1100.com.au

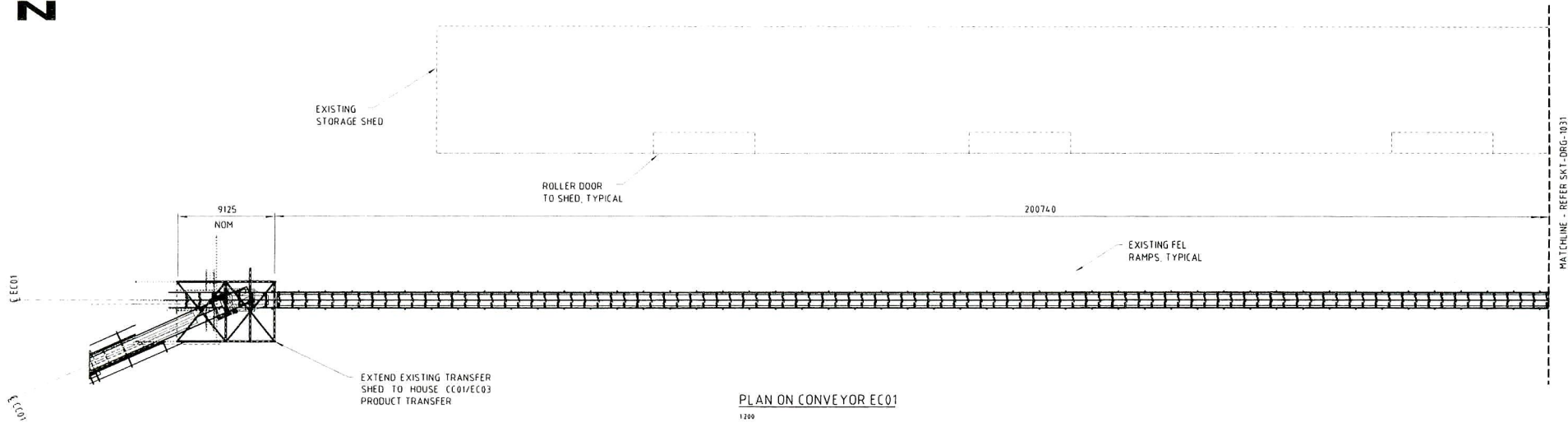
AECOM

AECOM Australia Pty Ltd ABN 20 093 846 925
AECOM Project Number
60610095

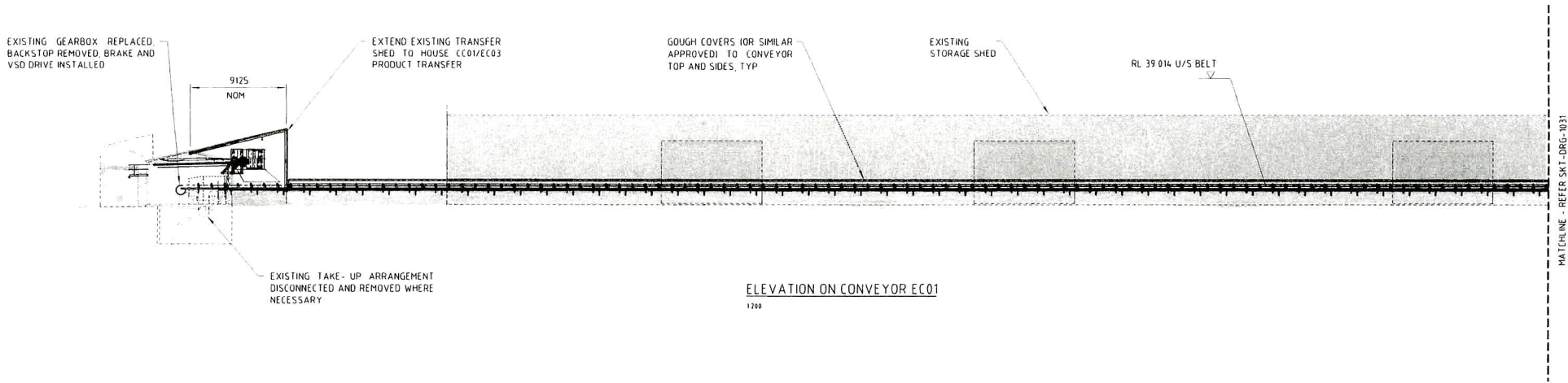
Rev	Date	Equipment	Drawn	Apprv

THIS DRAWING IS THE PROPERTY OF FREMANTLE PORTS
IT IS SUBJECT TO RECALL AND IS ISSUED FOR A LIMITED
PURPOSE ON CONDITION THAT IT IS NOT USED OR REPRODUCED
IN ANY FORM WITHOUT FREMANTLE PORTS' PERMISSION

www.1100.com.au



PLAN ON CONVEYOR EC01
1200



ELEVATION ON CONVEYOR EC01
1200

NOTES

- 1 ALL DIMENSIONS IN MILLIMETRES (mm) UNLESS OTHERWISE NOTED
- 2 ALL GROUND LEVELS ARE ASSUMED AND SUBJECT TO SURVEY AT DETAILED DESIGN RL'S FOR STRUCTURES ARE BASED ON ASSUMED GROUND LEVELS AND AS SUCH SUBJECT TO CHANGE
- 3 MAINTENANCE PLATFORMS, STAIRS, CLADDING, PURLINS, AND GIRTS FOR STRUCTURES, NOT SHOWN FOR CLARITY
- 4 MINIMUM ULTIMATE BEARING CAPACITY OF 300kPa WAS ASSUMED FOR DESIGN OF FOOTING
- 5 REFER BILL OF QUANTITIES FOR ALL MECHANICAL ITEMS, STEEL MEMBER SIZES, CONCRETE VOLUMES AND ELECTRICAL

FREMANTLE PORTS
KWINANA BULK TERMINAL

PROPOSED CLINKER IMPORT
CIRCUIT WITH CCL CONNECTION
EC01 PLAN & ELEVATION
SHEET 1

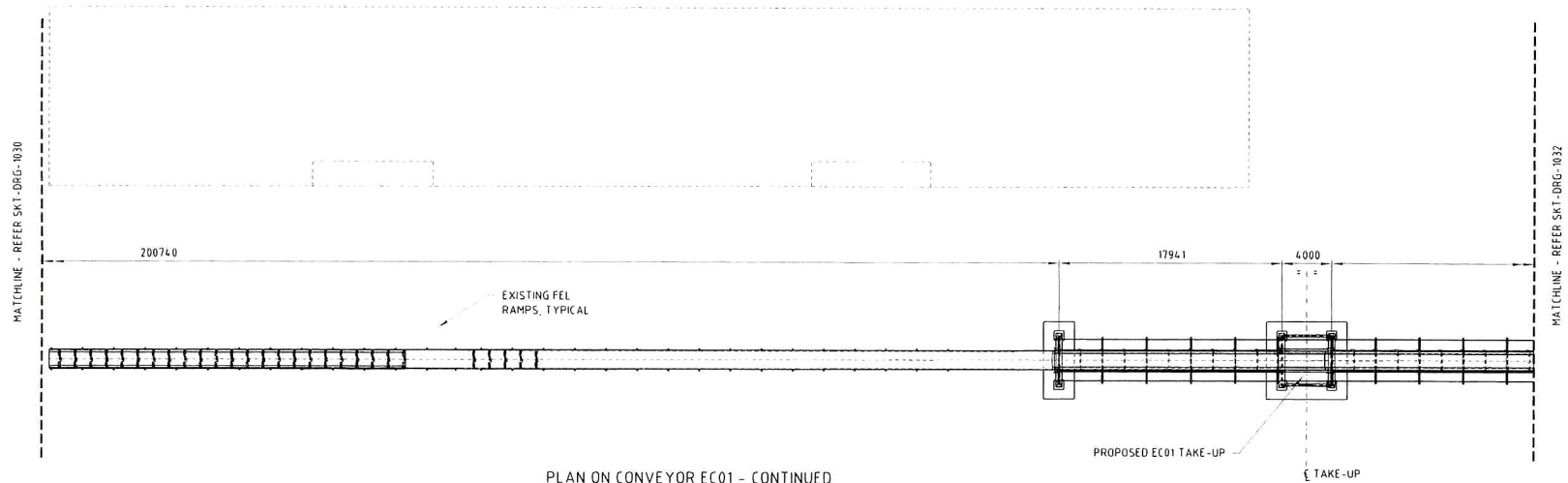
Date	OCT 10	Scale	1:200
Survey	N/A	Checked by Engineer	
Design	AG	Approved for construct	
Drawn	PL		
Checked	JP		
Job File No. 60610095			
Drawn	PL	Rev.	A
60610095-SKT-DRG-1030			

PRELIMINARY COPY
NOT TO BE USED FOR
CONSTRUCTION PURPOSES

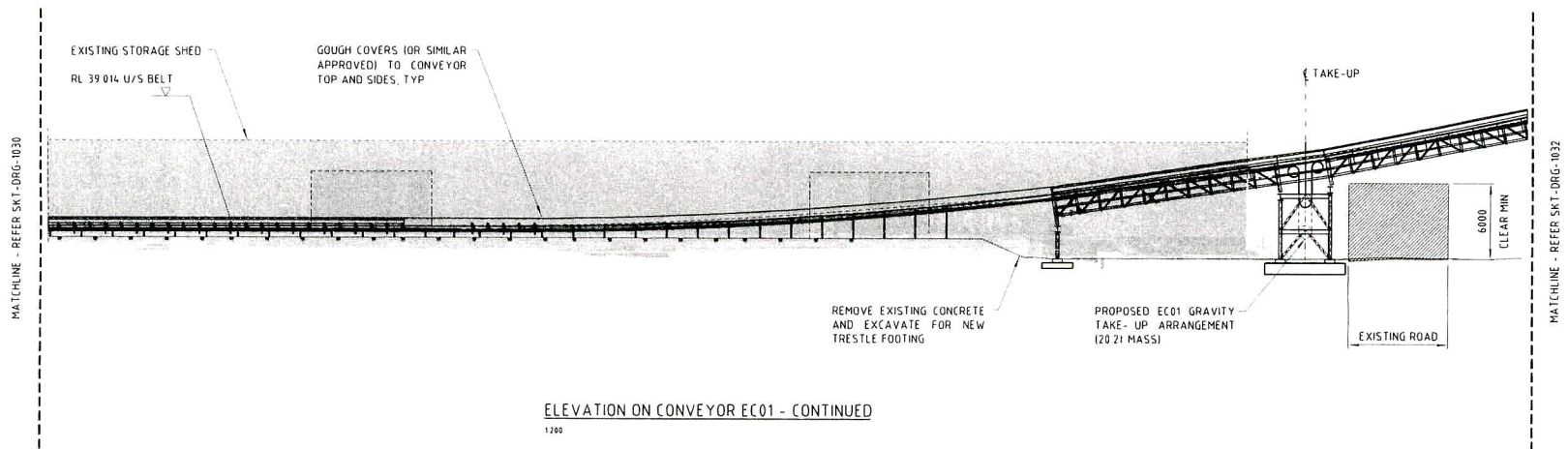


Rev	Date	Comments	Drawn	Approved
A	17 10 11	ISSUED FOR REPORT	PL	JP

THIS DRAWING IS THE PROPERTY OF FREMANTLE PORTS. IT IS SUBJECT TO RECALL AND IS ISSUED FOR A LIMITED PURPOSE ON CONDITION THAT IT IS NOT USED OR REPRODUCED IN ANY FORM WITHOUT FREMANTLE PORTS' PERMISSION.



PLAN ON CONVEYOR EC01 - CONTINUED
1200



ELEVATION ON CONVEYOR EC01 - CONTINUED
1200

NOTES

- 1 ALL DIMENSIONS IN MILLIMETRES (mm) UNLESS OTHERWISE NOTED
- 2 ALL GROUND LEVELS ARE ASSUMED AND SUBJECT TO SURVEY AT DETAILED DESIGN RL'S FOR STRUCTURES ARE BASED ON ASSUMED GROUND LEVELS AND AS SUCH SUBJECT TO CHANGE
- 3 MAINTENANCE PLATFORMS, STAIRS, CLADDING, PURLINS AND GIRTS FOR STRUCTURES, NOT SHOWN FOR CLARITY
- 4 MINIMUM ULTIMATE BEARING CAPACITY OF 300kPa WAS ASSUMED FOR DESIGN OF FOOTING
- 5 REFER BILL OF QUANTITIES FOR ALL MECHANICAL ITEMS, STEEL MEMBER SIZES, CONCRETE VOLUMES AND ELECTRICAL

FREMANTLE PORTS KWINANA BULK TERMINAL			
PROPOSED CLINKER IMPORT CIRCUIT WITH CCL CONNECTION EC01 PLAN & ELEVATION SHEET 2			
Date	SET 19	Scale	1:200
Survey	N/A	Checked by Engineer	
Design	AG	Approved for Constr	
Drawn	PC	Checked	
Checked	AG	Job File No. 60610095	
DRG No.	60610095-SKT-DRG-1031	Rev	A

PRELIMINARY COPY
NOT TO BE USED FOR
CONSTRUCTION PURPOSES

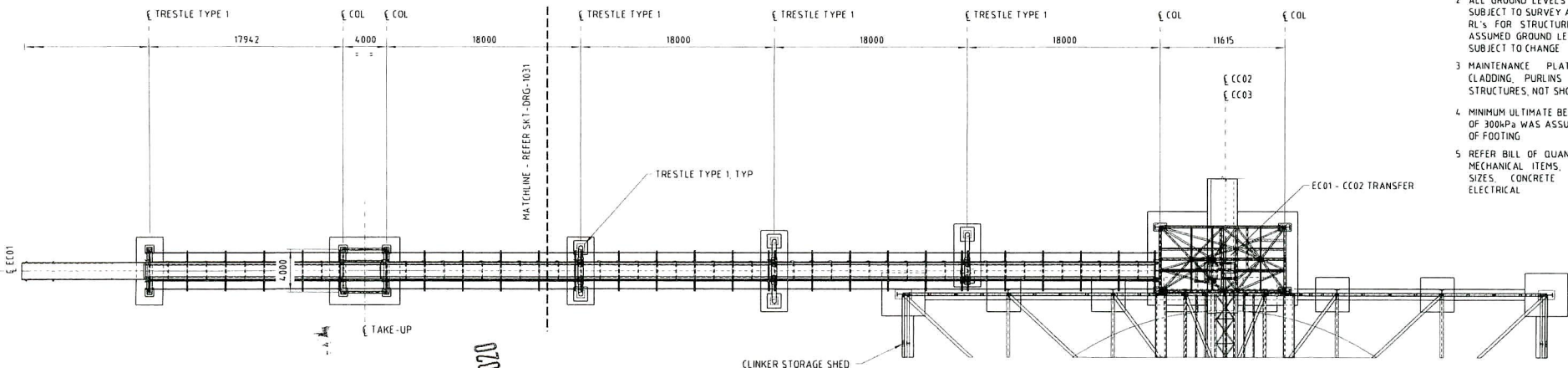
**DIAL BEFORE
YOU DIG**
www.1100.com.au

AECOM
AECOM Australia Pty Ltd ABN 20 093 846 975
4000 Project Number
60610095

Rev	Date	Comments	Drawn	Appd
A	17/10/19	ISSUED FOR REPORT	PL	JP

FREMANTLE PORTS

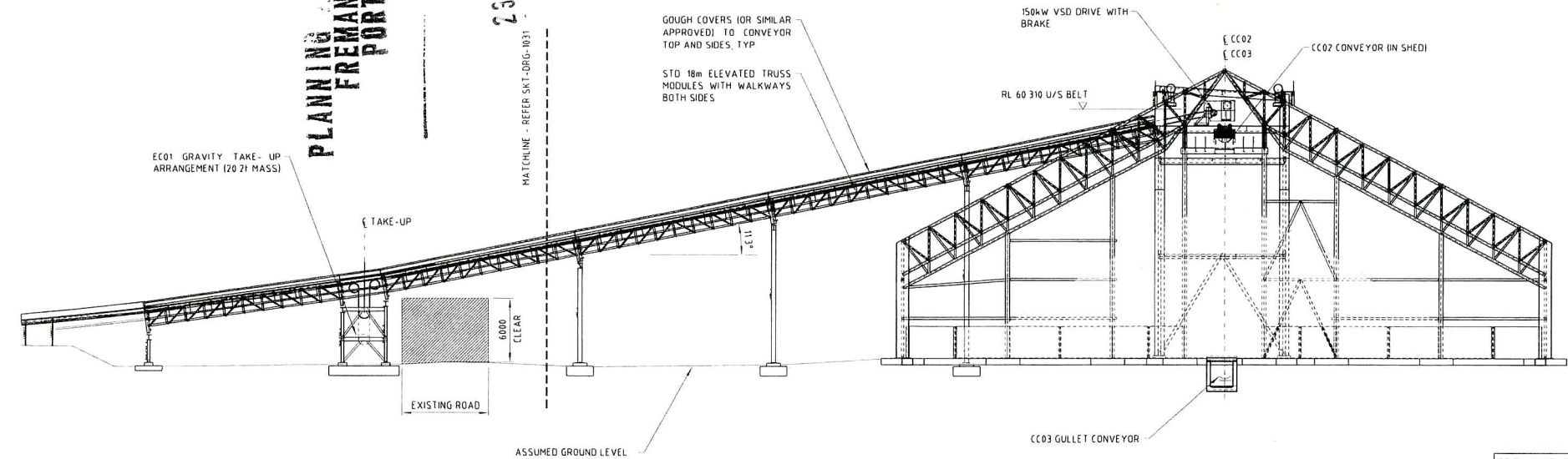
THIS DRAWING IS THE PROPERTY OF FREMANTLE PORTS. IT IS SUBJECT TO RECALL AND IS ISSUED FOR A LIMITED PURPOSE ONLY. CONSTRUCTION OF THIS DRAWING IS NOT TO BE REPRODUCED IN ANY FORM WITHOUT FREMANTLE PORTS PERMISSION.



PLAN ON CONVEYOR EC01 - CONTINUED

1/200

- NOTES**
- 1 ALL DIMENSIONS IN MILLIMETRES (mm) UNLESS OTHERWISE NOTED
 - 2 ALL GROUND LEVELS ARE ASSUMED AND SUBJECT TO SURVEY AT DETAILED DESIGN RL'S FOR STRUCTURES ARE BASED ON ASSUMED GROUND LEVELS AND AS SUCH SUBJECT TO CHANGE
 - 3 MAINTENANCE PLATFORMS, STAIRS, CLADDING, PURLINS AND GIRTS FOR STRUCTURES, NOT SHOWN FOR CLARITY
 - 4 MINIMUM ULTIMATE BEARING CAPACITY OF 300kPa WAS ASSUMED FOR DESIGN OF FOOTING
 - 5 REFER BILL OF QUANTITIES FOR ALL MECHANICAL ITEMS, STEEL MEMBER SIZES, CONCRETE VOLUMES AND ELECTRICAL



ELEVATION ON CONVEYOR EC01 - CONTINUED

1/200

PLANNING FREMANTLE PORTS

25 MAR 2020

EC01 GRAVITY TAKE-UP ARRANGEMENT (20 2t MASS)

ROUGH COVERS (OR SIMILAR APPROVED) TO CONVEYOR TOP AND SIDES, TYP

STD 18m ELEVATED TRUSS MODULES WITH WALKWAYS BOTH SIDES

150kW VSD DRIVE WITH BRAKE

RL 60 310 U/S BELT

CC02 CONVEYOR (IN SHED)

CC03 GULLET CONVEYOR

EXISTING ROAD

ASSUMED GROUND LEVEL

FREMANTLE PORTS KWINANA BULK TERMINAL

PROPOSED CLINKER IMPORT CIRCUIT WITH CCL CONNECTION EC01 PLAN AND ELEVATION SHEET 3

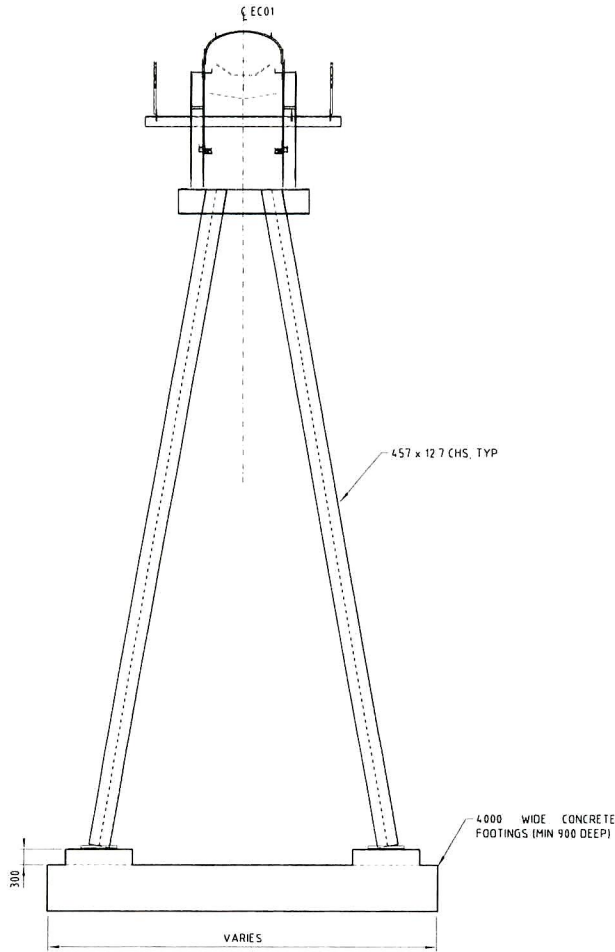
PRELIMINARY COPY NOT TO BE USED FOR CONSTRUCTION PURPOSES



AECOM

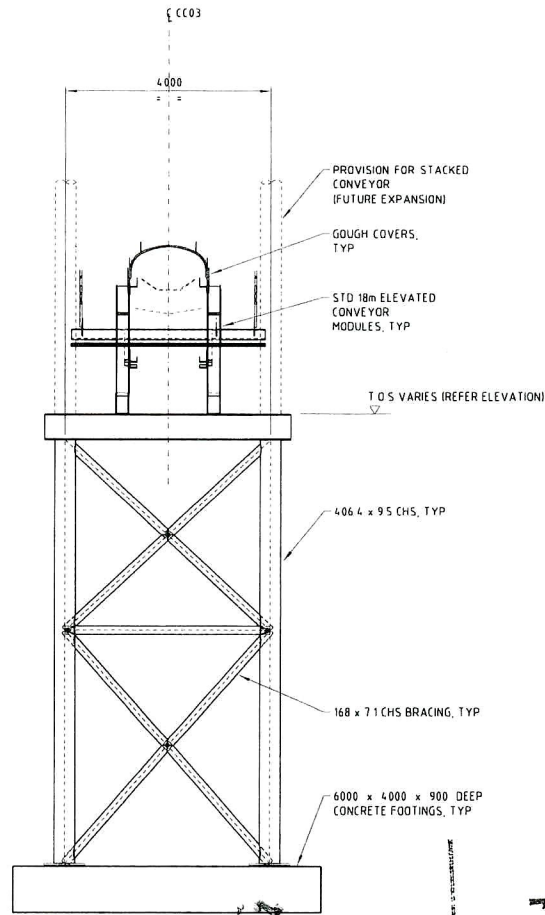
AECOM Australia Pty Ltd ABN 20 081 846 925 AECOM Project Number 60610095

Rev	Date	Comments	Drawn	Appr'd
A	12/10/18	ISSUED FOR REPORT	PL	JP
			Drawn	Appr'd
Date: 02/11/19 Scale: 1/200 Survey: N/A Checked by Engineer: Design: AG Drawn: PL Approved for constr: Checked: JP Job File No: 60610095 Dwg No: 60610095-SKT-DRG-1032 Rev: A				



TRESTLE - TYPE 1 - TYPICAL ELEVATION

150



TRESTLE - TYPE 3 - TYPICAL ELEVATION

150

NOTES

- 1 ALL DIMENSIONS IN MILLIMETRES (mm) UNLESS OTHERWISE NOTED
- 2 ALL GROUND LEVELS ARE ASSUMED AND SUBJECT TO SURVEY AT DETAILED DESIGN RL'S FOR STRUCTURES ARE BASED ON ASSUMED GROUND LEVELS AND AS SUCH SUBJECT TO CHANGE
- 3 MAINTENANCE PLATFORMS, STAIRS, CLADDING, PURLINS AND GIRTS FOR STRUCTURES, NOT SHOWN FOR CLARITY
- 4 MINIMUM ULTIMATE BEARING CAPACITY OF 300kPa WAS ASSUMED FOR DESIGN OF FOOTINGS
- 5 REFER BILL OF QUANTITIES FOR ALL MECHANICAL ITEMS, STEEL MEMBER SIZES, CONCRETE VOLUMES AND ELECTRICAL

**PLANNING APPROVAL
 FREMANTLE PORTS**



FREMANTLE PORTS
KWINANA BULK TERMINAL

PROPOSED CLINKER IMPORT
CIRCUIT WITH CCL CONNECTION
TRESTLE DETAILS

Date	OCT 19	Scale	1:50
Survey	N/A	Checked by	Engineer
Design	AG	Drawn	PL
Checked	JP	Approved for constr	

Job File No	60610095	Rev	A
DRG No	60610095-SKT-DRG-1040		

PRELIMINARY COPY
NOT TO BE USED FOR
CONSTRUCTION PURPOSES



AECOM

AECOM Australia Pty Ltd ABN 20 093 046 325
AECOM Project Number
60610095

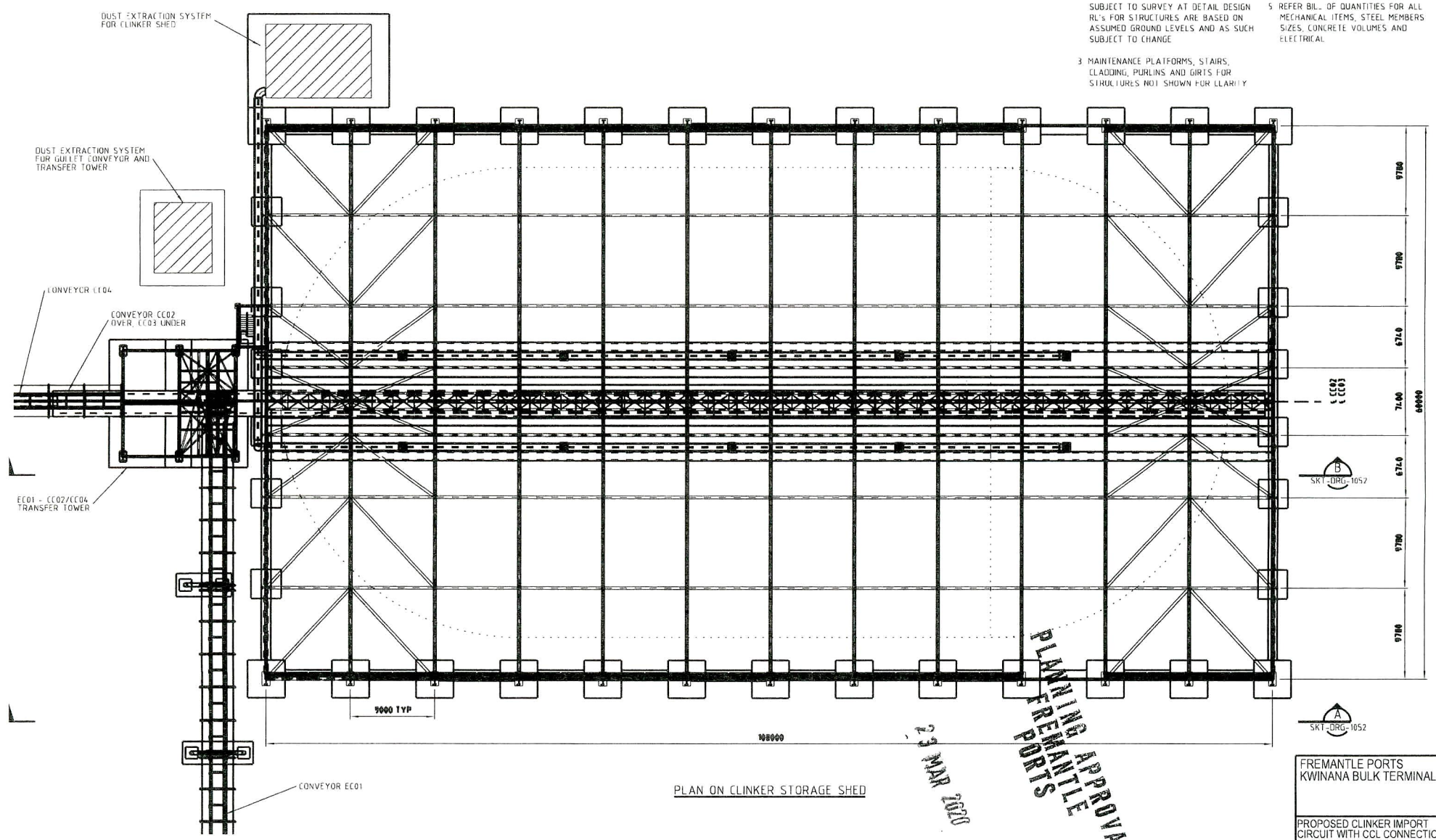
Rev	Date	Comments	Drawn	Appvd
1	12/10/19	ISSUED FOR REPORT	PL	JP



THIS DRAWING IS THE PROPERTY OF FREMANTLE PORTS
IT IS SUBJECT TO RETAIL, AND IS ISSUED FOR A LIMITED
PURPOSE ON CONDITION THAT IT IS NOT USED OR REPRODUCED
IN ANY FORM WITHOUT FREMANTLE PORTS PERMISSION

NOTES:

- 1 ALL DIMENSIONS IN MILLIMETERS (mm) UNLESS OTHERWISE NOTIFIED
- 2 ALL GROUND LEVELS ARE ASSUMED AND SUBJECT TO SURVEY AT DETAIL DESIGN RL's FOR STRUCTURES ARE BASED ON ASSUMED GROUND LEVELS AND AS SUCH SUBJECT TO CHANGE
- 3 MAINTENANCE PLATFORMS, STAIRS, CLADDING, PURLINS AND GIRTS FOR STRUCTURES NOT SHOWN FOR CLARITY
- 4 MINIMUM ULTIMATE BEARING CAPACITY OF 300kPa WAS ASSUMED FOR DESIGN OF FOOTING
- 5 REFER BILL OF QUANTITIES FOR ALL MECHANICAL ITEMS, STEEL MEMBERS SIZES, CONCRETE VOLUMES AND ELECTRICAL



PLAN ON CLINKER STORAGE SHED

PLANNING PORTS APPROVAL
 23 MAR 2020

FREMANTLE PORTS
KWINANA BULK TERMINAL

PROPOSED CLINKER IMPORT
CIRCUIT WITH CCL CONNECTION
40,000T CLINKER SHED
PLAN

PRELIMINARY COPY
NOT TO BE USED FOR
CONSTRUCTION PURPOSES

DIAL BEFORE YOU DIG
www.1100.com.au

AECOM
AECOM Australia Pty Ltd A.B.N. 20 063 846 925
AECOM Project Number:
60610095

Rev	Date	Comments	Drawn	Appvd

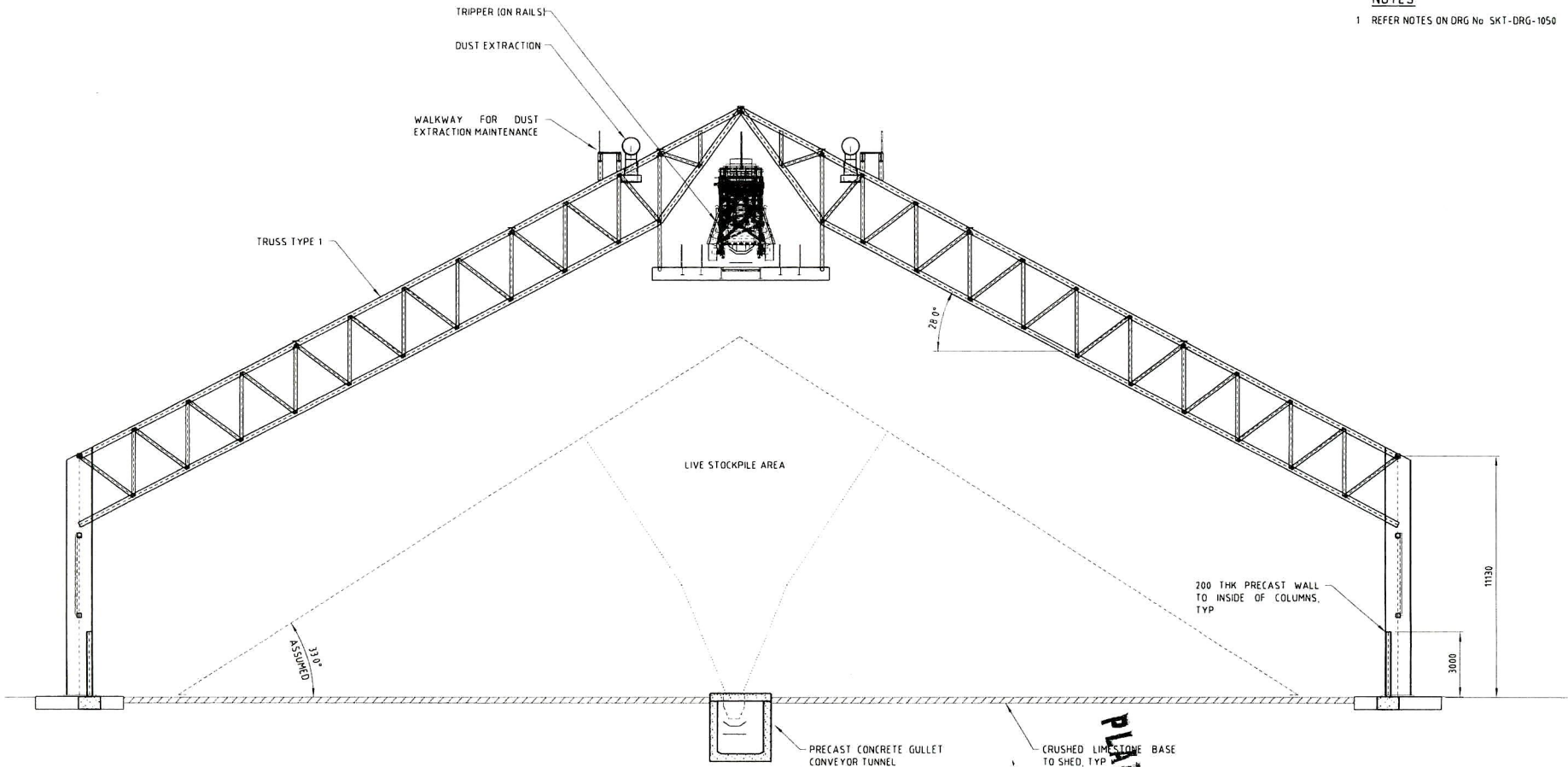


THIS DRAWING IS THE PROPERTY OF FREMANTLE PORTS
IT IS SUBJECT TO RECALL, AND IS ISSUED FOR A LIMITED
PURPOSE ON CONDITION THAT IT IS NOT USED OR REPRODUCED
IN ANY FORM WITHOUT FREMANTLE PORTS PERMISSION

Date	Scale
Survey	Checked by Engineer
Design	Approved for constr.
Drawn	
Checked	
Job File No 60610095	
DRG No	Rev
60610095-SKT-DRG-1050	B

NOTES

1 REFER NOTES ON DRG No SKT-DRG-1050



TYPICAL SECTION THROUGH SHED
1:100

PLANNING APPROVAL
FREMANTLE PORTS

FREMANTLE PORTS
KWINANA BULK TERMINAL

PROPOSED CLINKER IMPORT
CIRCUIT WITH CCL CONNECTION
40,000T CLINKER SHED
TYPICAL SECTION

Date:	01/11/19	Scale:	1:200
Survey:	N/A	Checked by:	Engineer
Design:	AG	Approved for:	constr
Drawn:	PI		
Checked:	JP		

Job File No:	60610095	Rev:	A
DRG No:	60610095-SKT-DRG-1051		

PRELIMINARY COPY
NOT TO BE USED FOR
CONSTRUCTION PURPOSES



AECOM

AECOM Australia Pty Ltd A.B.N. 20 093 846 929
AECOM Project Number:
60610095

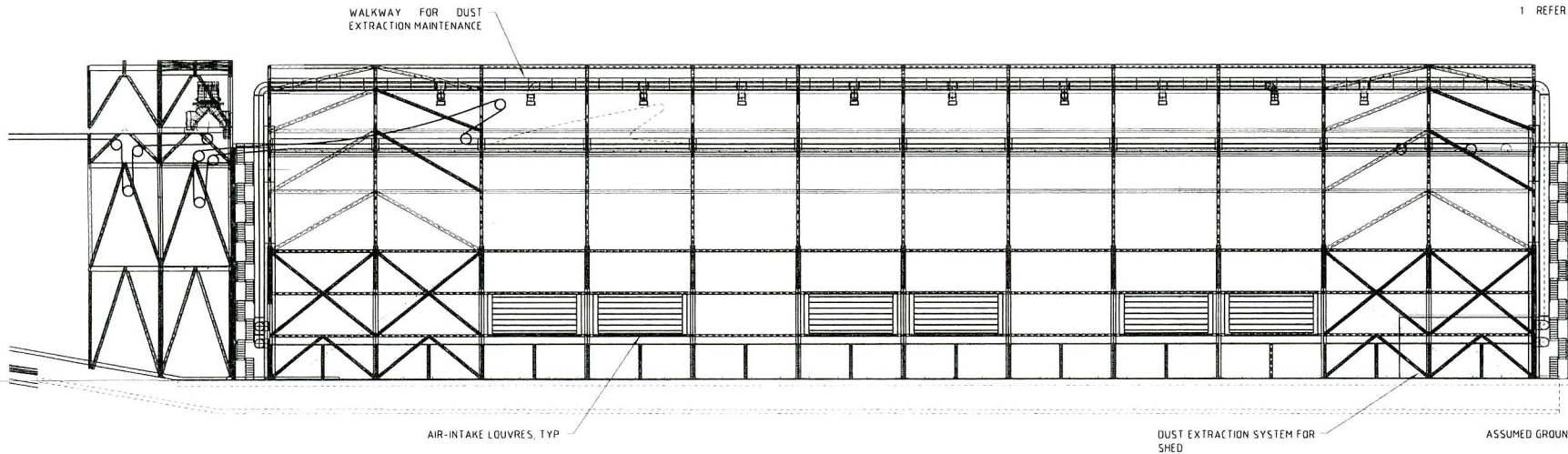
Rev.	Date	Comments	Drawn	Approved

A	13/10/19	ISSUED FOR REPORT	PI	JP	Survey	N/A	Checked by	Engineer
Rev.	Date	Comments	Drawn	Approved	Design	AG	Approved for	constr
					Drawn	PI		
					Checked	JP		

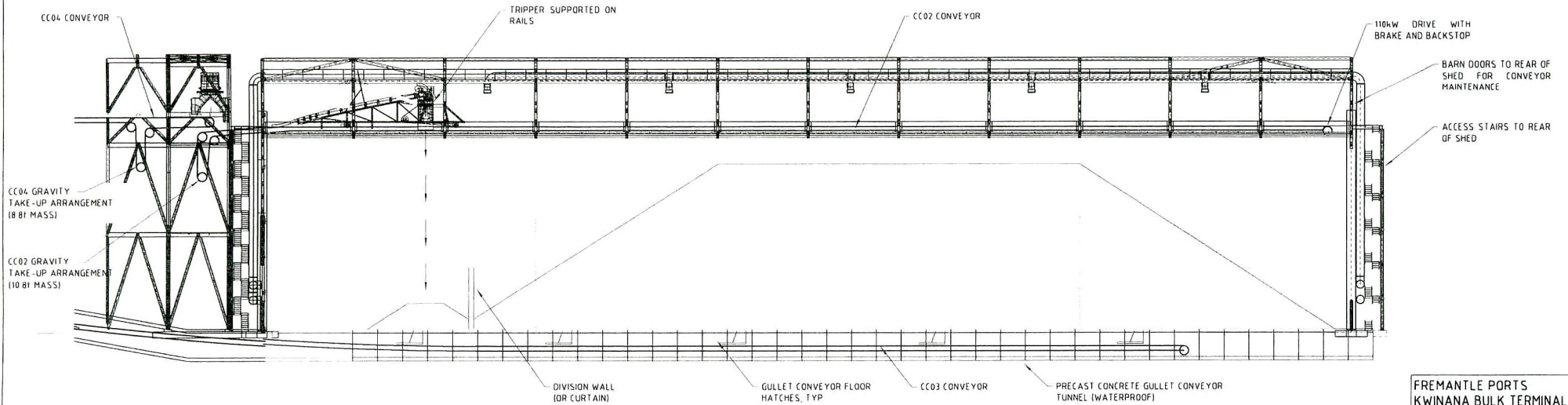
THIS DRAWING IS THE PROPERTY OF FREMANTLE PORTS
IT IS SUBJECT TO RECALL, AND IS ISSUED FOR A LIMITED
PURPOSE OR CONDITION THAT IT IS NOT USED OR REPRODUCED
IN ANY FORM WITHOUT FREMANTLE PORTS PERMISSION

NOTES

1 REFER NOTES ON DRG No SKT-DRG-1050



A ELEVATION
SKT-DRG-1050 1/200



B SECTION
SKT-DRG-1050

FREMANTLE PORTS
KWINANA BULK TERMINAL

PROPOSED CLINKER IMPORT
CIRCUIT WITH CCL CONNECTION
40,000T CLINKER SHED
SECTIONS AND ELEVATION

Date	01/10/19	Scale	1:200
Survey	N/A	Checked by Engineer	
Design	AG	Approved for const	
Drawn	PI	Checked	PI
Job File No	60610095	DRG No	60610095-SKT-DRG-1052
Rev	A1	Rev	C

PRELIMINARY COPY
NOT TO BE USED FOR
CONSTRUCTION PURPOSES

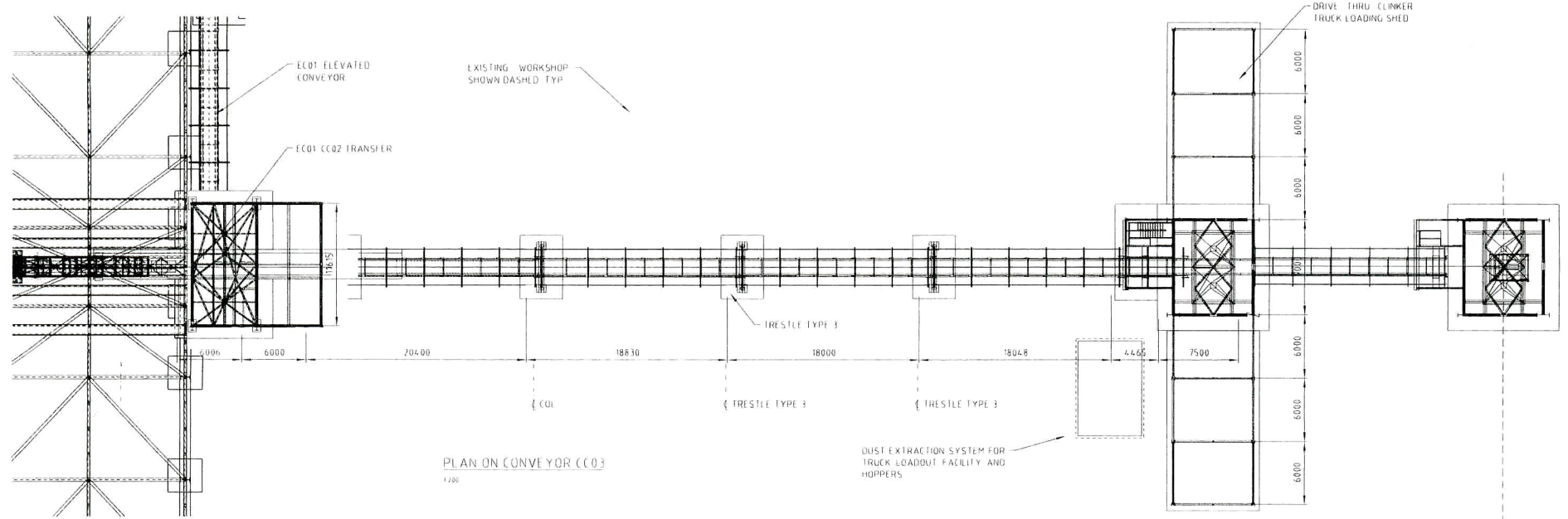


AECOM
AECOM Australia Pty Ltd A.B.N. 20 093 946 975
AECOM Project Number
60610095

Rev	Date	Comments	Drawn	Appr'd

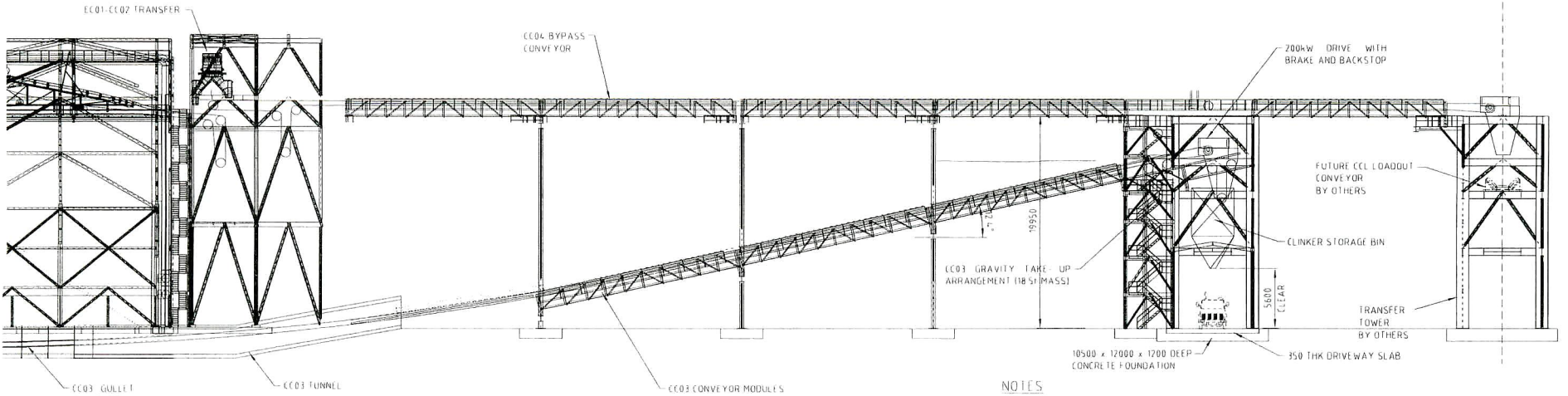
THIS DRAWING IS THE PROPERTY OF FREMANTLE PORTS
IT IS SUBJECT TO RECALL AND IS ISSUED FOR A LIMITED
PURPOSE ON CONDITION THAT IT IS NOT USED OR REPRODUCED
IN ANY FORM WITHOUT FREMANTLE PORTS' PERMISSION





PLAN ON CONVEYOR CC03

1200



ELEVATION ON CONVEYOR CC03

1200

NOTES

- 1 ALL DIMENSIONS IN MILLIMETRES (mm) UNLESS OTHERWISE NOTED
- 2 ALL GROUND LEVELS ARE ASSUMED AND SUBJECT TO SURVEY AT DETAILED DESIGN. RISERS FOR STRUCTURES ARE BASED ON ASSUMED GROUND LEVELS AND AS SUCH SUBJECT TO CHANGE
- 3 MAINTENANCE PLATFORMS, STAIRS, CLADDING, PURLINS AND GIRTS FOR STRUCTURES NOT SHOWN FOR CLARITY
- 4 MINIMUM ULTIMATE BEARING CAPACITY OF 300kPa WAS ASSUMED FOR DESIGN OF FOOTING
- 5 REFER BILL OF QUANTITIES FOR ALL MECHANICAL ITEMS, STEEL MEMBER SIZES, CONCRETE VOLUMES AND ELECTRICAL

CC03 PLAN & ELEVATION

Date	OCT 19	Iss	
Drawn	AG	Checked By Engineer	
Drawn	PL	Approved	
Checked	JP	Approval	
Issue No	53		

PRELIMINARY COPY
NOT TO BE USED FOR
CONSTRUCTION PURPOSES

AECOM

AECOM Australia Pty Ltd ABN 20 091 846 925
AECOM Project Number
60536902

Rev	Date	Description	By	App'd
A	17/10/19	ISSUED FOR REPORT	PL	JP
Rev	Date	Description	By	App'd



THIS DRAWING IS THE PROPERTY OF FREMANTLE PORT
IT IS SUBJECT TO RECALL AND NOT TO BE REPRODUCED
OR COPIED IN ANY FORM WITHOUT FREMANTLE PORT PERMISSION

DRG No	60610095-SK1-DRG-1060	Rev	A
--------	-----------------------	-----	---

17.4 Proposed Scheme Amendment No. 158 to Local Planning Scheme No.2: Home Occupation and Home Business

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

The purpose of this report is for Council to consider the final adoption of Scheme Amendment No. 158 to City of Kwinana Local Planning Scheme No. 2 (LPS2). Council initiated the amendment for advertising at its meeting on 11 December 2019. The proposed amendment was publicly advertised for a period of 42 days following advice from the Environmental Protection Authority (EPA) that the amendment did not require environmental assessment under the *Environmental Protection Act 1986*. During the advertising period, four submissions were received. City Officers have considered all submissions and no further changes are being proposed.

Scheme Amendment No. 158 seeks to introduce the Home Business land use into Table 1 - Zoning and Use Classes (Table 1) of LPS2. While a Home Business is defined in LPS2, it has not been allocated land use permissibility within Table 1. As a result, applications for a Home Business are routinely considered as a 'Use not Specified'. The insertion of Home Business into Table 1 and its permissibility in the various zones will assist City Officers in the timely consideration of applications and prevent unnecessary delays in the establishment of small businesses within the community. The amendment also seeks to remove an LPS2 requirement to renew Home Occupation applications on an annual basis. The proposed amendment will save officers time in processing renewals and reduce administration costs for these small business owners.

The amendment documentation is as per Attachment A.

It is recommended that Scheme Amendment No. 158 be considered by Council for adoption and referred to the Western Australian Planning Commission (WAPC) for its consideration and final approval.

OFFICER RECOMMENDATION:

That Council:

1. In accordance with Regulation 50(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* determines to support Amendment No. 158 to the City of Kwinana Local Planning Scheme No. 2 (LPS2) for the purposes of:
 - 1.1 Adding the use class Home Business to Table 1 – Zoning and Use Classes as follows:

17.4 PROPOSED SCHEME AMENDMENT NO. 158 TO LOCAL PLANNING SCHEME NO.2: HOME OCCUPATION AND HOME BUSINESS

Use Class es	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Home Business	SA	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 6.17 of the Scheme	AA	AA	X	X	X	SA	X	As denoted under Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy	*	#	+	As denoted on Scheme Map, Clause 6.12 and in the Fifth Schedule	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 6.17

1.2 Deleting Clause 4.14 of the Scheme and renumbering.

1.3 Delete element (j) of the definition of Home Occupation in Appendix IV – Interpretations to read:

Home Occupation - means 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;

17.4 PROPOSED SCHEME AMENDMENT NO. 158 TO LOCAL PLANNING SCHEME NO.2: HOME OCCUPATION AND HOME BUSINESS

- (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, and
 - (i) does not require the outdoor storage of materials or supplies.
2. In accordance with Regulation 50(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* notes the submissions received in respect of Amendment 160 to City of Kwinana Local Planning Scheme No. 2 and endorses the response to the submissions as contained in this report.
 3. Ensure the documentation for Amendment 160 be signed and sealed and then submitted to the Western Australian Planning Commission, with a request for the endorsement of final approval by the Minister for Planning.

PROPOSAL:

Scheme Amendment No. 158 seeks to introduce the Home Business land use into Table 1 - Zoning and Use Classes (Table 1) of LPS2 and remove an LPS2 requirement to renew Home Occupation applications on an annual basis.

LPS2 defines two land uses in Appendix IV (Interpretations) regarding the operation of a small business from a dwelling, being a 'Home Occupation' and a 'Home Business'. These land uses allow an occupant of a dwelling to operate a business from their home. Depending on the size, scale and nature of the business will depend on whether the activity is classed as a Home Business or a Home Occupation. Generally, a Home Business is larger, can employ up to 2 people from outside the home and is more intense than a Home Occupation, which cannot employ people from outside the home and must take up a smaller space in the home. Neither should cause an adverse effect on the amenity on the neighbourhood.

The current definitions for a Home Business and Home Occupation, as seen in LPS2, are as follows:

Home Business – means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which –

- (a) does not employ more than 2 people not members of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50 square metres;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone;

17.4 PROPOSED SCHEME AMENDMENT NO. 158 TO LOCAL PLANNING SCHEME NO.2: HOME OCCUPATION AND HOME BUSINESS

Home Occupation – means 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, and
- (i) does not require the outdoor storage of materials or supplies;
- (j) has been granted planning approval of Council for a specified period.

The insertion of the Home Business definition into Table 1 will allow the City to process Development Applications for Home Businesses in the standard manner, rather than having to rely on the current process of assessing these applications under the 'Use not Specified' process which is more onerous on both the applicant and City Officers.

The second part to the amendment will remove the requirement for existing approved Home Occupations to seek annual renewal from the City.

BACKGROUND:

At its Ordinary Meeting on 11 December 2019, Council resolved to initiate the amendment for advertising. Since this time, the amendment was referred to the Environmental Protection Authority (EPA) for assessment under the *Environmental Protection Act 1986*. A response was received from the EPA on 30 January 2020 stating that the proposal does not require further environmental assessment (see Attachment C). The amendment was then advertised to all approved Home Occupation owners for a period of 42 days, in addition to being published in a local newspaper and on the City's website. A total of four submissions have been received by the City. Further information regarding these submissions is discussed below.

PLANNING CONTEXT:

Home Business

This amendment seeks to introduce the Home Business land use into Table 1 of LPS2. While a Home Business is defined in LPS2, it has not been allocated land use permissibility within Table 1. A Home Business is required to be associated with a residential dwelling, accordingly its permissibility directly relates to the permissibility of a dwelling in the various zones of LPS2. Refer to Attachment A showing the use permissibility for Home Businesses (see section 2. *Proposal*).

17.4 PROPOSED SCHEME AMENDMENT NO. 158 TO LOCAL PLANNING SCHEME NO.2: HOME OCCUPATION AND HOME BUSINESS

When compared to a Home Occupation, a Home Business permits an additional 30 square metres of floor area to be dedicated to the business, up to 2 employees external to the home to be employed at the property and is generally more intense. For these reasons all applications for a Home Business within the Residential zone will be required to be advertised to surrounding landowners for comment prior to determination. Therefore, Home Businesses are classified as an 'SA' use. It is envisioned this approach will identify and reduce potential impacts to the residential surrounds.

The insertion of Home Business into Table 1 and its permissibility in the various zones will assist City Officers in the timely consideration of applications and prevent unnecessary delays in the establishment of small businesses within the community. Given the constraints and obstacles currently faced by members of the community, it is considered that providing an additional land use for small business operators is a positive step forward.

Home Occupation

The amendment also seeks to remove an LPS2 requirement regarding the renewal of Home Occupation applications. LPS2 currently requires Home Occupation approvals to be renewed annually. The process involves the applicant paying a fee and City Officers issuing a notice confirming approval for another year. The intent for requiring an annual renewal was principally to allow City Officers the opportunity to not reapprove a Home Occupation where it is considered a nuisance or is having an adverse impact on residents in the area. However, the City has the ability to deal with complaints in relation to an existing Home Occupation under the existing planning framework, rather than relying on not issuing an annual renewal. Specifically, when a land use approval is issued, the use must adhere to the definition in LPS2. For a Home Occupation, this includes:

- (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*

At any time a Home Occupation or Home Business does not adhere to this requirement the approval is in breach and the City can take compliance action. This is elaborated on under the Discussion heading.

Currently, there are approximately 100 approved Home Occupations that are subject to the renewal process. The proposed amendment will result in a reduction of approximately \$7,000 in income to the City. However, it will save City Officers time in processing and reduce costs on small businesses operating from home.

SUBMISSIONS:

As stated above, a total of four submissions were received during the 42 day advertising period – refer to the Schedule of Submissions: Attachment B. Three of the four submissions outlined support for the amendment, citing the positive impact this amendment will have including a reduction in business administration costs and saving of time.

One of the four submissions outlined its objection to the amendment, noting the following (summarised):

17.4 PROPOSED SCHEME AMENDMENT NO. 158 TO LOCAL PLANNING SCHEME NO.2: HOME OCCUPATION AND HOME BUSINESS

- The renewal requirement should remain annually or biannually so that local government can monitor operations.
- Many are operating without proper health requirements and likely do not have approval, making it unfair for those who do the right thing.
- The renewal process should include a health inspection.

City Officers have considered this objection in relation to the amendment and, in addition to the brief comments made in Attachment B, the following comments are made:

- The original intent in requiring Home Occupation approvals to be renewed on an annual basis centred on concerns that are highlighted in this objection, particularly in relation to the monitoring of non-compliances. However, as outlined above, where an approval is deemed a nuisance to surrounding land owners or does not comply with relevant legislation, the City has a number of alternative options by which it can seek compliance. A non-compliance will be primarily dealt with by the City's Compliance Officers who will work with the applicant to ensure they are complying with their planning approval, with the final option being to prosecute under the *Planning and Development Act 2005*.
- When an application for a Home Occupation (or Home Business) is lodged, the City's Planning Department assess potential impacts of the proposal on the surrounding area, having regard to orderly and proper planning. This assessment works to reduce the likelihood of a non-compliance occurring and means that approval is only issued if the risk of a significant amenity impact on neighbouring residential properties is low.
- The City's Environmental Health Department primarily deal with matters such as health and hygiene as regulated under legislation such as: the *Health Skin Penetration Procedures Regulations 1998* and the *Health (miscellaneous Provisions) Act 1911*. Where this legislation is applicable, a separate application is required to be made to the City's Environmental Health Department and assessed against the relevant requirements relating to health. As part of the application process, Environmental Health Officers inspect the property before the proponent commences operation of the home occupation/business.
- Additionally, inspections are undertaken by Environmental Health Officers each time the City receives a complaint regarding an environmental health (i.e. noise, odour) or hygiene matter. During these inspections, any non-compliances in the Home Occupation are identified and acted on.

DISCUSSION:

City Officers are of the view that, although the removal of annual renewals may result in reduced scheduled monitoring of approved home based businesses (from a planning perspective), there are other mechanisms that will remain in place to assist in reducing adverse impacts resulting from non-compliance. It should be noted that City Officers are aware of only one occasion where an approved Home Occupation was not renewed, based on a non-compliance. Annual approvals and site inspections for other matters, such as those relating to the City's Environmental Health Department, will remain. Furthermore, City Officers encourage residents to notify the City when they identify any operations that concern them. The City's Compliance Officers are able to assist in ensuring regulations are being adhered to and all small business owners are on a level playing field. Further to this, from a planning perspective, where an approved Home Occupation is considered to have a detrimental impact on the amenity of a surrounding area, it would fail to meet the definition of a Home Occupation and would no longer be lawful.

17.4 PROPOSED SCHEME AMENDMENT NO. 158 TO LOCAL PLANNING SCHEME NO.2: HOME OCCUPATION AND HOME BUSINESS

Following the finalisation of this amendment, all current business owners impacted by the removal of the annual renewal, will be notified and an explanation provided outlining that annual approvals and site inspections for other matters (such as an application to the Environmental Health Department) remain in place. As also reiterated through the submissions in support of this amendment, City Officers are of the view that in order to reduce constraints on small business owners removing the requirement for annual renewal of Home Occupation approvals will have a positive outcome for small businesses within the City of Kwinana. Therefore, no modifications to the amendment are recommended.

While it is acknowledged that this amendment will result in the minor reduction of revenue for the City, when taking into account officer time, resources and the cost on small business, the benefits of removing of the annual renewal requirement outweigh the revenue reduction. The amendment will remove unnecessary delays and administration fees for small business operators and provide additional options for home based businesses, while still protecting residential amenity. This is consistent with the City's approach to supporting local business as identified through the Kwinana Local Recovery Co-ordination Committee.

Scheme Amendment No. 158 is recommended to be adopted without change and referred to the WAPC.

LEGAL/POLICY IMPLICATIONS:

Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015
Local Planning Scheme No. 2

FINANCIAL/BUDGET IMPLICATIONS:

The amendment will reduce ongoing income associated with Home Occupation renewals, expected to amount to approximately \$7,000 per annum. The cost of notifying existing home occupation owners of the outcome of this amendment will be met through the Planning Budget.

ASSET MANAGEMENT IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

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

17.4 PROPOSED SCHEME AMENDMENT NO. 158 TO LOCAL PLANNING SCHEME NO.2: HOME OCCUPATION AND HOME BUSINESS

STRATEGIC/SOCIAL IMPLICATIONS:

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

Plan	Outcome	Objective
Corporate Business Plan	Innovative approval system	2.6 Provide a best practice development approval system that attracts and retains business investment in the area

COMMUNITY ENGAGEMENT:

In accordance Council's resolution on the 11 December 2019, Amendment 158 was advertised for public submissions for 42 days, from 18 March 2020 to 29 April 2020, in accordance with Regulation 51 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. During the submission period the City received four submissions from City residents who currently operate an approved home occupation. The submissions are set out in the Schedule of Submissions (Attachment B).

Should the amendment be adopted by Council and subsequently approved by the Western Australian Planning Commission, all current Home Occupation owners will be notified of the decision and resultant changes. The decision will also be published in a local newspaper and on the City's website.

PUBLIC HEALTH IMPLICATIONS:

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

RISK IMPLICATIONS:

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

Risk Event	City will no longer have the power to not renew home occupations that are subject to complaints or are non compliant
Risk Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Effect/Impact	Compliance
Risk Assessment Context	Strategic
Consequence	Minor
Likelihood	Unlikely

17.4 PROPOSED SCHEME AMENDMENT NO. 158 TO LOCAL PLANNING SCHEME NO.2: HOME OCCUPATION AND HOME BUSINESS

Rating (before treatment)	Low
Risk Treatment in place	Accept - do nothing, accept its full impact
Response to risk treatment required/in place	Accept risks and deal with compliance through the planning framework.
Rating (after treatment)	Low

COUNCIL DECISION

182

MOVED CR M ROWSE

SECONDED CR M KEARNEY

That Council:

- 1. In accordance with Regulation 50(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* determines to support Amendment No. 158 to the City of Kwinana Local Planning Scheme No. 2 (LPS2) for the purposes of:**

- 1.1 Adding the use class Home Business to Table 1 – Zoning and Use Classes as follows:**

Use Classes	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Home Business	S A	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 6.17 of the Scheme	A A	A A	X	X	X	S A	X	As denoted under Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy	*	#	+	As denoted on Scheme Map, Clause 6.12 and in the Fifth Schedule	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 6.17

17.4 PROPOSED SCHEME AMENDMENT NO. 158 TO LOCAL PLANNING SCHEME NO.2: HOME OCCUPATION AND HOME BUSINESS**1.2 Deleting Clause 4.14 of the Scheme and renumbering.****1.3 Delete element (j) of the definition of Home Occupation in Appendix IV – Interpretations to read:**

Home Occupation - means 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, and**
 - (i) does not require the outdoor storage of materials or supplies.**
- 2. In accordance with Regulation 50(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* notes the submissions received in respect of Amendment 160 to City of Kwinana Local Planning Scheme No. 2 and endorses the response to the submissions as contained in this report.**
- 3. Ensure the documentation for Amendment 160 be signed and sealed and then submitted to the Western Australian Planning Commission, with a request for the endorsement of final approval by the Minister for Planning.**

**CARRIED
8/0**

REPORT – AMENDMENT NO.158

PROPOSAL TO AMEND A TOWN PLANNING SCHEME

1. Local Government: City of Kwinana
2. Description of Scheme: City of Kwinana Local Planning Scheme No.2
3. Type of Scheme: District Planning Scheme
4. Serial Number: Amendment No. 158
5. Proposal:
 - 1 Adding the use class Home Business to Table I – Zoning and Use Classes as follows:

Use Classes	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Home Business	SA	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 6.17 of the Scheme	AA	AA	X	X	X	SA	X	As denoted under Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy	*	#	+	As denoted on Scheme Map, Clause 6.12 and in the Fifth Schedule	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 6.17

- 2 Deleting Clause 4.14 of the scheme and renumbering.
- 3 Amending the definition of home occupation into Appendix IV – Interpretations to read:

Home Occupation – means 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, and
- (i) does not require the outdoor storage of materials or supplies.

6. Report by:

City of Kwinana

1. Introduction

The City of Kwinana seeks the support of the Western Australian Planning Commission and the approval of the Minister for Planning for the proposed Scheme amendment.

The amendment will provide guidance to planners and applicants by giving land use permissibility for the use class of a Home Business and remove the requirement for the annual renewal of Home Occupations.

While deletion of the Scheme provisions related to annual renewals for Home Occupations would typically make the amendment simple in nature, the introduction of land use permissibility for Home Business within Table 1 – Zoning and Use Classes (Table 1), has the potential to impact residents. For this reason, the amendment is treated as a standard amendment.

2. Proposal

The City is home to a number of home based businesses that are required to be renewed on an annual basis. The current definition of a Home Occupation in the Scheme refers to the requirement for such approvals to be renewed annually. Clause 4.14 of the Scheme similarly requires all Home Occupations to be renewed on an annual basis. This process is inconsistent with most other approvals, which do not require an ongoing payment for an annual renewal. The basis for requiring a renewal was principally to allow the City to not reapprove Home Occupations where complaints by surrounding residents were received. However, City Officers have other effective options to remedy complaints, other than choosing not to renew an approval. As such, the renewal process has become little more than “red tape” and costs home based businesses unnecessary time and money. Therefore, this amendment proposes to remove all references within the Scheme requiring Home Occupations to be renewed on an annual basis.

The use class of Home Business allows for a larger home based business than a Home Occupation. Currently, the Scheme includes the definition of Home Business but does not include it within Table 1. The inclusion of the Home Business use in Table 1 of the Scheme will give decision makers and applicants greater guidance on the permissibility of this land use in various zones. The table inserts into the City’s Scheme as set out below:

Use Classes	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Home Business	SA	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 6.17 of the Scheme	AA	AA	X	X	X	SA	X	As denoted under Statement of Planning Policy No. 2.3 – Jandakot Groundwater Protection Policy	*	#	+	As denoted on Scheme Map, Clause 6.12 and in the Fifth Schedule	The subdivision, use and development of the land is to be generally in accordance with an approved Structure Plan prepared and adopted under Part 6.17

Noting that the scheme identifies the following Key

- | | |
|------------------------|--------------------------|
| 1. Residential | 9. Rural B |
| 2. Kwinana Town Centre | 10. Rural Water Resource |
| 3. Commercial | 11. Special Residential |

- | | |
|-----------------------|----------------------------|
| 4. Service Commercial | 12. Special Rural |
| 5. Mixed Business | 13. Special Use |
| 6. General Industry | 14. Cluster/Communal Rural |
| 7. Light Industry | 15. Development |
| 8. Rural A | |

* As denoted on Scheme Map, Clause 6.9 and in the First Schedule

As denoted on Scheme Map, Clause 6.10 and in the Second Schedule

+ As denoted on Scheme Map, Clause 6.11 and in the Third Schedule

3. Conclusion

This proposed amendment has the potential to remove the anomaly of annual renewals for home based business. Home based businesses are an essential part of the economy and are often the beginnings of many larger and successful businesses. This amendment will work toward supporting the economic development of the region and remove unnecessary regulation on small business.

SCHEDULE OF SUBMISSIONS
Amendment 158 to Local Planning Scheme No. 2

	Submitter	Overall object / support / neutral	Summary of Submission	City response
1	Resident 1 Approved Home Occupation Operator	Support	The proposed amendment will save time and money in operating the approved Home Occupation (at this address) in future and allow opportunity to grow the business if necessary.	Submission noted.
2	Resident 2 Approved Home Occupation Operator	Support	The home based business at this property does not change from year to year from what was approved. Not having to apply each year for a renewal will allow more time to focus on attending to professional duties in business operations.	Submission noted.
3.	Resident 3 Approved Home Occupation Operator	Support	The proposed amendment will be beneficial to the approved home based baking business at this property as it will save time and money.	Submission noted.
4.	Resident 4 Approved Home Occupation Operator	Object	<ul style="list-style-type: none"> • Home Occupation renewals should remain in place, at least bi-annually to ensure the City has a clear understanding of the number and types of home based businesses and monitor their operations (particularly in the beauty industry) • The home occupation renewal process should incorporate a health and hygiene inspection of these home based businesses to ensure they are complying with the regulations. • It is unfair for those who follow due processes and pay relevant fees to be on an uneven playing field with those who do not have relevant approvals in place or do not follow required standards. 	<p>Concerns relating to non-compliance are noted. The avenue is available whereby applicants that do not comply with the conditions of their approved home occupation, are investigated by the City's Compliance team and the approval is rescinded.</p> <p>Health and Hygiene matters are dealt with by the City's Environmental Health Department under different legislation. Applications and site inspections as required by the City's Environmental Health Department are unaffected by this amendment.</p>

Mr Graeme Mackenzie
Chief Executive Officer
City of Kwinana
PO Box 21
KWINANA WA 6966

Our Ref: CMS17764
Enquiries: Steve Pavey, 6364 7600
Email: Steve.Pavey@dwer.wa.gov.au

Dear Mr Mackenzie

DECISION UNDER SECTION 48A(1)(a)
Environmental Protection Act 1986

SCHEME: City of Kwinana Local Planning Scheme 2
Amendment 158
LOCATION: Whole of scheme area
RESPONSIBLE AUTHORITY: City of Kwinana
DECISION: Referral Examined, Preliminary Investigations
and Inquiries Conducted. Scheme Amendment
Not to be Assessed Under Part IV of EP Act. No
Advice Given. (Not Appealable)

Thank you for referring the above scheme to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) and that it is not necessary to provide any advice or recommendations. I have attached a copy of the Chairman's determination of the scheme.

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.

- There is no appeal right in respect of the EPA's decision to not assess the scheme.

A copy of the Chairman's determination (attached) will be made available to the public via the EPA website.

Yours sincerely



Anthony Sutton
Delegate of the Environmental Protection Authority
Executive Director
EPA Services

30 January 2020

Encl: Chairman's Determination



GOVERNMENT OF
WESTERN AUSTRALIA

S48A Referrals

Environmental Protection Authority

Title: City of Kwinana Local Planning Scheme 2 Amendment 158

Location: Whole of scheme area

Description: The City of Kwinana proposes to introduce the land use 'Home Business' into its scheme zoning table and remove all requirements within the scheme for Home Occupation applications to be renewed annually.

Ref ID: CMS17764

Date Received: 21/1/2020 **Date Sufficient Information Received:** 21/1/2020

Responsible Authority: City of Kwinana

Contact: Jared Veenendaal

Preliminary Environmental Factors: None

Potential Significant Effects: None

Management: Not required

Determination: **Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of EP Act. No Advice Given. (Not Appealable)**

The EPA has carried out some investigations and inquiries before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA.

This Determination is not appealable.

Dep. Chairman's Initials:

RAA

Date:

28.1.2020

17.5 Proposed Metropolitan Scheme Amendment – Rezoning portions of private and Crown land in Wellard to facilitate the duplication of Wellard and Bertram Roads

DECLARATION OF INTEREST:

Mayor Carol Adams declared an impartiality interest due to her daughter and her partner being landowners of 6 Glazier Grove, Wellard. Whilst the property is not adjoined to Wellard Road, it would be less than 100m from Wellard Road and could be impacted by noise and loss of amenity when Wellard Road is duplicated.

SUMMARY:

On 19 March 2019, Amendment 132 to the City's Local Planning Scheme No. 2 (LPS2) was gazetted.

Amendment 132 sought to expand existing Development Contribution Area 1 (DCA1) to encompass the developing residential area surrounding Bollard Bulrush Swamp. As part of Amendment 132, several new Development Contribution Plan (DCP) items were introduced. Two of those items are the upgrade (duplication) of Wellard Road southwards from the roundabout to the immediate north-east of the Homestead Ridge estate to Millar Road, and Bertram Road westwards from Challenger Avenue to the Wellard Road roundabout.

The need for the Wellard/Bertram Road upgrade was based on traffic modelling that identified a significant increase in traffic along these roads and thus a requirement for the roads to be upgraded to an Integrator A standard, as per Liveable Neighbourhoods.

In order to facilitate the upgrade to occur, a Metropolitan Region Scheme (MRS) Amendment is required to rezone portions of existing private land and Crown land (currently vested with the City) from Urban Deferred and Parks and Recreation Reserve to Urban. It must be noted that the landowners (and their planning consultant representative) of the section of land zoned Urban Deferred have been made aware of the proposed duplication process and have liaised with City Officers over several years with regard to the future potential development of the land. Further, the proposed duplication has been incorporated into the landowner's concept plans for the land.

Consultation sessions with affected residents were held and resulted in subsequent resident involvement in landscaping design workshops and design work in March and April 2020.

It is recommended that Council commence the MRS Amendment process in accordance with the Officer Recommendation below. It must be noted that, under Section 126(3) of the *Planning and Development Act 2005*, the City has the option of requesting the Western Australian Planning Commission (WAPC) to concurrently rezone land being zoned Urban under the MRS to a corresponding or appropriate zone in the Local Planning Scheme. As land is being zoned Urban in the MRS, section 126(3) of the *Planning and Development Act 2005* is applicable. Given the area proposed to be rezoned under the MRS Amendment to Urban is to facilitate a road, the corresponding zone under LPS2 is No Zone.

17.5 PROPOSED METROPOLITAN SCHEME AMENDMENT – REZONING PORTIONS OF PRIVATE AND CROWN LAND IN WELLARD TO FACILITATE THE DUPLICATION OF WELLARD AND BERTRAM ROADS

OFFICER RECOMMENDATION:

That Council:

1. In pursuance of Section 57 of the *Planning and Development Act 2005*, authorises the CEO to initiate the process of amending the Metropolitan Region Scheme for the land area as set out in Attachment A of this report;
2. Further to the above, authorises the CEO to forward the proposed Metropolitan Region Scheme documents to the Western Australian Planning Commission, requesting a Minor Amendment to the Metropolitan Region Scheme;
3. In undertaking 1 and 2 above, endorses the Metropolitan Region Scheme Amendment Report as set out in Attachment B of this report;
4. Requests the Western Australian Planning Commission, under Section 126(3) of the *Planning and Development Act 2005*, to concurrently rezone land being zoned Urban under the MRS to No Zone under the City's Local Planning Scheme No.2, as per other local roads within the City's jurisdiction.

DISCUSSION:

MRS Amendment

The MRS Amendment process is regulated by the Planning and Development Act 2005 and constitutes either a Minor or Major Amendment to the MRS. The City has liaised with Officers of the DPLH on a number of occasions and has been advised that the proposed MRS Amendment in the context of Wellard Road would likely be progressed as part of a minor omnibus amendment to the MRS, subject to appropriate justification regarding potential impacts on the Parks and Recreation reservation and surrounding environment.

Under the MRS, the subject area comprises of two zones/reservations – 'Urban Deferred' and 'Parks and Recreation'. This Amendment proposes the lifting of a narrow tract of the 'Urban Deferred' zone (to the immediate east of the current Wellard Road reservation, affecting Lots 73, 75, 77, 79 and 81) to the 'Urban' zone. Additionally, the rezoning of a narrow tract of the 'Parks and Recreation' reservation - along the southern side of Bertram Road (from Challenger Avenue to the Bertram/Wellard Road roundabout; portion of Reserve 33897) and portions of Lots 71, 73, 81, 9000 (Providence Estate), Reserve 51792 and Reserve 25684 (Bush Forever site) Wellard Road - to the 'Urban' zone.

In terms of the coordination of local and region scheme amendments, under Section 126(3) of the *Planning and Development Act 2005*, the City has the option of requesting the WAPC to concurrently rezone land being zoned Urban under the MRS to the relevant zone in the Local Planning Scheme. In this context, it is recommended that land being zoned Urban under the MRS be zoned to No Zone under the City's LPS2, as per other local roads within the City's jurisdiction.

17.5 PROPOSED METROPOLITAN SCHEME AMENDMENT – REZONING PORTIONS OF PRIVATE AND CROWN LAND IN WELLARD TO FACILITATE THE DUPLICATION OF WELLARD AND BERTRAM ROADS

DCA1

The upgrade of both Bertram Road and Wellard Road forms two of the approved infrastructure items within DCA1 of LPS2. In order for these infrastructure items to a) be included as a Development Contribution Plan (DCP) item within LPS2 and b) require an upgrade to an Integrator A standard, traffic modelling was required to be undertaken to demonstrate need and nexus. A traffic modelling report in this regard was prepared by Cardno on behalf of the City (August 2018) following extensive consultation with affected landowners/developers of DCA1 during 2017 and 2018. The traffic predicted to utilise Bertram and Wellard Roads, between Challenger Avenue in the north and Millar Road in the south (from existing development within DCA1, external development to DCA1 and proposed future development within DCA1), necessitates these roads to be upgraded to an Integrator A standard by 2031.

It must be noted that the section of Bertram/Mortimer Road, west of the Kwinana Freeway to Challenger Avenue has already been constructed to an Integrator A standard and the section of Bertram Road west of Challenger Avenue, flowing on to Wellard Road, would tie into this existing upgrade.

Environmental Matters

The key environmental consideration in the context of the proposed MRS Amendment and future duplication of Wellard and Bertram Roads is the Bush Forever site at the [southern end of Wellard Road, adjacent to Millar Road] ¹.

There have been two concurrent elements in the consideration of this matter – the engagement of a biodiversity consultant to prepare a flora and vegetation assessment of the Bush Forever Reserve and the design of the road reserve such that clearing of vegetation is minimised.

In April 2019, Tauss and Associates prepared, on behalf of the City, a flora and vegetation assessment of the Bush Forever Reserve. The study included a desktop survey (background research), a detailed (Level 2) field survey and a multivariate floristic classification of the vegetation. The assessment surmised that the proposed development of Wellard Rd will require carefully specified conditions and implementation checks to effectively avoid, reduce and manage the potential impacts of the Wellard Rd development on the Threatened Ecological Communities (TEC) and on the Carnabys Black Cockatoo habitat in Reserve 25684. Further, that it is imperative that the natural areas in this ecological linkage (vis a vis other natural areas in close proximity) are professionally managed for conservation and not further fragmented by infrastructure and other development.

The potential impacts include:

- Direct and indirect loss of TEC habitat and scarce Threatened Species Cockatoo foraging habitat due to clearing for the road and associated infrastructure;
- Soil and hydrology disturbance (greater risks of pollution, nutrient enrichment, soil pathogen introduction, groundwater lowering and surface water diversion, and acidification of soil);

¹ Note, the 'southern end of Wellard Road, adjacent to Millar Road' wording was omitted from the Agenda relating to this Ordinary Council Meeting. The correct wording was provided to the Council prior to the meeting, and has been added to the minutes to ensure a record of the basis of Council's decision.

17.5 PROPOSED METROPOLITAN SCHEME AMENDMENT – REZONING PORTIONS OF PRIVATE AND CROWN LAND IN WELLARD TO FACILITATE THE DUPLICATION OF WELLARD AND BERTRAM ROADS

- Increased fragmentation and ‘edge effects’ due to alteration of fluxes (wind, water, heat, nutrients) across a more entrenched, artificial boundary represented by the Wellard Rd upgrade;
- Increased volume of traffic, and the possibly larger RAV class of vehicle, on this upgraded road, leading to increased road kill of fauna;
- Increased risk of weed invasion, increased noise from traffic, increased heat island effect, and increased risk of fire, and increased plastic and other noxious materials being transported by wind or direct littering into the bushland; and
- Increased physical and genetic isolation of ground dwelling native fauna (including Quenda) from the other parts of Bush Forever Area 349 (*Reserve 25684*) due to the harder border of the upgraded road. Effective road underpasses for fauna may mitigate this impact.

A referral of the proposed development to the Australian Department of Environment and Energy (Canberra) for assessment under the Environmental Protection and Biodiversity Act 1999 (EPBC Act) was considered, however the footprint for the Wellard Road clearing is 0.5ha. The trigger for referral under the EPBC Act being 2 hectares of Good Condition for Banksia Woodlands. Therefore, no referral under the EPBC Act in relation to clearing is required; southern end of Wellard Road, adjacent to Millar Road.

The Tauss and Associates report identified 4 black cockatoo habitat trees in close proximity to the proposed area of clearing. These trees will not be impacted by the clearing.

In order to seek to minimise any resultant clearing of vegetation within the Bush Forever Reserve, the area of proposed Urban zoned land has been kept to the bare minimum necessary to concurrently safely deliver the road upgrade. The design of the proposed road duplication that aligns with the proposed Urban zone would not extend east of the existing firebreak within the Bush Forever site. Further, the City has considered an environmental offset these will form part of the Clearing Permit application and will involve upgrades to the Bush Forever site, including; dieback mapping and treatment, weed control, revegetation and the installation of fauna habitat boxes.

Heritage Matters

Under the Heritage of Western Australia Act 1990, all local government authorities in Western Australia shall compile, and periodically update and review, a Municipal Heritage Inventory (MHI). The City compiled its first MHI, the ‘Town of Kwinana Municipal Heritage Inventory’, in 1997.

A subsequent revision of the MHI was prepared by Palassis Architects in 2015. The Tramway Reserve is included in this document, with the following description:

The railway line was believed to have been constructed in the early 1900s as a supply route for early settlers in the northern section of the Peel Estate. Very little physical evidence remains of the former tramway, however a network of reserves and unallocated crown land extending between the northern border of the municipal area and the old Wellard Townsite reveals the tramway reserve.

17.5 PROPOSED METROPOLITAN SCHEME AMENDMENT – REZONING PORTIONS OF PRIVATE AND CROWN LAND IN WELLARD TO FACILITATE THE DUPLICATION OF WELLARD AND BERTRAM ROADS

The listing also notes that both the Integrity and Authenticity of the site are low, with Condition stated as not applicable. It was proposed initially to integrate the place into a larger network of public open spaces, which has occurred along many sections of the Tramway Reserve. More recent planning proposals have been prepared, such as the 2006 Transplan 'Tramway Reserve Trail Master Plan' and a 2015 proposal by Ecoscape, which identifies a number of treatments to the Tramway Reserve trail and incorporates loop trails at various sections, as well as nodes and crossings. These proposals have not been translated into on-ground works in the context of the subject area.

The Tramway Reserve is largely zoned as Parks and Recreation under the MRS within the City (with some areas of Urban Deferred land). In the context of the proposed road duplication, the zoning would partly remain as such given the effort to include as minimal land as possible in the additional portion of road reserve.

As per the MHI listing, the Tramway Reserve is classified as a 'Management Category B' site. The Management Categories in this regard are assigned to identified heritage places within the City, generally in accordance with the Heritage Council of Western Australia's 'Criteria for the Assessment of Local Heritage Places and Areas', 2012. Under Management Category B, which is considered for places of considerable cultural heritage significance to the City, the Tramway Reserve (where demolition or, in this case, partial redevelopment is proposed), then the site should be recognised and interpreted in either written or physical representations. In this regard, the levels of cultural heritage significance may be reflected by varying forms of interpretation, such as public art; heritage trail inclusion; plaques; memorials or signs (Palassis, 2015).

There are both existing and shared use paths proposed along the current section of the Reserve to the immediate east of the Wellard and Bertram Roads upgrade (and in the case of the Bush Forever site in the south, the crushed limestone of the existing firebreak). During the preparation of landscaping designs for the road, median and verges of the proposed duplication, it has also been proposed to include the Tramway Reserve as an element of interpretation, with landscaping funds identified to assist this process. In the coming weeks, it is anticipated that a concept design for the interpretation will be included in the landscaping design plans.

Road Upgrade Design

There have been numerous considerations the City has taken into account in undertaking the design work for the Wellard and Bertram Roads upgrade. First and foremost has been need to retain as much bushland as possible and minimise the need for potential future clearing, particularly within the Bush Forever site in the south of the site area, bounded by Wellard Road and Millar Road.

In this regard, it was considered that the most appropriate way of transitioning the interface between the road pavement edge and the level difference of land to the immediate east was to construct a safety barrier adjacent to the road pavement edge and a batter down to the shared path and/or narrow drainage sump area (refer Attachments C-2 and C-3). The road upgrade will also see the undergrounding of powerlines along these sections of roads.

17.5 PROPOSED METROPOLITAN SCHEME AMENDMENT – REZONING PORTIONS OF PRIVATE AND CROWN LAND IN WELLARD TO FACILITATE THE DUPLICATION OF WELLARD AND BERTRAM ROADS

In addition, the design has sought to work with existing site conditions, including utilising the existing western firebreak of the Bush Forever site as a cycling/walking path for this section of the proposed duplication.

Consultation

The City held two community consultation sessions in December 2019 with the aim being to inform landowners within the vicinity of Wellard and Bertram Roads of the proposed duplication, in line with the gazetted DCA1 item as per LPS2.

During and immediately following the community consultation sessions, a total of 27 responses were received from landowners, with the vast majority of the respondents from the adjacent Homestead Ridge estate to the immediate west of Wellard Road.

The key concern in the current context of Wellard Road, which was noted by approximately half of the respondents, was that of road safety. Regarding this matter, the following should be noted:

- The current posted speed limit along Wellard Road is 80kmh, but is likely to be reduced to 70kmh once upgraded and adjacent land developed. Bertram Rd between Johnson Road and Challenger Avenue was previously 80kmh prior to upgrade and later changed to 70kmh following the upgrade to a dual carriageway;
- The upgrade will necessitate a median strip (to be landscaped accordingly), which will serve to separate vehicles travelling in opposite directions;
- There will be limited opportunities to turn into existing and proposed development via turning/slip lanes provided;
- The road design includes a safety barrier along the eastern side of the road reserve.

Approximately half of the respondents expressed an interest in participating in the development of the landscape design, while several others nominated themselves to take part in planting activities within the new road reservation.

The City has, subsequent to the community consultation sessions, commissioned a landscape architect to commence the landscaping design elements. To date, the landscape architect has engaged with those residents who have expressed their interest in being involved in the landscaping design through a series of landscape design workshops.

LEGAL/POLICY IMPLICATIONS:

Acts and Regulations

Planning and Development Act 2005

Land Administration Act 1997

Planning and Development (Local Planning Schemes) Regulations 2015

Environmental Protection and Biodiversity Conservation Act 1999

17.5 PROPOSED METROPOLITAN SCHEME AMENDMENT – REZONING PORTIONS OF PRIVATE AND CROWN LAND IN WELLARD TO FACILITATE THE DUPLICATION OF WELLARD AND BERTRAM ROADS

Strategies

State Planning Strategy
Directions 2031 and Beyond

Schemes

Metropolitan Region Scheme
City of Kwinana Local Planning Scheme No.2

Policies

State Planning Policy 3.6 Development Contributions for Infrastructure

FINANCIAL/BUDGET IMPLICATIONS:

Nil beyond standard operating costs to prepare and progress the MRS Amendment.

It is important to note that whilst the DCP will cover the cost of a proportion of the road upgrade costs, the City will contribute on behalf of existing development (i.e. pre-June 2012) and will also be seeking grant funding for the remainder. The relevant costings in this regard are identified in the current Cost Apportionment Schedule for DCA1.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications associated with pursuing the recommended course of action, however should the MRS Amendment be approved by the Minister, then the ensuing road reserve for the upgraded portions of Wellard and Bertram Roads would become a City asset and thus be required to be maintained and managed by the City.

ENVIRONMENTAL IMPLICATIONS:

The key environmental consideration in relation to the proposed MRS Amendment is the Bush Forever site at the southern end of the subject area. There has been a flora and vegetation assessment prepared for the City by an independent biodiversity consultant, which has noted several elements for consideration in the design and construction of the proposed road upgrade.

City Officers have confirmed that a referral of the proposal under the EBPC Act is not required.

The proposed MRS Amendment will be forwarded to the Environmental Protection Authority (EPA) as a routine component of the MRS Amendment process prior to any potential future advertising of the proposal.

17.5 PROPOSED METROPOLITAN SCHEME AMENDMENT – REZONING PORTIONS OF PRIVATE AND CROWN LAND IN WELLARD TO FACILITATE THE DUPLICATION OF WELLARD AND BERTRAM ROADS

STRATEGIC/SOCIAL IMPLICATIONS:

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

Plan	Outcome	Objective
Strategic Community Plan	A Connected Transport Network	4.6 Provide a safe and efficient integrated network of roads, footpaths and cycles routes supported by a good public transport system

COMMUNITY ENGAGEMENT:

The City held two community consultation sessions in December 2019, with the aim being to inform landowners within the vicinity of Wellard and Bertram Roads of the proposed duplication, in line with the gazetted DCA1 item as per Local Planning Scheme No. 2.

The City subsequently commissioned a landscape architect to commence the landscaping design elements and to engage with those residents who have expressed their interest in being involved in the landscaping design through a series of landscape design workshops.

PUBLIC HEALTH IMPLICATIONS:

There were no public health implications identified within this report or recommendation.

RISK IMPLICATIONS:

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

Risk Event	Land for road duplication is not appropriately zoned under the MRS and LPS2
Risk Theme	Road upgrade cannot occur and the current road is an inappropriate standard for traffic users, both now and into the future
Risk Effect/Impact	Service Delivery Reputation
Risk Assessment Context	Strategic
Consequence	Major

17.5 PROPOSED METROPOLITAN SCHEME AMENDMENT – REZONING PORTIONS OF PRIVATE AND CROWN LAND IN WELLARD TO FACILITATE THE DUPLICATION OF WELLARD AND BERTRAM ROADS

Likelihood	Almost certain
Rating (before treatment)	Extreme
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Seek to progress MRS Amendment to approval in order to facilitate the construction of the upgrade of the roads
Rating (after treatment)	Low

COUNCIL DECISION

183

MOVED CR M KEARNEY

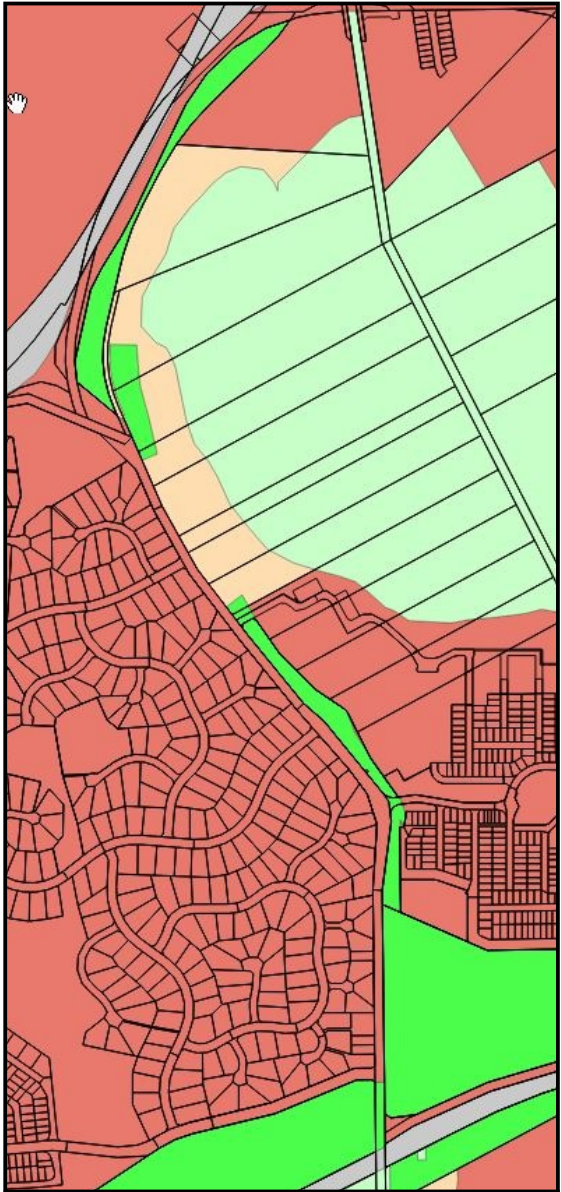
SECONDED CR D WOOD

That Council:

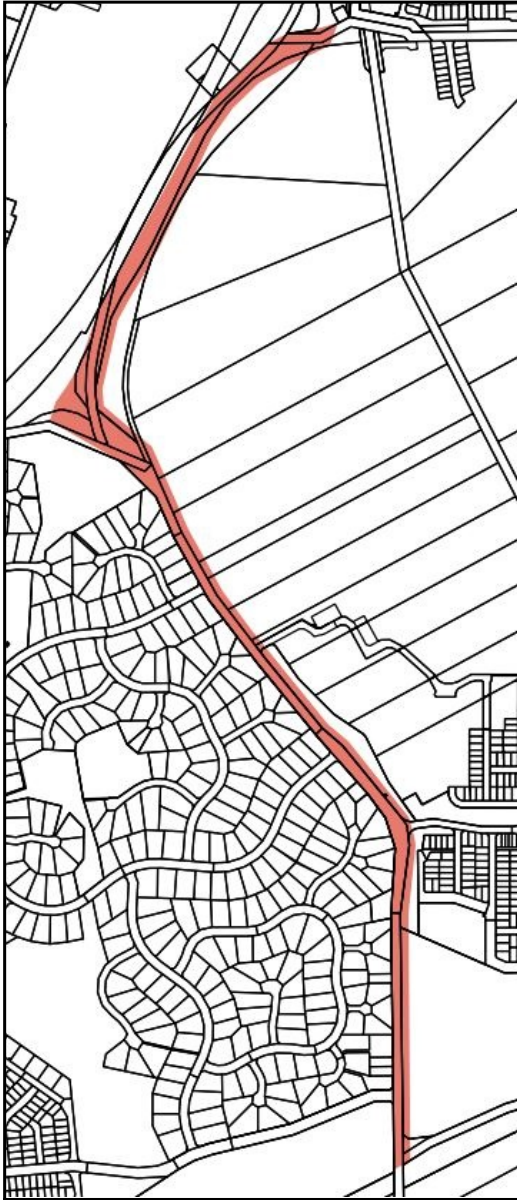
- 1. In pursuance of Section 57 of the *Planning and Development Act 2005*, authorises the CEO to initiate the process of amending the Metropolitan Region Scheme for the land area as set out in Attachment A of this report;**
- 2. Further to the above, authorises the CEO to forward the proposed Metropolitan Region Scheme documents to the Western Australian Planning Commission, requesting a Minor Amendment to the Metropolitan Region Scheme;**
- 3. In undertaking 1 and 2 above, endorses the Metropolitan Region Scheme Amendment Report as set out in Attachment B of this report;**
- 4. Requests the Western Australian Planning Commission, under Section 126(3) of the *Planning and Development Act 2005*, to concurrently rezone land being zoned Urban under the MRS to No Zone under the City's Local Planning Scheme No.2, as per other local roads within the City's jurisdiction.**

**CARRIED
8/0**

METROPOLITAN REGION SCHEME



EXISTING ZONING








AMENDMENT MAP

Legend

Cadastral

MRS

-  Parks and recreation
-  Railways
-  Rural
-  Urban
-  Urban deferred

Metropolitan Region Scheme Amendment

CITY OF KWINANA

Rezoning portions of private and Crown land in Wellard from Urban Deferred and Parks and Recreation Reserve to Urban to facilitate the upgrade of Wellard and Bertram Roads

May 2020

Strategic DCP Consulting
ABN: 38 990 850 219

TABLE OF CONTENTS

1.	Introduction	1
2.	Description of MRS Amendment Area	1
2.1	Location	1
2.2	Locality and Surrounding Context.....	2
2.3	Existing Land Use.....	2
2.4	Land Tenure.....	3
3.	Site Context Analysis	5
3.1	Environmental.....	5
	Flora and Vegetation.....	5
	Landform and Soils.....	7
	Contamination.....	8
	Phytophthora Dieback.....	8
	Aboriginal Heritage.....	8
	European Heritage.....	8
3.2	Hydrology and Water Management.....	9
	Groundwater.....	9
	Surface Water.....	9
	Wetlands.....	9
	Stormwater Management.....	9
3.3	Servicing Considerations.....	10
	Reticulated Sewer and Water.....	10
	Power, gas and telecommunications.....	10
	Earthworks.....	10
	Roads.....	11
3.4	Movement Network.....	11
3.5	Public Open Space.....	12
3.6	Education, Public Utilities and Community Uses.....	12
4.	Planning Framework	12
4.1	Metropolitan Region Scheme.....	12
4.2	South Metropolitan Peel Sub-Regional Planning Framework.....	12
4.3	State Planning Policy 2.8 (Bushland Policy for the Perth Metropolitan Region)...	13
4.4	State Planning Policy 3.6 (Development Contributions for Infrastructure).....	13

MRS AMENDMENT REPORT

4.5	City of Kwinana Local Planning Scheme No.2.....	14
4.6	Bollard Bulrush / Wellard West Local Structure Planning.....	16
5.	MRS Amendment Rationale.....	17
5.1	WAPC Criteria – Minor Amendment to MRS.....	17
5.2	WAPC Criteria for Lifting Urban Deferment.....	17
5.3	Need and Nexus – Development Contribution Plan.....	19
5.4	Design Considerations.....	19
5.5	Community Consultation.....	20

Figures

- Figure 1 Subject site location in context of Kwinana City Centre
- Figure 2 Subject site in context of surrounding existing and proposed land uses and key landmarks
- Figure 3 Typical cross-section of upgraded road reserve
- Figure 4 Tramway Reserve Trails Development

Appendices

- Appendix 1 Flora and Vegetation Report
- Appendix 2 Aboriginal Heritage Sites Register Report
- Appendix 3 City of Kwinana Municipal Heritage Inventory – Tramway Reserve
- Appendix 4 Detailed Design – Wellard and Bertram Road Upgrades

1. Introduction

This MRS Amendment report has been prepared on behalf of the City of Kwinana by Strategic DCP Consulting to provide the planning context and rationale to support a proposal to amend the Metropolitan Region Scheme (MRS) by rezoning portions of 'Parks and Recreation' Reserve and 'Urban Deferred' land along the eastern side of existing sections of the Wellard and Bertram Roads reserve to 'Urban' zoned land.

The rationale for seeking the MRS Amendment is to facilitate the future proposed duplication of sections of Wellard Road and Bertram Road within Wellard to account for increased traffic volumes as a result of new Urban development within the immediate vicinity, predicted external traffic and existing Urban areas immediately adjacent to and in the vicinity of Wellard and Bertram Roads.

This report sets out both the statutory and strategic planning context, the rationale for seeking the MRS Amendment and environmental considerations. This report includes a description of the following matters:

- Description of MRS Amendment area (including location and land tenure)
- Site context analysis (including environmental, heritage and servicing considerations)
- State and local planning framework
- MRS Amendment rationale (including need and nexus and design considerations)

As further detailed in section 5.1 of this report, the City requests that the Western Australian Planning Commission support and initiate a concurrent local scheme amendment to the City of Kwinana Local Planning Scheme No.2 to rezone a small portion of the existing Wellard Road Reserve from 'Special Residential' to no zone, commensurate with the remainder of the existing Wellard Road Reserve and indeed as per all other local roads within the City.

2. Description of MRS Amendment Area

2.1 Location

Wellard and Bertram Roads are located approximately 35 kilometres south of the Perth CBD and approximately 3 kilometres south-east of the Kwinana City Centre. Wellard Road is situated along the western side of the Bollard Bulrush Wetland, while Bertram Road is situated along the northern side of the Wetland.

Figure 1 shows the geographical location of the subject site.

2.2 Locality and Surrounding Context

Wellard and Bertram Roads are bounded by the Perth-Mandurah Rail Line to the north-west, Homestead Ridge Estate to the west, Bollard Bulrush Wetland to the east and south-east, Providence Estate to the east of the southern section of Wellard Road and Bush Forever site 25684 further to the immediate south of Providence Estate.

The land to the east and south-east of the Wellard/Bertram Road roundabout (between Wellard and Bertram Roads and Bollard Bulrush Wetland) is currently zoned Urban Deferred in the MRS, but preliminary planning has commenced with a view to lifting the Urban Deferred. In early discussions with the landowner, City Officers made the landowner aware that the duplication of Wellard and Bertram Roads was proposed and it is the City's understanding that all plans and designs prepared to date for the Urban Deferred land have incorporated the section of land required for the duplication. It must be noted that the land in this instance is only affected by the Wellard Road duplication and not by the Bertram Road duplication.

The abovementioned Urban Deferred land is situated to the immediate north of the land contained within the Wellard Residential (Providence Estate) Local Structure Plan area, which is approximately 60% developed.

There are fragmented sections of Parks and Recreation Reserve along the eastern side of Wellard and Bertram Roads that form part of the historic Tramway Reserve which runs from Yangebup in the north to Karnup in the south (refer section 3.1 and Appendix 3 for further analysis).

The Bush Forever site at the south-eastern end of Wellard Road comprises 16.7 hectares and is located across Millar Road (to the south) from the Kwinana-Mundijong Freight Rail Line. The Bush Forever site contains a firebreak within its perimeter and a track running north/south from Huntington Avenue in Providence Estate to Millar Road.

Figure 2 shows the location of Wellard and Bertram Roads in the context of surrounding land.

2.3 Existing Land Use

The area proposed to be rezoned Urban under the MRS Amendment to enable the duplication of Wellard and Bertram Roads is currently used as passive public open space in the context of Providence Estate (zoned and Parks and Recreation Reserve), largely cleared undeveloped land (zoned Urban Deferred) and a combination of peripheral vegetated and cleared areas (remaining Parks and Recreation Reserves, including the Bush Forever site).

2.4 Land Tenure

Table 1 below identifies contextual land tenure of the subject area. As further illustrated in the detailed design drawings contained within Appendix 4 of this report, the total area subject to the MRS Amendment comprises approximately 2.46 hectares.

Lot Number	Road	DP / Reserve Number	Owner	Area (Ha)
	Bertram Road	R33897	State of WA	0.247299 hectares
71, 73, 75, 77, 79 and 81	Wellard Road*	DPs 152831, 202641 and 202766	Guantai Investment Pty Ltd	0.862742 hectares
9000	Wellard Road	DP 77244	Wellard Residential Pty Ltd	0.082895 hectares
	Wellard Road	R51792	State of WA (MO City of Kwinana)	0.797695 hectares
	Wellard Road	R25684	State of WA (MO City of Kwinana)	0.441544 hectares
Unknown (potentially part of Wellard Road)	Wellard Road	Unknown	Unknown (likely Crown land)	0.02787 hectares

TABLE 1: Land Tenure

* These lots are physically located on Wellard Road, however their address is Bertram Road.

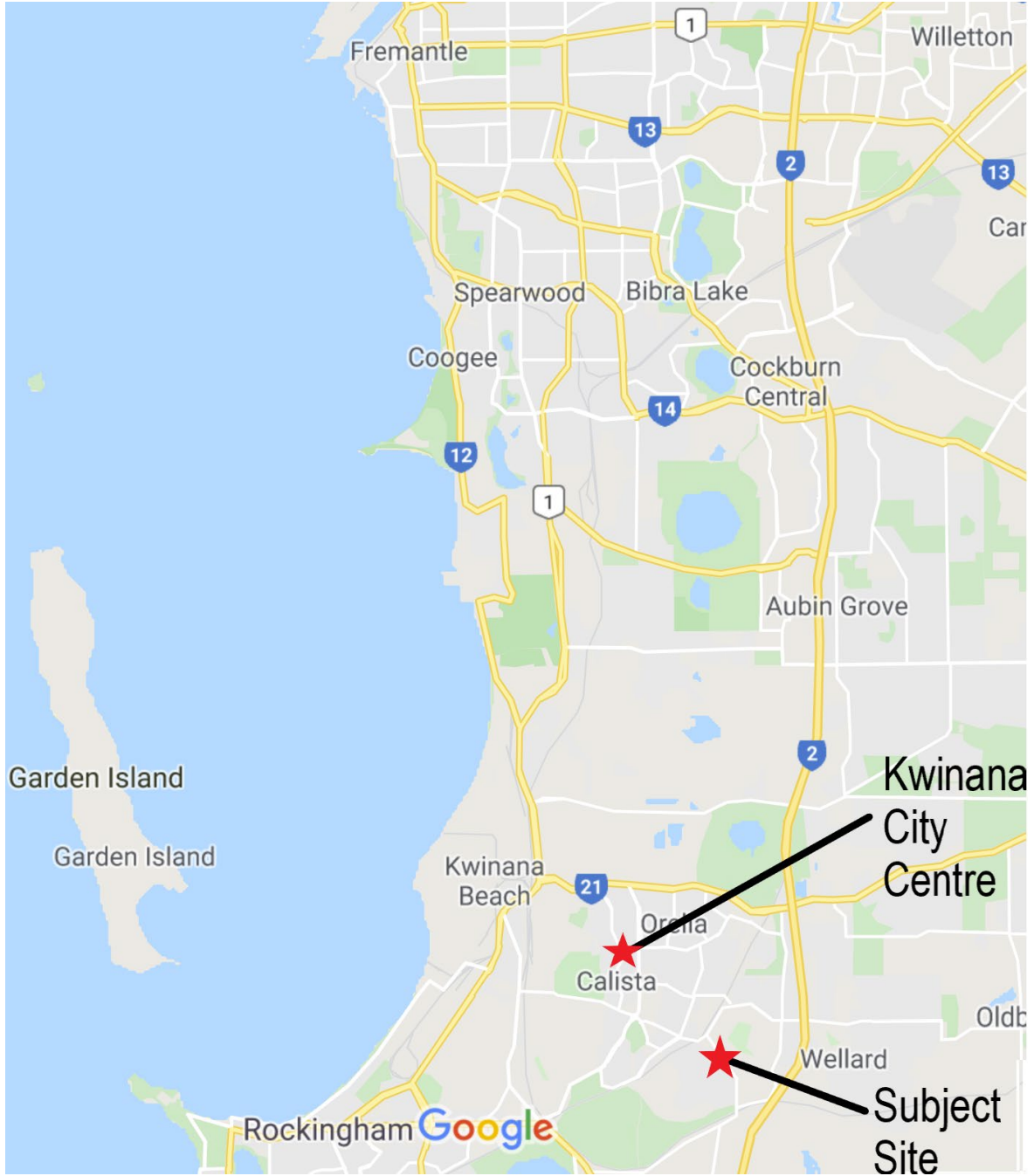


Figure 1 - Subject site location in context of Kwinana City Centre (Google:2020)

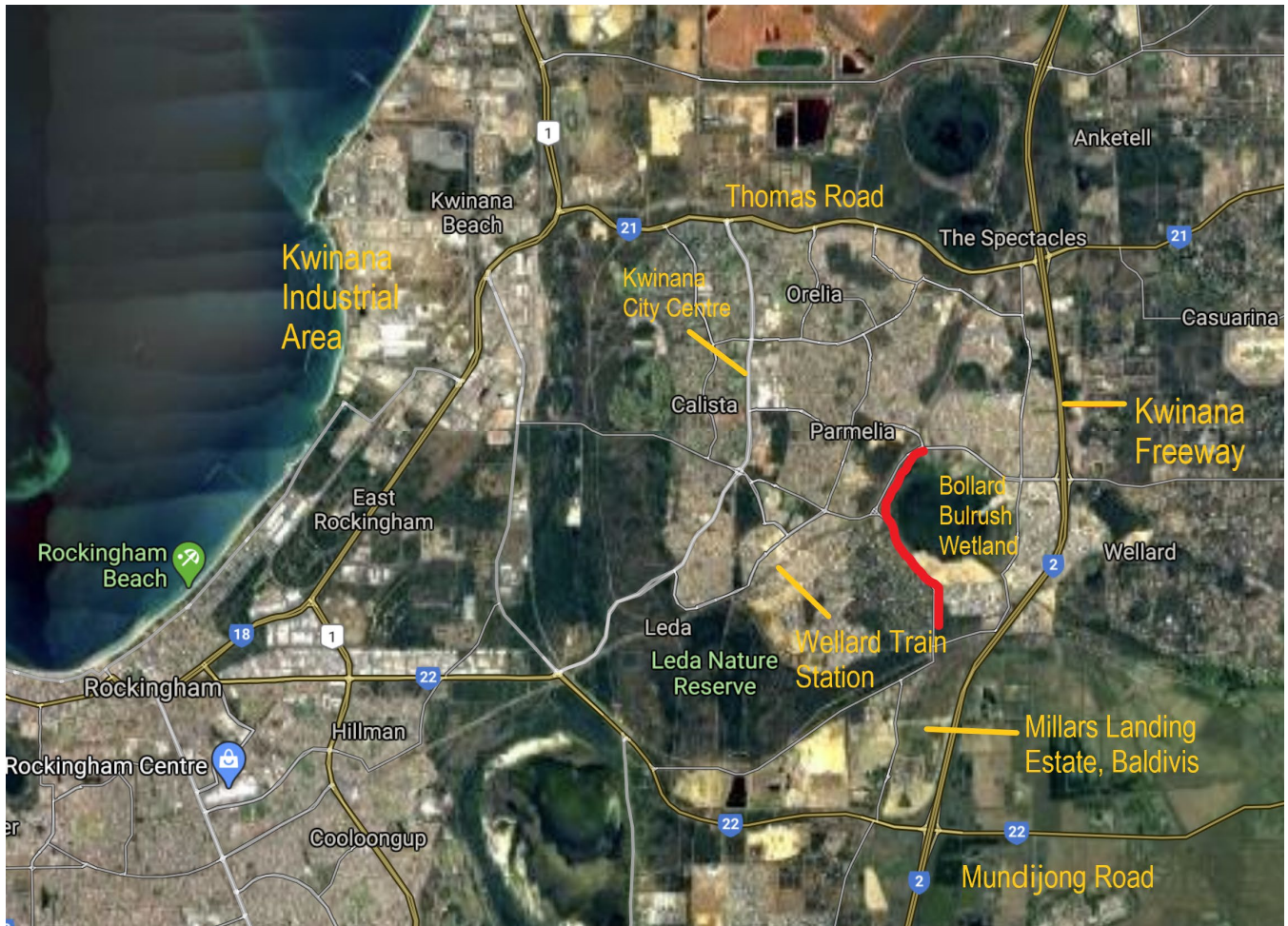


Figure 2 - Subject site in context of surrounding existing and proposed land uses and key landmarks (Google:2020)

3. Site Context Analysis

3.1 Environmental

Flora, fauna and vegetation

Assessment

During late 2018, the City engaged Tauss and Associates Biodiversity Consultants to undertake a detailed flora and fauna assessment of the Bush Forever site (Reserve 25684) at the southern end of Wellard Road. The study included a desktop survey (background research), a detailed (Level 2) field survey and a multivariate floristic classification of the vegetation.

This assessment found that Reserve 25684 included some very high conservation values including over 17 hectares of an EPBC Act listed Threatened Ecological Community (TEC) that was also high quality foraging habitat for the EPBC Act listed Carnabys Black Cockatoo. The significance of these conservation values were further enhanced by the very good to excellent vegetation condition of most of Reserve 25684 and its strategic location within one of the most important and sustainable ecological corridors of the Swan Coastal Plain.

The field survey found that Reserve 25684 was moderately rich in native flora with a total 161 vascular flora taxa (including 31 naturalized alien taxa i.e. weeds) recorded. There were no listed Threatened Flora Species or Priority Flora Species recorded in this survey. However, Reserve 25684 included significant numbers of *Banksia attenuata*, *Banksia menziesii* and *Banksia ilicifolia* trees. These were noted as a 'keystone species' that constitute an important natural resource and should be carefully managed for conservation.

Most of Reserve 25684 was found to be in very good to excellent condition and to have high ecological resilience, despite a complex history of repeated fire in the eastern half of the reserve. The natural regeneration (to excellent condition) of the very good condition *Banksia* woodland vegetation in the eastern half of the reserve, and in the small section south of the railway line, is absolutely contingent on the exclusion of fire for many years from the reserve. In addition, a modest weed control program by the City of Kwinana should be sufficient to maintain the natural regeneration already evident in this relatively resilient area.

Reserve 25684 was found to include an estimated 32,000, or more, mature and healthy *Banksia* trees. This constitutes a very significant food resource for Carnabys Black Cockatoo (a listed Threatened Fauna Species under the Australian Government EPBC Act). There were also a small number of large diameter trees suitable for Cockatoo and/or other bird and bat breeding in the reserve. However, these trees were all dead due to fire and most were in a fragile condition.

The *Banksia* foraging habitat at Reserve 25684 is particularly valuable for Carnabys Black Cockatoo as it is part of an extensive ecological corridor that includes other *Banksia* woodlands. This corridor setting provides an energetically economical, spatial array (along a short flight path) that includes many food resources essential for Carnabys Black Cockatoo. Such resources are now scarce and much more sparsely distributed elsewhere in the Perth to Peel Region, especially south of the Swan River.

The assessment surmised that the proposed development of Wellard Rd will require carefully specified conditions and implementation checks to effectively avoid, reduce and manage the potential impacts of the Wellard Rd development on the TEC and on the Carnabys Black Cockatoo habitat in Reserve 25684. Further, that it is imperative that the natural areas in this ecological linkage (vis a vis other natural areas in close proximity) are professionally managed for conservation and not further fragmented by infrastructure and other development.

The potential impacts include:

- Direct and indirect loss of TEC habitat and scarce Threatened Species Cockatoo foraging habitat due to clearing for the road and associated infrastructure;
- Soil and hydrology disturbance (greater risks of pollution, nutrient enrichment, soil pathogen introduction, groundwater lowering and surface water diversion, and acidification of soil);
- Increased fragmentation and 'edge effects' due to alteration of fluxes (wind, water, heat, nutrients) across a more entrenched, artificial boundary represented by the Wellard Rd upgrade;
- Increased volume of traffic, and probably a larger RAV class of vehicle, on this upgraded road, leading to increased road kill of fauna, particularly of Threatened Black Cockatoos;
- Increased risk of weed invasion, increased noise from traffic, increased heat island effect, and increased risk of fire, and increased plastic and other noxious materials being transported by wind or direct littering into the bushland; and
- Increased physical and genetic isolation of ground dwelling native fauna (including Quenda) from the other parts of Bush Forever Area 349 due to the harder border of the upgraded road. Effective road underpasses for fauna may mitigate this impact.

A referral of the proposed development to the Australian Department of Environment and Energy (Canberra) for assessment under the EPBC Act was recommended.

Proposed Negotiated Planning Outcome

City Officers held a meeting with the Department of Water and Environmental Regulation (DWER) in mid-April 2020 regarding the necessary procedure involved in the proposed widening of Wellard and Bertram Roads in the context of the Bush Forever site, particularly in relation to clearing of vegetation, environmental offsets and the like.

DWER have advised that the proposed clearing of 0.5ha of the Bush Forever site will require that the City submits an application for a Clearing Permit under the *Environmental Protection Clearing of Native Vegetation Regulations (2004)*. The City will also be required to seek an Omnibus Amendment for the realignment of the Bush Forever site boundary with the WAPC. Offsets for the clearing are currently being considered. These will form part of the Clearing Permit application and will involve upgrades to the Bush Forever site, including; dieback mapping and treatment, weed control, revegetation and the installation of fauna habitat boxes.

Landform and soils

Acid Sulfate Soils

A desktop assessment to determine the presence of Acid Sulfate Soils (ASS) indicates the potential of ASS affecting the proposed duplication of Wellard and Bertram Roads. The Department of Planning, Lands and Heritage (DPLH) ASS mapping shows sections of the existing Wellard and Bertram Road

Reserves as within a High to Moderate risk area of ASS occurring within 3 metres of the natural soil surface. This risk would similarly apply to the proposed area of duplication.

<https://nationalmap.gov.au/#share=s-3cl2XlHD3FQEcbcqWkIs25o5wqi>

Similar controls and monitoring regarding the proposed future duplication would need to align with those taken for the adjoining Providence residential estate.

Contamination

The subject area is listed in the DER Contaminated Sites Database as having no confirmed (known) contamination.

There are no known contamination issues that would impact on works to the subject area as proposed.

Phytophthora Dieback

The Tauss and Associates detailed flora and fauna assessment of the Bush Forever site (Reserve 25684) identified the narrow band of bushland immediately adjacent to the road verge of Fairhaven Boulevard in Providence Estate on the eastern fringe of the Reserve as having possible dieback infestation. This does not fall within the subject area for proposed duplication.

A further desktop assessment through Project Dieback (<https://dieback.net.au/dieback-public-map/>) identifies the vegetation within the Bush Forever site (Reserve 25684) and small sections along the north-eastern side of Wellard Road and southern side of Bertram Road (adjacent to the Bollard Bulrush Wetland) as being highly susceptible to phytophthora dieback. Careful management of these areas will need to occur during both the detailed design and physical works stages of the proposed duplication.

Aboriginal Heritage

A desktop assessment through the Aboriginal Heritage Inquiry System, via the Department of Planning, Lands and Heritage, identifies the Wellard locality as containing three heritage sites. While two of these sites are located in the vicinity of East Wellard (to the east of the Kwinana Freeway), one of the sites – identified as site 4350, Other Heritage Place – is located to the west of the subject area, in the vicinity of Mason Mews and Wellard Park (within the Homestead Ridge estate).

Both the proposed MRS Amendment and proposed future duplication of Wellard Road would not impact upon this site, given any duplication works would be undertaken along the eastern side of Wellard Road.

European Heritage

A search of the State Heritage Office's Register of Heritage Places confirms that the subject area contains no buildings or landmarks considered to be of State heritage significance in the context of European heritage.

There is however the historic Tramway Reserve, which runs from Yangebup in the north to Karnup in the south, which is listed on the City's Municipal Heritage Inventory (MHI). There is little physical evidence that remains of the former Tramway and, in the context of the subject area, the Tramway Reserve comprises a largely non-contiguous network of reserves and unallocated crown land.

3.2 Hydrology and Water Management

Groundwater

Due to the geology of the site being sandy soils with high permeability rates, the stormwater runoff collected in retention basins will eventually enter the groundwater body by seepage through the sandy layer below drainage basins. In addition to the Department of Water Groundwater map, an Urban Water Management Plan study undertaken by Emerge Associates has been used when designing stormwater retention basins to ensure adequate separation of minimum 1m is maintained between the invert of basins and the groundwater table. Accordingly, the groundwater levels will not interfere with the design levels.

Surface Water

The majority of the surface water will be captured in piped drainage system by installation of kerbing and side entry pits and conveyed into drainage retention basins via concrete pipes. Surface water stored in the retention basin will gradually seep into the ground and recharge the groundwater. However, as sections of the median strip will not have raised kerbing but is designed to have flush kerbing instead, the surface water in these sections of the road will flow into shallow landscaped swales in the median strip that are designed to function as rain gardens as well as conveyance structures. As a result, part of the surface water entering the swales will dissipate into the ground and eventually recharge the groundwater.

Wetlands

The nearby Bollard Bulrush Wetland will not be affected as part of this project.

Stormwater Management

Water Sensitive Urban Design (WSUD) principles have been used extensively when designing the stormwater collection, conveyance, storage and treatment. The majority of the road is designed to have raised kerbing and side entry pits which will allow for the capture of stormwater in piped drainage network which will convey the stormwater into drainage retention basins. Where possible, the road is designed to allow for stormwater flow into shallow landscaped swales which will function as rain gardens and bio filtration in order to improve the quality of the stormwater before the stormwater enters into the groundwater. Similarly, the stormwater retention basins will be landscaped with suitable plant species in order to improve the quality of the captured stormwater while in retention before the stormwater enters the groundwater body.

3.3 Servicing Considerations

There are no significant servicing constraints impacting the Amendment. This is further elaborated on below.

Power, gas, telecommunications, reticulated sewer and water

All existing services are going to be relocated to the proposed service corridor on the western side of Wellard Road as shown in the typical cross section drawing excerpt at Figure 3.

Some of the services, including the NBN, run along both sides of the proposed cadastral boundary, near the existing POS area. The above-ground power line will be under ground as part of the upgrade.

Earthworks

The new carriageway and road widening will be constructed along the eastern side of the existing carriageway. In sections of the road, particularly in the section between Bertram Rd and Cavendish Blvd (adjacent to Providence Estate), there is a substantial level difference between the design road level and natural ground with the natural ground being lower than the design road level. Accordingly, additional fill material will be required to construct the new carriageway along this section. In addition, in order to improve the road safety and drainage system of the existing carriageway, the vertical profile of the sections of the existing carriageway will need to be lifted requiring imported fill material.

The earthworks for the project will be in cut and fill, however due to the above factors requiring additional fill material to be imported, the net effect of earthworks will be 14,300m³ of imported fill and 3,650m³ of removal of spoil (unsuitable material) off site.'

Please note below more detailed earthworks consisting of estimated:

Total Cut: 14600m³
 Total Cut to spoil: 3650m³ (25% of total Cut material)
 Total Cut to Fill: 10950m³ (75% of total Cut material)
 Total Fill: 25250m³
 Imported Fill: 14300m³

Roads

There are presently four existing intersections, leading from Providence Estate to the east and Homestead Ridge estate to the west. The proposed additional portion of road reserve has been designed to tie-in with these existing intersections, as identified within Appendix 4 of this report.

The proposed road upgrade includes the provision of footpaths, turning lanes and medians as appropriate, a safety barrier adjacent to the eastern travel lane and, as previously noted, raised kerbing and side entry pits which will allow for the capture of stormwater in a piped drainage network which will convey the stormwater into drainage retention basins.

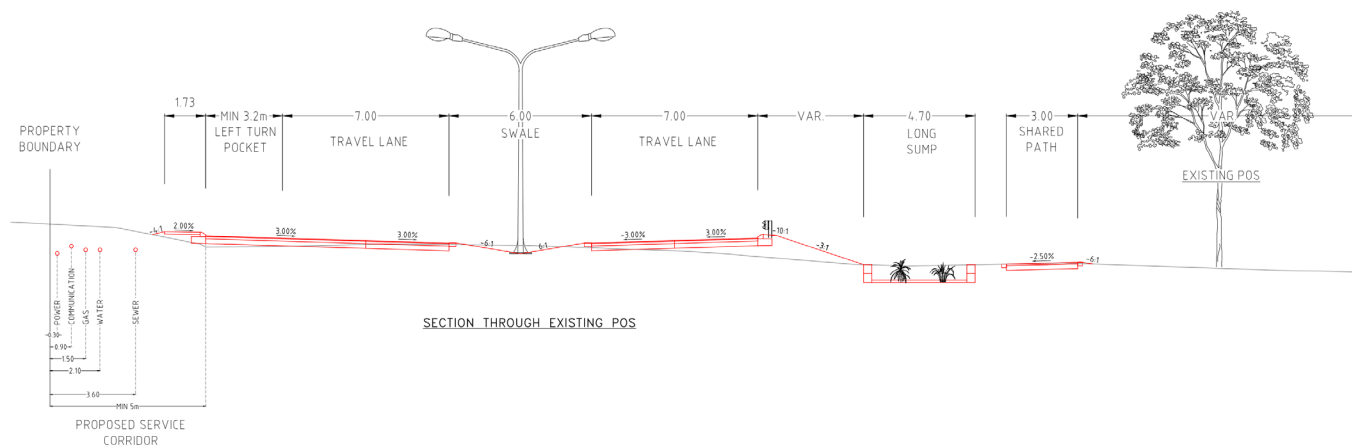


Figure 3 – Typical cross-section of upgraded road reserve

3.4 Movement Network

Wellard and Bertram Roads form part of the existing local and district movement network and act as key linkages from Kwinana Freeway west to Rockingham, and from Kwinana City Centre south to Baldivis Road and recently developed and emerging communities.

There are five existing local roads connecting with Wellard Road (between the Wellard Road roundabout in the north and Millar Road in the south), with several more proposed in future

development. The section of Bertram Road between Challenger Avenue and the Wellard Road roundabout currently has one existing local road connection.

Wellard and Bertram (between Challenger and the Wellard Road roundabout) Roads are not currently urban standard roads – unlike Wellard Road west of the roundabout and Bertram Road east of the Challenger Road intersection.

The planned regional and local road network, within which the subject area falls, is necessary to accommodate future urban development under the MRS 'Urban' zone, both in the context of development in the vicinity of the subject area and land further to the south.

3.5 Public Open Space

Public Open Space (POS) in the vicinity of the subject area consists of local POS areas associated with adjacent residential estates, including Homestead Ridge (Wellard Park) and Providence (Bulrush Park). Additionally, there are natural conservation areas associated with the adjacent Bollard Bulrush Wetland to the east, the Bush Forever reserve in the south and small sections of Parks and Recreation Reserve along the eastern side of Wellard Road. Some of these latter areas would be affected by the proposed duplication, albeit for a small portion of their width (refer section 5.3 of this report for further information on this).

It must be noted that the small portions of existing passive POS which will need to be acquired for the purpose of the proposed duplication of Wellard Road, and which were created as part of the development of Providence Estate, would not result in the total POS provision for Providence falling below the standard 10%.

3.6 Education, Public Utilities and Community Uses

Under the current planning framework, further elaborated on in section 4 of this report, there is no identified requirement for any education facilities, public utilities and/or community uses within the subject area.

4. Planning Framework

4.1 Metropolitan Region Scheme

Under the MRS, the subject area comprises of two zones/reservations – 'Urban Deferred' and 'Parks and Recreation'. This Amendment proposes the lifting of a narrow tract of the 'Urban Deferred' zone (to the immediate east of the current Wellard Road reservation, affecting Lots 73, 75, 77, 79 and 81) to the 'Urban' zone. Additionally, the rezoning of a narrow tract of the 'Parks and Recreation' reservation - along the southern side of Bertram Road (from Challenger Avenue to the Bertram/Wellard Road

roundabout; portion of Reserve 33897) and portions of Lots 71, 73, 81, 9000 (Providence Estate), Reserve 51792 and Reserve 25684 (Bush Forever site) Wellard Road - to the 'Urban' zone.

4.2 South Metropolitan Peel Sub-Regional Planning Framework

The South Metropolitan Peel Sub-Regional Planning Framework, March 2018 (the Framework) identifies the portion of Wellard Road south from Bertram Road (and indeed Bertram Road itself) as a Proposed Integrator Arterial within this sub-region (see PLAN 6 of the Framework). PLAN 1A (The planning framework north) further identifies Wellard and Bertram Roads as Proposed Regional Roads. Thus, the proposed Amendment and proposed future duplication of Wellard and Bertram Roads align with the Framework in this context.

The location of Wellard Road is not identified as comprising an Ecological Linkage, with the nearest Ecological Linkage identified to the west through The Village at Wellard estate (see PLAN 9 of the Framework). Bollard Bulrush Wetland is identified as 'Proposed open space - nature/passive recreation'. None of these environmental elements would be affected by the proposed Amendment or future proposed duplication.

4.3 State Planning Policy 2.8 (Bushland Policy for the Perth Metropolitan Region)

The Policy aims to provide a framework that ensures the protection and management of bushland in the Perth Metropolitan Region, through integration with land use planning. The Policy deals with two distinct subjects – Bush Forever areas and local bushland.

In the context of this proposed MRS Amendment, while there are small areas of local bushland that may be affected by the proposed duplication of Wellard and Bertram Roads, it is largely the Bush Forever site (as discussed elsewhere in this report) that is relevant to this Policy.

In order to seek to minimise any resultant clearing of vegetation within the Bush Forever Reserve and accord wherever possible with the measures contained within this Policy, the area of proposed Urban zoned land has been kept to the bare minimum necessary to concurrently safely deliver the road upgrade. While this is further elaborated on in section 5.3 of this report, the design of the proposed road duplication that aligns with the proposed Urban zone would not extend east of the existing firebreak within the Bush Forever site. Further, the City has considered an environmental offset in the form of revegetation of land within close proximity to the Bush Forever site, dieback mapping and treatment, weed control and the installation of fauna habitat boxes within the Bush Forever site.

4.4 State Planning Policy 3.6 (Development Contributions for Infrastructure)

This Policy sets out the principles and requirements that apply to infrastructure contributions in new and established urban areas and covers both civil (development) and community infrastructure.

Within the City of Kwinana's Local Planning Scheme No.2, there are 15 Development Contribution Areas (DCAs). DCA1 comprises the areas of Wellard West, Bertram and parts of Orelia and Parmelia and incorporates the road upgrade to Wellard and Bertram Road, the subject of this MRS Amendment.

The Development Contribution Plan (DCP) for DCA1 was introduced into LPS2 via Local Planning Scheme Amendment 132 in March 2019 and has thus been formally in operation for over a year.

The cost contributions for the Wellard/Bertram Road infrastructure item contained within DCA1 are apportioned based on independent traffic modelling undertaken that demonstrates anticipated future usage of roads within the DCA. This traffic modelling also identified that the applicable sections of Wellard and Bertram Roads required upgrading from a rural standard to an Integrator A standard before or by 2031. The traffic modelling was further peer reviewed to ensure accuracy in the methodology and in the interests of accountability. The City will contribute towards existing lots created prior to Amendment 132 being a 'seriously entertained' planning proposal, with grant funding also being sought.

The inclusion of this infrastructure item within DCA1 is what has necessitated this proposed MRS Amendment. This is further elaborated on in section 5.2 of this report.

4.5 City of Kwinana Local Planning Scheme No.2

Clause 6.16.2 - Area of landscape protection

The City's objective in setting aside Areas of Landscape Protection is to conserve areas of natural ecological value or landscape amenity whilst at the same time allowing development as provided in LPS2.

The development in respect of any land within an Area of Landscape Protection shall have regard to the desirability of minimising the effect of new road construction including earthworks and clearing of vegetation within road reserves.

In the proposed duplication of Wellard/Bertram Roads, the City has designed the road reserve such that minimal clearing of vegetation occurs. In the context of the Bush Forever site, this is confined to the area essentially west of the existing firebreak, which has been incorporated into the design as a pathway. Further, existing trees are proposed to be retained wherever possible within the existing and proposed road reserve and a significant revegetation and landscaping program is proposed for the verge areas and median of the road reserve.

Municipal Heritage Inventory

The *Heritage of Western Australia Act 1990* requires all local government authorities in Western Australia to compile, and periodically update and review, a Municipal Heritage Inventory (MHI). By 1997, the City had compiled the 'Town of Kwinana Municipal Heritage Inventory'.

A subsequent revision of the MHI was prepared by Palassis Architects in 2015. The Tramway Reserve is included in this document, with the following description:

The railway line was believed to have been constructed in the early 1900s as a supply route for early settlers in the northern section of the Peel Estate...Very little physical evidence remains of the former tramway, however a network of reserves and unallocated crown land extending between the northern border of the municipal area and the old Wellard Townsite reveals the tramway reserve.

The listing also notes that both the Integrity and Authenticity of the site are low, with Condition stated as not applicable. It was proposed initially to integrate the place into a larger network of public open spaces, which has occurred along many sections of the Tramway Reserve. More recent planning proposals have been prepared however, including a 2015 proposal by Ecoscape, which identifies a number of treatments to the Tramway Reserve trail and incorporates loop trails at various sections and nodes and crossings. The relevant section of the proposal in the context of Wellard and Bertram Roads is include in Figure 4 below.

The Tramway Reserve is currently zoned as Parks and Recreation and, in the context of the proposed road duplication, would partly remain as such given the effort to include as minimal land as possible in the additional portion of road reserve.

As per the MHI listing, the Tramway Reserve is classified as a 'Management Category B' site. The Management Categories in this regard are assigned to the identified heritage places within the City, generally in accordance with the Heritage Council of Western Australia's 'Criteria for the Assessment of

Local Heritage Places and Areas', 2012. Under Management Category B, which is considered for places of considerable cultural heritage significance to the City, the Tramway Reserve (where demolition or, in this case, partial redevelopment is proposed), then the site should be recognised and interpreted in either written or physical representations. In this regard, the levels of cultural heritage significance may be reflected by varying forms of interpretation, such as public art; heritage trail inclusion; plaques; memorials or signs (Palassis, 2015).

There are existing and shared use paths proposed along the current section of the Reserve to the immediate east of the Wellard and Bertram Roads upgrade and in the case of the Bush Forever site in the south, the crushed limestone of the existing firebreak. During the preparation of landscaping designs for the road, median and verges of the proposed duplication, it has also been proposed to include the Tramway Reserve as an element of interpretation, with landscaping funds identified to assist this process. In the coming weeks, it is anticipated that a concept design for the interpretation will be included in the landscaping design plans.

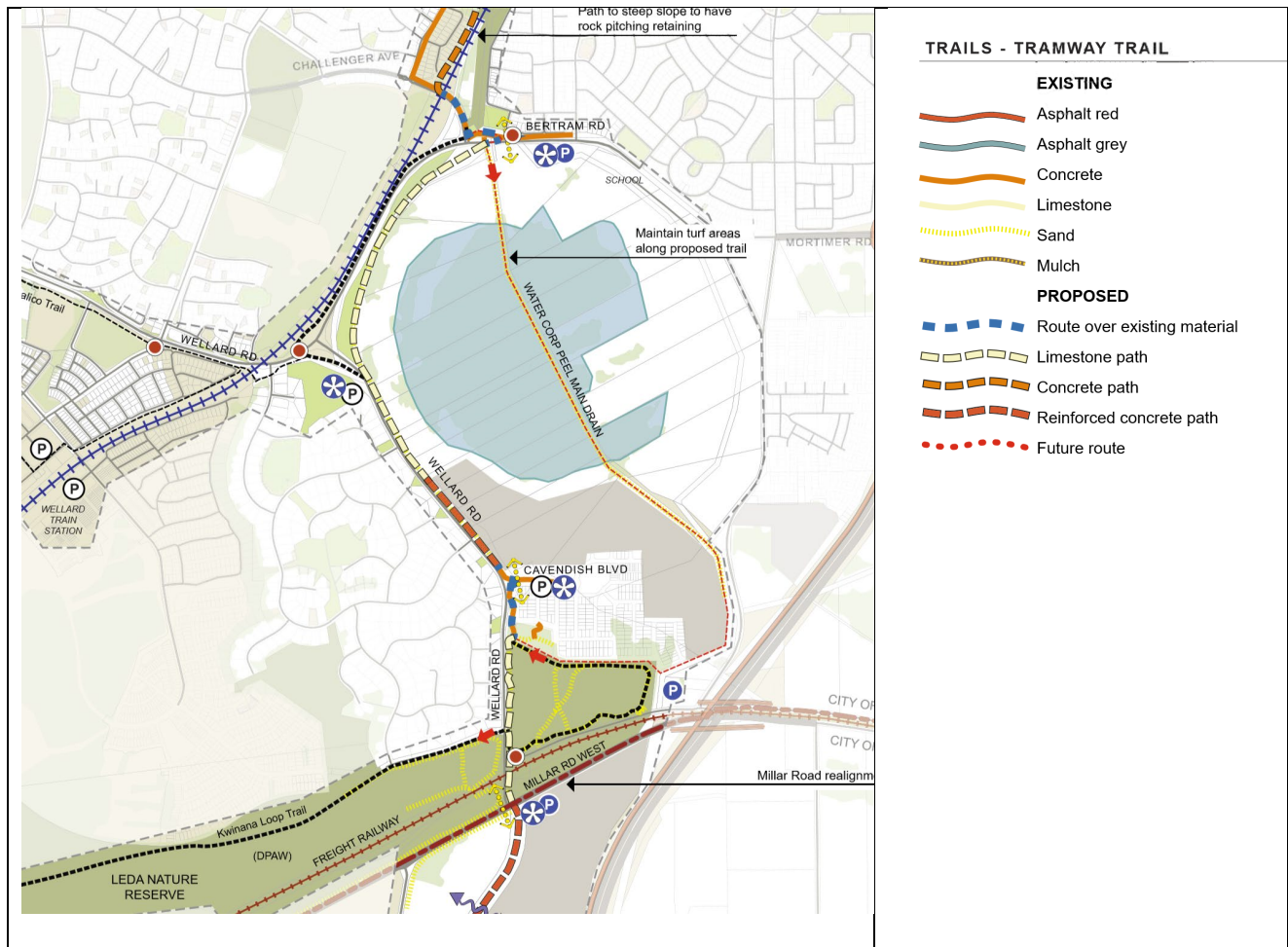


Figure 4 - Tramway Reserve Trails Development (Ecoscape 2015)

4.6 Bollard Bulrush / Wellard West Local Structure Planning

Local Structure Planning within the vicinity of Wellard and Bertram Roads has been relatively prolific in recent years, culminating in the largely residential Estates of Providence, Fairhaven, Oakebella, The Wedge and Tamblyn Private Estate. Emerald Park Estate has progressively been developed over 10 years, while Homestead Ridge, to the west, commenced development in the 1990s.

There is also a strip of land on the western side of Bollard Bulrush Wetland (to the immediate east of Wellard Road) that is currently zoned Urban Deferred. It is anticipated that this land will be rezoned to Urban in the near future.

5.0 MRS Amendment Rationale

5.1 WAPC Criteria – Minor Amendment to MRS

The MRS Amendment process is regulated by the *Planning and Development Act 2005* and constitutes either a Minor or Major Amendment to the MRS. The City has liaised with Officers of the Department of Planning, Lands and Heritage on a number of occasions and has been advised that the proposed MRS Amendment in the context of Wellard Road would likely be progressed as part of a minor omnibus amendment to the MRS, subject to appropriate justification regarding potential impacts on the Parks and Recreation reservation and surrounding environment.

5.2 WAPC Criteria for Lifting Urban Deferment

As noted previously, there is a portion of land in private ownership that is zoned Urban Deferred. This area of land comprises approximately 1.25 hectares. The WAPC Guidelines for the Lifting of Urban Deferment sets out the relevant planning criteria that need to be satisfied, as follows:

- *Land is capable of being provided with essential services and agreement has been reached between the developers and service providers with regard to the staging and financing of services*

As set out in the report, the land is capable of being provided with essential services to support urbanisation. Consultation with the relevant service providers confirms there are no servicing constraints and major service infrastructure already exists in Wellard as part of urbanisation on both sides of Wellard Road and in the immediate vicinity of Bertram Road. Existing services are proposed to be relocated and powerlines undergrounded. The service relocation forms part of the Wellard and Bertram Roads DCP items and as such the cost of this will be covered by developing landowners, the City and proposed grant funding, as a proportion of the total upgrade of the roads.

- *Planning is sufficiently advanced to depict an acceptable overall design to guide future development*

The road upgrade design has been completed (refer Appendix 4) and this has enabled cost estimates (including land valuation), landscaping design and the detail for this proposed MRS Amendment to proceed.

- *The proposed urban development represents a logical progression of development*

This section is largely not applicable to the proposal, however the following should be noted:

- Urban development in the immediate vicinity of Wellard and Bertram Roads is either still progressing or planned in the short-term (in the case of land surrounding Bollard Bulrush Wetland), or has already occurred (in the case of Homestead Ridge);
- The proposed upgrade of Wellard and Bertram Roads represents a continuation of the partial Bertram Road upgrade east of Challenger Avenue to the Kwinana Freeway;
- Traffic modelling undertaken by independent consultants on behalf of the City identifies that a road upgrade, not just to an Urban standard but a resultant duplication, is required to appropriately service the traffic estimated to utilise these roads to 2030 as a result of Urban development;
- The roads are identified within the State planning framework (refer section 4.2 of this report) as Proposed Integrator Arterials within this sub-region (see PLAN 6 of the Framework) and further, identifies Wellard and Bertram Roads as Proposed Regional Roads. Thus, the proposed Amendment and proposed future duplication of Wellard and Bertram Roads align with the Framework in this context;

Given the above, it is reasonable for the subject land to be included in the MRS 'Urban' zone as a logical progression of development.

- *Regional requirements (such as regional roads, open space and public purposes) have been satisfied or provision made for them*

As noted in the previous dot point, the roads are identified within the State planning framework (refer section 4.2 of this report) as Proposed Integrator Arterials within this sub-region (see PLAN 6 of the Framework) and further, identifies Wellard and Bertram Roads as Proposed Regional Roads. Thus, the proposed Amendment and proposed future duplication of Wellard and Bertram Roads align with the Framework in this context.

- *Any constraints to urban development can be satisfactorily addressed.*

As noted elsewhere in this report, there are no significant constraints to urban development in the context of planning, environmental and engineering considerations. As such, the subject land is suitable for Urban development, given adjacent existing Urban land uses and given that the proposal constitutes a road duplication.

5.3 Need and Nexus – Development Contribution Plan

The upgrade of both Bertram Road and Wellard Road forms two of the approved infrastructure items within DCA1 of the City's Local Planning Scheme No.2 (LPS2). In order for these infrastructure item to a) be included as a Development Contribution Plan (DCP) item within LPS2 and b) require an upgrade to an Integrator A standard, traffic modelling was required to be undertaken to demonstrate need and nexus. A traffic modelling report in this regard was prepared by Cardno on behalf of the City (August 2018) following extensive consultation with affected landowners/developers of DCA1 during 2017 and 2018. The traffic predicted to utilise Bertram and Wellard Roads, between Challenger Avenue in the north and Millar Road in the south (from existing development within DCA1, external development to DCA1 and proposed future development within DCA1), necessitates these roads to be upgraded to an Integrator A standard by 2031. It must be noted that the section of Bertram/Mortimer Road, west of the Kwinana Freeway to Challenger Avenue has already been constructed to an Integrator A standard and the section of Bertram Road west of Challenger Avenue, flowing on to Wellard Road, would tie-in to this existing upgrade.

5.4 Design Considerations – Proposed Road Duplication

There have been numerous considerations the City has taken into account in undertaking the design work for the Wellard and Bertram Roads upgrade. First and foremost has been need to retain as much bushland as possible and minimise the need for potential future clearing, particularly within the Bush Forever site in the south of the site area, bounded by Wellard Road and Millar Road.

In addition, the design has sought to work with existing site conditions, including utilising the existing western firebreak of the Bush Forever site as a cycling/walking path for this section of the proposed duplication.

5.5 Community Consultation

The City held two community consultation sessions in December 2019¹, with the aim being to inform landowners within the vicinity of Wellard and Bertram Roads of the proposed duplication, in line with the gazetted DCA1 item as per Local Planning Scheme No. 2.

It was determined to hold these sessions prior to any further progress on the proposed MRS Amendment and to allow potentially affected landowners to ask any questions and voice any concerns.

During and immediately following the community consultation sessions, a total of 27 responses were received from landowners, with the vast majority of the respondents from the adjacent Homestead Ridge estate to the immediate west of Wellard Road.

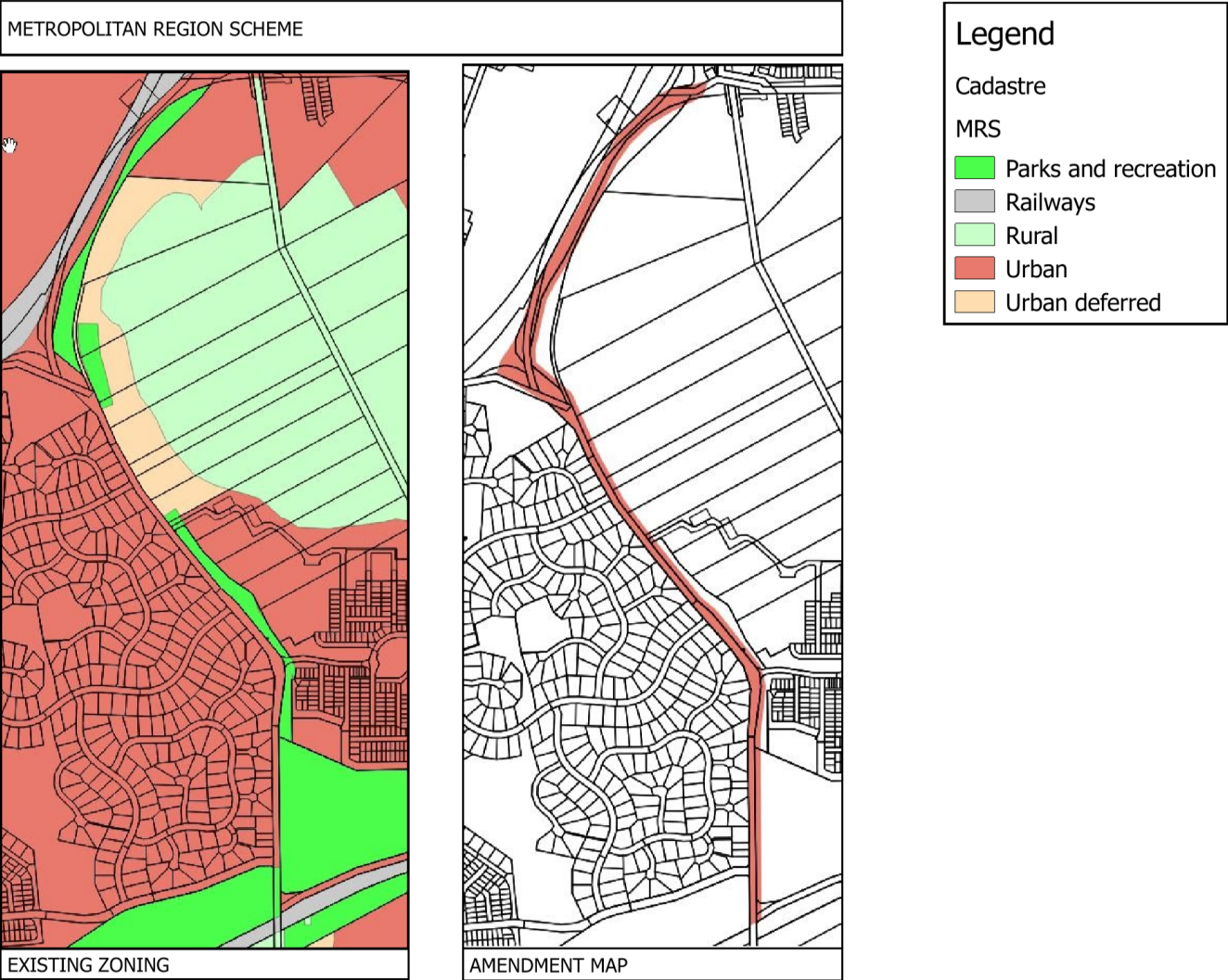
The key concern in the current context of Wellard Road, which was noted by approximately half of the respondents, was that of road safety.

Approximately half of the respondents wished to take part in the proposed workshops to assist in developing the landscape design, while several others nominated themselves to take part in planting activities within the new road reservation.

The City has, subsequent to the community consultation sessions, commissioned a landscape architect to commence the landscaping design elements. To date, the landscape architect has

¹ The community consultation sessions were held on 7 and 10 December 2019 at the Wellard Community Centre. During the sessions, all relevant information about the proposed duplication was displayed on a projector and on plans and cross-sections around the room. A survey was set up on laptops in the room and was made available on the City's website during the broader consultation period. Furthermore, participants were asked if they would like to be involved in the further landscaping design exercise as part of the proposed duplication.

engaged with those residents who have expressed their interest in being involved in the landscaping design through a series of landscape design workshops.





APPENDICES



APPENDIX 1 – Flora and Vegetation Report



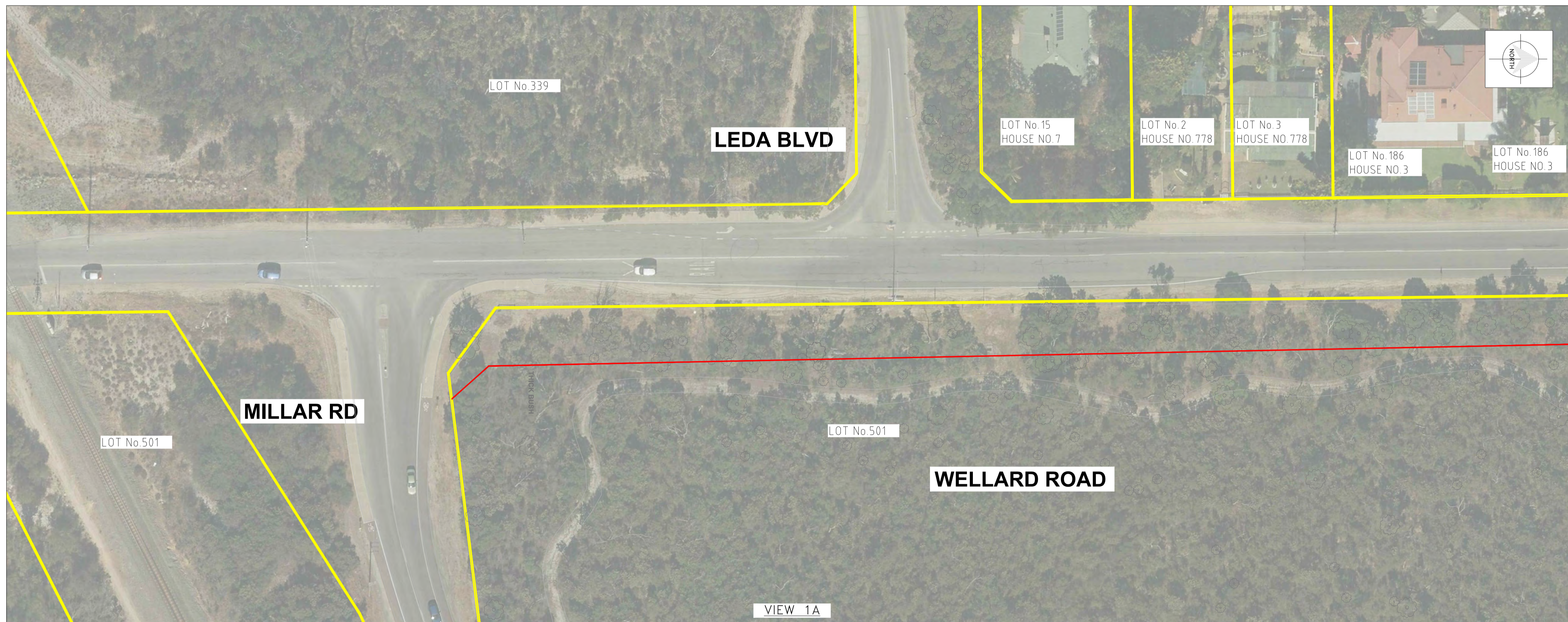
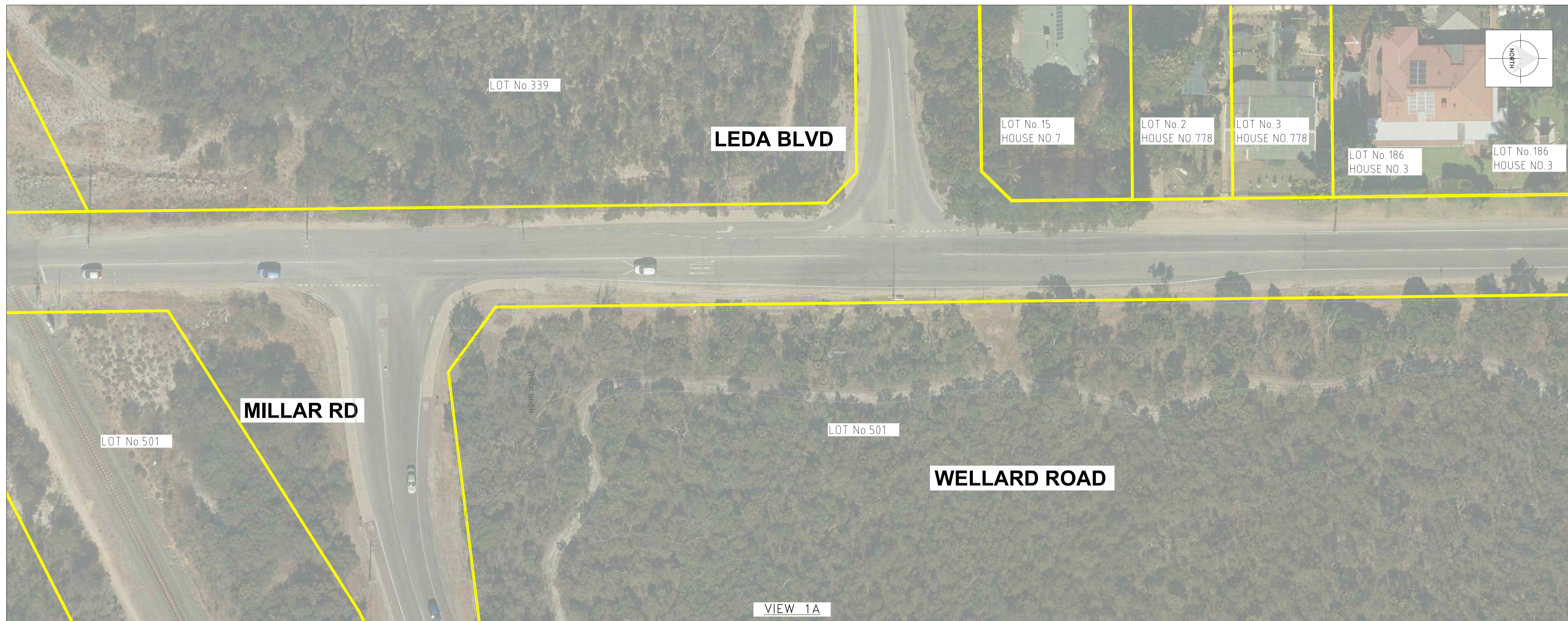
APPENDIX 2 – Aboriginal Heritage Sites Register Report



APPENDIX 3 - City of Kwinana Municipal Heritage Inventory – Tramway Reserve



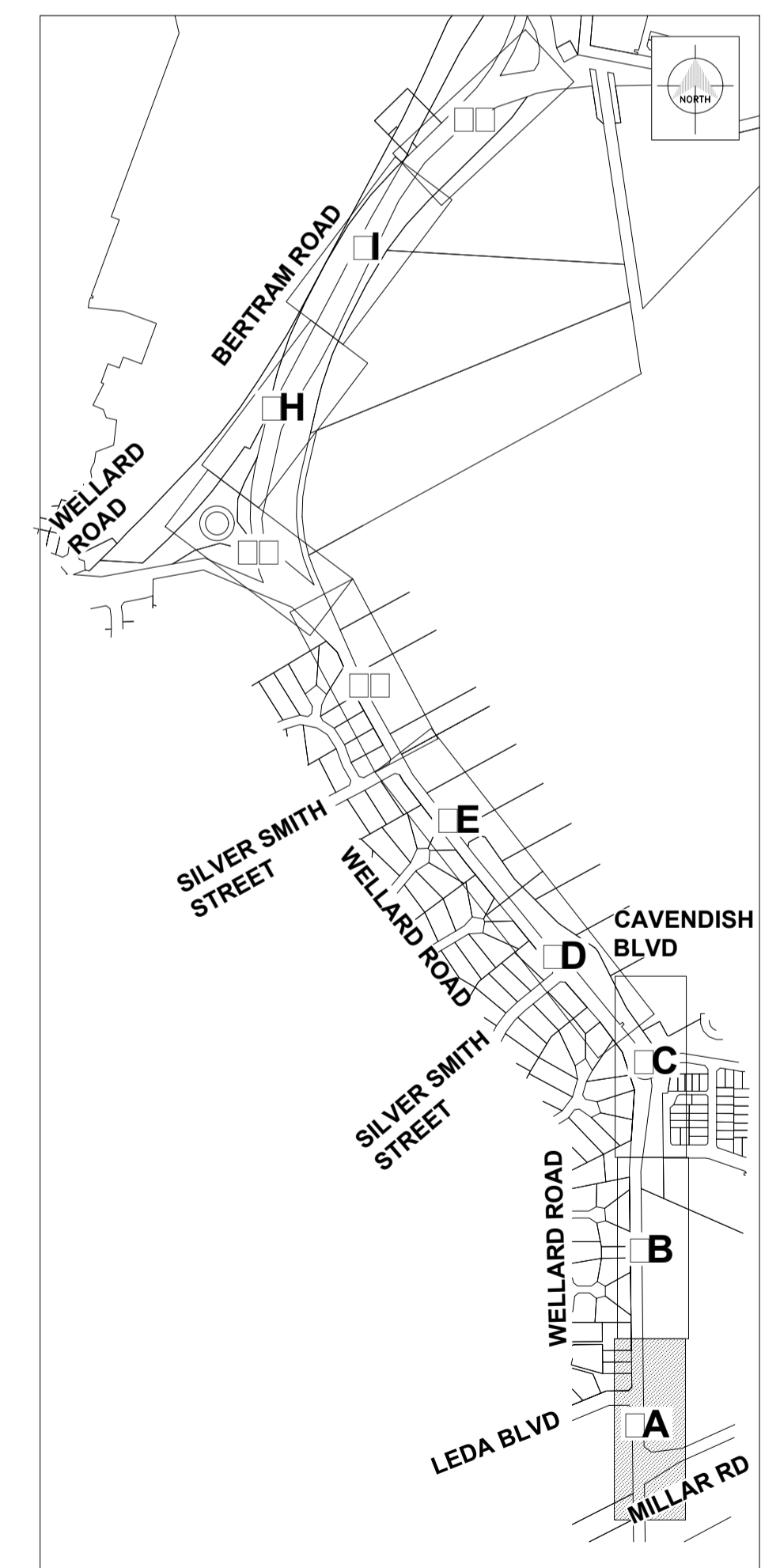
APPENDIX 4 - Detailed Design – Wellard and Bertram Road Upgrades



ACQUIRED LAND		
LOT NO.	AREA (m ²)	DESCRIPTION
501	4415.44	LEDA NATURE RESERVE - BUSH FOR EVER
8001	1735.53	POS
8002	15.76	POS
8011	7241.99	POS
9000	751.80	PRIVATE OWNER
81	2115.80	PRIVATE OWNER
79	2088.82	PRIVATE OWNER
77	951.65	PRIVATE OWNER
75	2974.39	PRIVATE OWNER
73	2115.47	PRIVATE OWNER
71	2270.76	PRIVATE OWNER
UNKNOWN	464.05	CROWN LAND
19	9988.24	TRAMWAY RESERVE - CROWN LAND
TOTAL	37.13ha	



LEGEND
 — EXISTING CADASTRAL BOUNDARIES
 — PROPOSED ROAD BOUNDARIES (MRS AMENDMENT)



REV	DATE	DESCRIPTION	DRAWN
B	03/20	ISSUED FOR COMMENT - PROPOSED BOUNDARY UPDATED	S.H
A	11/19	ISSUED FOR COMMENT	S.H

ASSOCIATE CONSULTANT:



PROJECT:
WELLARD ROAD DUAL CARRIAGE WAY
MILLAR ROAD TO BERTRAM ROAD – WELLARD

PHONE: (08) 9439 0200 ADDRESS: Cnr Gilmore Avenue and Sulphur Road, Kwinana WA 6167
 FAX: (08) 9439 0222
 EMAIL: admin@kwinana.wa.gov.au
 WEB: http://www.kwinana.wa.gov.au

SCALE: 1:500 (A1)
 DESIGN: S.H CHECK: S.H
 DRAWN: S.H DATE: 11/19
 AUTHORISED (MANAGER ENGINEERING SERVICES):
 R.NAJAFZADEH

DRAWING TITLE:
MRS AMENDMENT
GENERAL LAYOUT
SHEET 1 OF 10

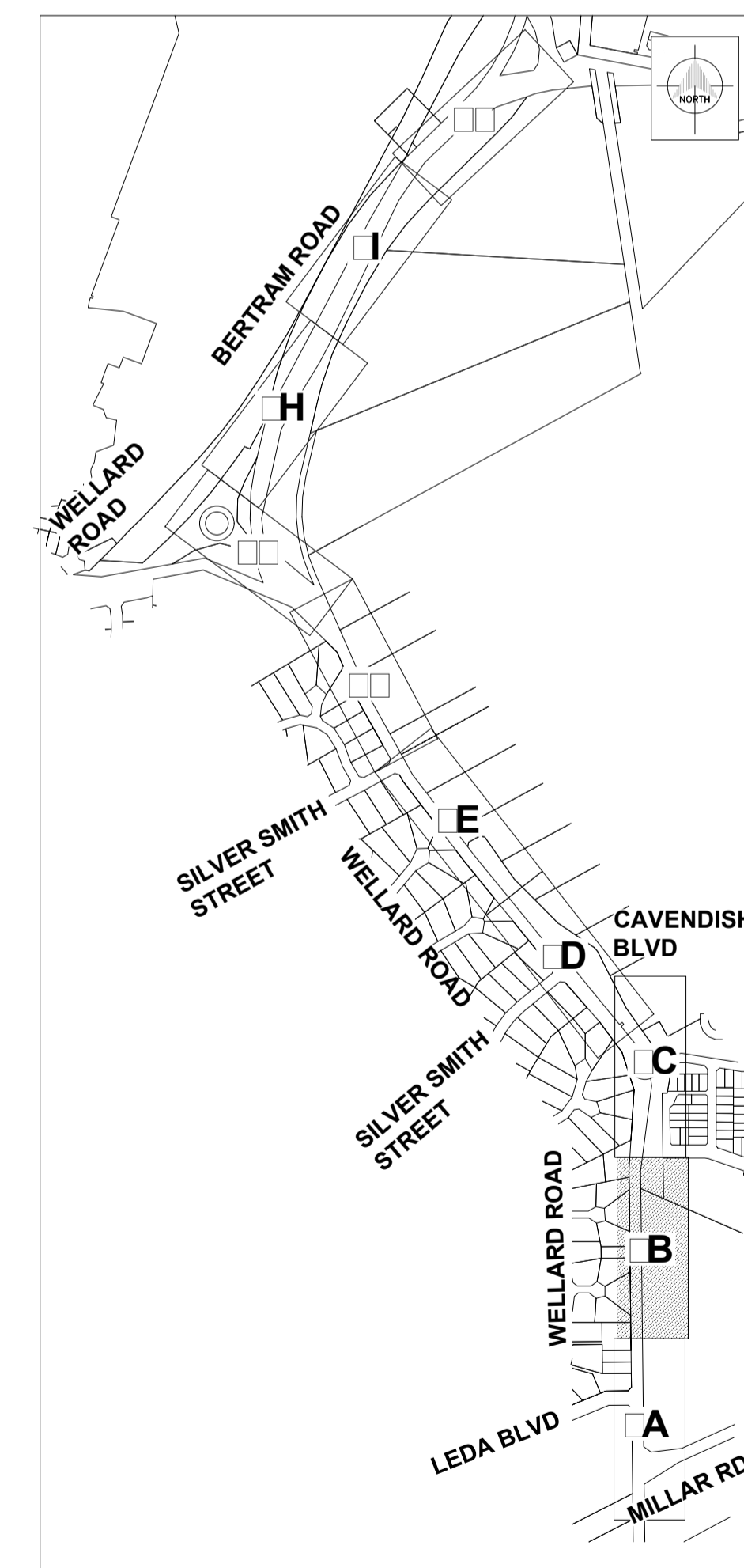
FILE NO.: WELL
 DRAWING NUMBER: 20-010-41 REVISION: B



ACQUIRED LAND		
LOT NO.	AREA (m ²)	DESCRIPTION
501	4415.44	LEDA NATURE RESERVE - BUSH FOR EVER
8001	1735.53	POS
8002	15.76	POS
8011	724.199	POS
9000	751.80	PRIVATE OWNER
81	2115.80	PRIVATE OWNER
79	2088.82	PRIVATE OWNER
77	951.65	PRIVATE OWNER
75	2974.39	PRIVATE OWNER
73	2115.47	PRIVATE OWNER
71	2270.76	PRIVATE OWNER
UNKNOWN	464.05	CROWN LAND
19	9988.24	TRAMWAY RESERVE - CROWN LAND
TOTAL	37.13ha	



LEGEND
— EXISTING CADASTRAL BOUNDARIES
— PROPOSED ROAD BOUNDARIES (MRS AMENDMENT)



REV	DATE	DESCRIPTION	DRAWN
B	03/20	ISSUED FOR COMMENT - PROPOSED BOUNDARY UPDATED	S.H
A	11/19	ISSUED FOR COMMENT	S.H

ASSOCIATE CONSULTANT:



PROJECT:
WELLARD ROAD DUAL CARRIAGE WAY
MILLAR ROAD TO BERTRAM ROAD - WELLARD

PHONE: (08) 9439 0200 ADDRESS: Cnr Gilmore Avenue and Sulphur Road, Kwinana WA 6167
 FAX: (08) 9439 0222
 EMAIL: admin@kwinana.wa.gov.au
 WEB: http://www.kwinana.wa.gov.au

SCALE: 1:500 (A1)
 DESIGN: S.H CHECK: S.H
 DRAWN: S.H DATE: 11/19
 AUTHORISED (MANAGER ENGINEERING SERVICES):
 R.NAJAFZADEH

DRAWING TITLE:
MRS AMENDMENT
GENERAL LAYOUT
SHEET 2 OF 10

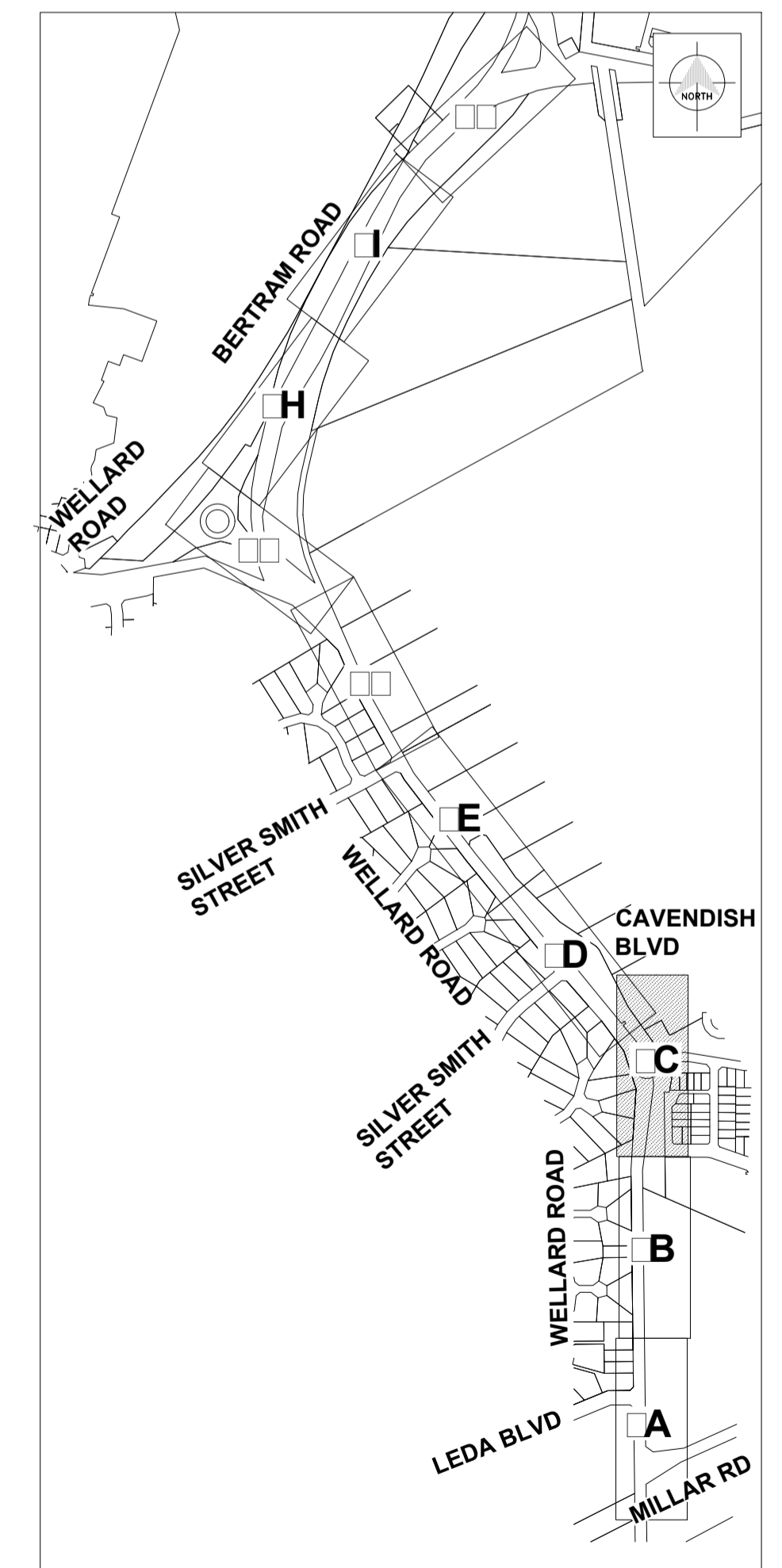
FILE NO.: WELL
 DRAWING NUMBER: 20-010-42 REVISION: B



ACQUIRED LAND		
LOT NO.	AREA (m ²)	DESCRIPTION
501	4,415.44	LEDA NATURE RESERVE - BUSH FOR EVER
8001	1735.53	POS
8002	15.76	POS
8011	724,199	POS
9000	751.80	PRIVATE OWNER
81	2115.80	PRIVATE OWNER
79	2088.82	PRIVATE OWNER
77	951.65	PRIVATE OWNER
75	2974.39	PRIVATE OWNER
73	2115.47	PRIVATE OWNER
71	2270.76	PRIVATE OWNER
UNKNOWN	464.05	CROWN LAND
19	9988.24	TRAMWAY RESERVE - CROWN LAND
TOTAL	37,13ha	



LEGEND
 — EXISTING CADASTRAL BOUNDARIES
 — PROPOSED ROAD BOUNDARIES (MRS AMENDMENT)



REV	DATE	DESCRIPTION	DRAWN
B	03/20	ISSUED FOR COMMENT - PROPOSED BOUNDARY UPDATED	S.H
A	11/19	ISSUED FOR COMMENT	S.H

ASSOCIATE CONSULTANT:



PROJECT:
**WELLARD ROAD DUAL CARRIAGE WAY
 MILLAR ROAD TO BERTRAM ROAD – WELLARD**

PHONE: (08) 9439 0200 ADDRESS: Cnr Gilmore Avenue and Sulphur Road, Kwinana WA 6167
 FAX: (08) 9439 0222
 EMAIL: admin@kwinana.wa.gov.au
 WEB: http://www.kwinana.wa.gov.au

SCALE: 1:500 (A1)
 DESIGN: S.H CHECK: S.H
 DRAWN: S.H DATE: 11/19
 AUTHORISED (MANAGER ENGINEERING SERVICES):
 R.NAJAFZADEH

DRAWING TITLE:
**MRS AMENDMENT
 GENERAL LAYOUT
 SHEET 3 OF 10**

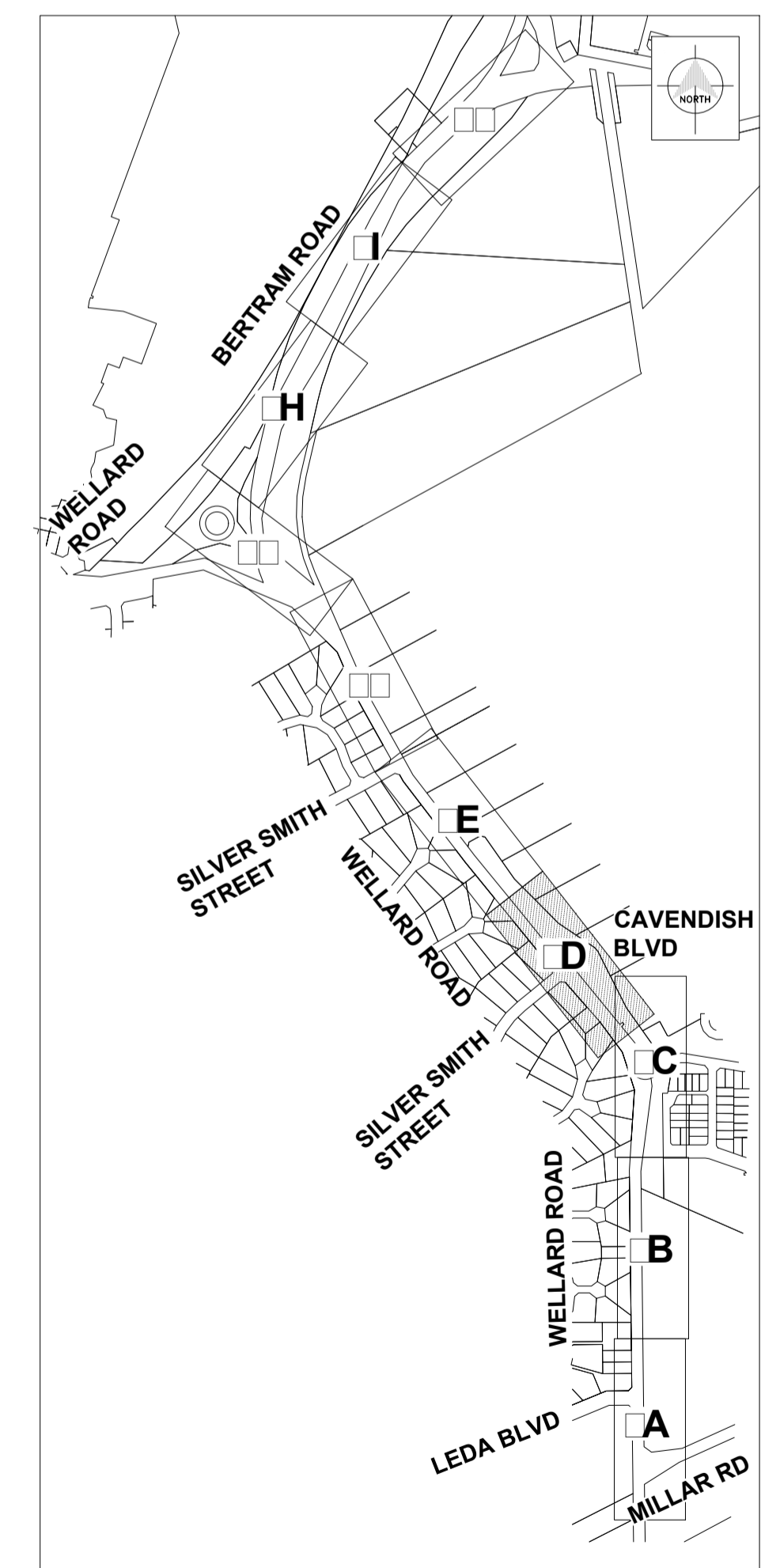
FILE NO.: WELL
 DRAWING NUMBER: 20-010-43
 REVISION: B



ACQUIRED LAND		
LOT NO.	AREA (m ²)	DESCRIPTION
501	4,415.44	LEDA NATURE RESERVE - BUSH FOR EVER
8001	1735.53	POS
8002	15.76	POS
8011	724.199	POS
9000	751.80	PRIVATE OWNER
81	2115.80	PRIVATE OWNER
79	2088.82	PRIVATE OWNER
77	951.65	PRIVATE OWNER
75	2974.39	PRIVATE OWNER
73	2115.47	PRIVATE OWNER
71	2270.76	PRIVATE OWNER
UNKNOWN	464.05	CROWN LAND
19	9988.24	TRAMWAY RESERVE - CROWN LAND
TOTAL	37.13ha	



LEGEND
 — EXISTING CADASTRAL BOUNDARIES
 — PROPOSED ROAD BOUNDARIES (MRS AMENDMENT)



REV	DATE	DESCRIPTION	DRAWN
B	03/20	ISSUED FOR COMMENT - PROPOSED BOUNDARY UPDATED	S.H
A	11/19	ISSUED FOR COMMENT	S.H

ASSOCIATE CONSULTANT:



PROJECT:
 WELLARD ROAD DUAL CARRIAGE WAY
 MILLAR ROAD TO BERTRAM ROAD – WELLARD

PHONE: (08) 9439 0200 ADDRESS: Cnr Gilmore Avenue and Sulphur Road, Kwinana WA 6167
 FAX: (08) 9439 0222
 EMAIL: admin@kwinana.wa.gov.au
 WEB: http://www.kwinana.wa.gov.au

SCALE: 1:500 (A1)
 DESIGN: S.H CHECK: S.H
 DRAWN: S.H DATE: 11/19
 AUTHORISED (MANAGER ENGINEERING SERVICES):
 R.NAJAFZADEH

DRAWING TITLE:
 MRS AMENDMENT
 GENERAL LAYOUT
 SHEET 4 OF 10

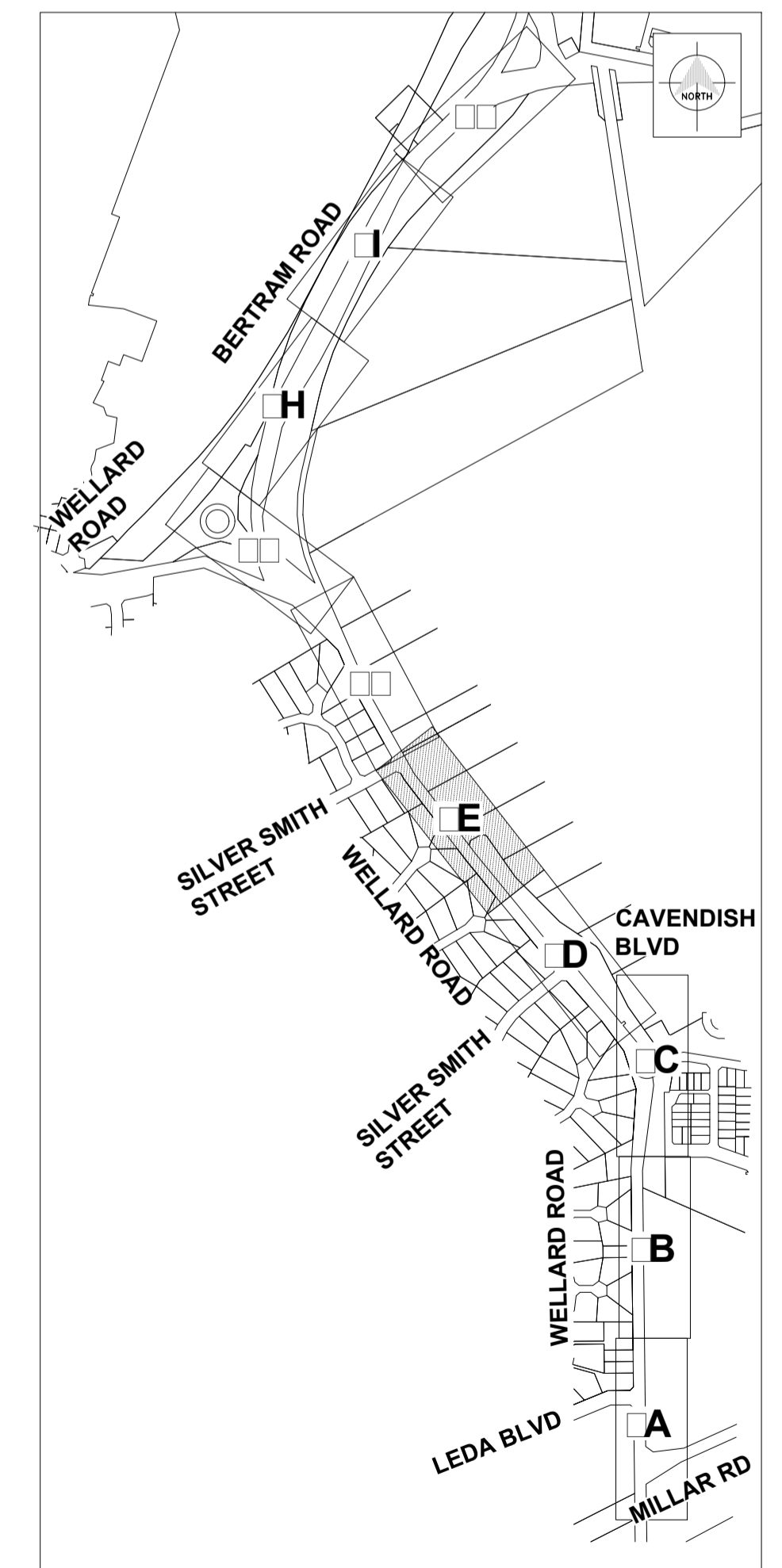
FILE NO.: WELL
 DRAWING NUMBER: 20-010-44 REVISION: B



ACQUIRED LAND		
LOT NO.	AREA (m ²)	DESCRIPTION
501	4,415.44	LEDA NATURE RESERVE - BUSH FOR EVER
8001	1735.53	POS
8002	15.76	POS
8011	724,199	POS
9000	751.80	PRIVATE OWNER
81	2115.80	PRIVATE OWNER
79	2088.82	PRIVATE OWNER
77	951.65	PRIVATE OWNER
75	2974.39	PRIVATE OWNER
73	2115.47	PRIVATE OWNER
71	2270.76	PRIVATE OWNER
UNKNOWN	464.05	CROWN LAND
19	9988.24	TRAMWAY RESERVE - CROWN LAND
TOTAL	37,13ha	



LEGEND
 — EXISTING CADASTRAL BOUNDARIES
 — PROPOSED ROAD BOUNDARIES (MRS AMENDMENT)



REV	DATE	DESCRIPTION	DRAWN
B	03/20	ISSUED FOR COMMENT - PROPOSED BOUNDARY UPDATED	S.H
A	11/19	ISSUED FOR COMMENT	S.H

ASSOCIATE CONSULTANT:



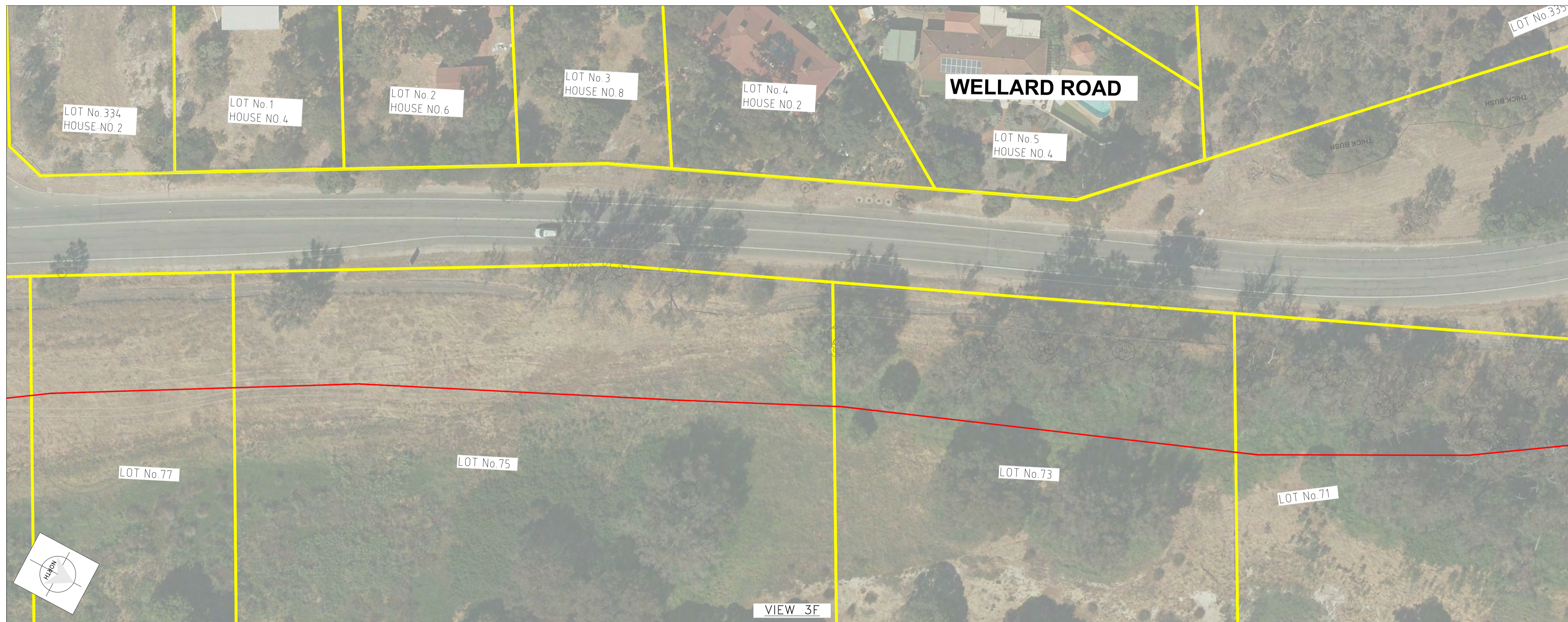
PROJECT:
 WELLARD ROAD DUAL CARRIAGE WAY
 MILLAR ROAD TO BERTRAM ROAD – WELLARD

PHONE: (08) 9439 0200 ADDRESS: Cnr Gilmore Avenue and Sulphur Road, Kwinana WA 6167
 FAX: (08) 9439 0222
 EMAIL: admin@kwinana.wa.gov.au
 WEB: http://www.kwinana.wa.gov.au

SCALE: 1:500 (A1)
 DESIGN: S.H CHECK: S.H
 DRAWN: S.H DATE: 11/19
 AUTHORISED (MANAGER ENGINEERING SERVICES):
 R.NAJAFZADEH

DRAWING TITLE:
 MRS AMENDMENT
 GENERAL LAYOUT
 SHEET 5 OF 10

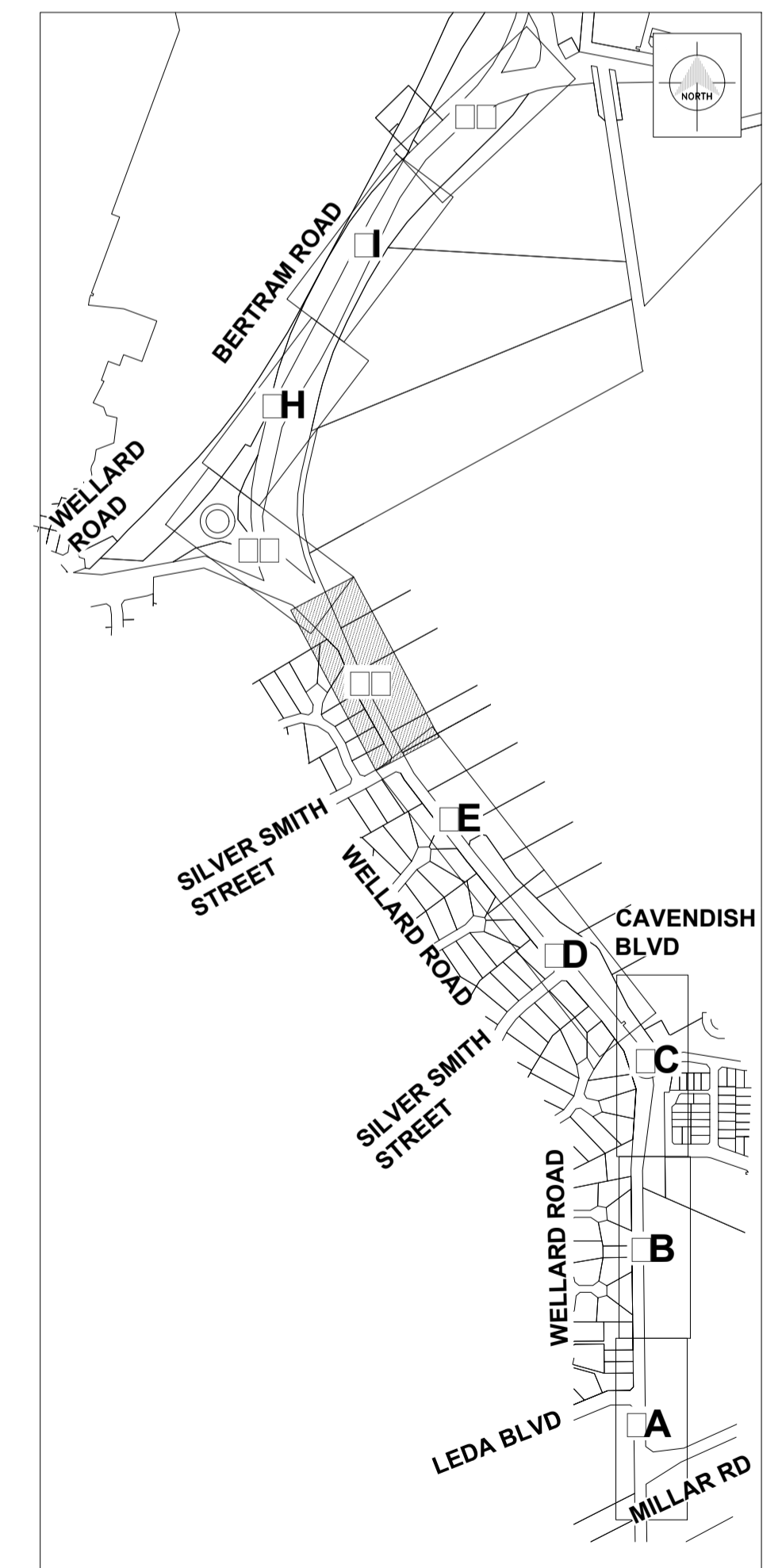
FILE NO.: WELL
 DRAWING NUMBER: 20-010-45 REVISION: B



ACQUIRED LAND		
LOT NO.	AREA (m ²)	DESCRIPTION
501	4,415.44	LEDA NATURE RESERVE - BUSH FOR EVER
8001	1735.53	POS
8002	15.76	POS
8011	724,199	POS
9000	751.80	PRIVATE OWNER
81	2115.80	PRIVATE OWNER
79	2088.82	PRIVATE OWNER
77	951.65	PRIVATE OWNER
75	2974.39	PRIVATE OWNER
73	2115.47	PRIVATE OWNER
71	2270.76	PRIVATE OWNER
UNKNOWN	464.05	CROWN LAND
19	9988.24	TRAMWAY RESERVE - CROWN LAND
TOTAL	37.13ha	



LEGEND
 — EXISTING CADASTRAL BOUNDARIES
 — PROPOSED ROAD BOUNDARIES (MRS AMENDMENT)



REV	DATE	DESCRIPTION	DRAWN
B	03/20	ISSUED FOR COMMENT - PROPOSED BOUNDARY UPDATED	S.H
A	11/19	ISSUED FOR COMMENT	S.H

ASSOCIATE CONSULTANT:



PROJECT: WELLARD ROAD DUAL CARRIAGE WAY
 MILLAR ROAD TO BERTRAM ROAD - WELLARD

PHONE: (08) 9439 0200 ADDRESS: Cnr Gilmore Avenue and Sulphur Road, Kwinana WA 6167
 FAX: (08) 9439 0222
 EMAIL: admin@kwinana.wa.gov.au
 WEB: http://www.kwinana.wa.gov.au

SCALE: 1:500 (A1)
 DESIGN: S.H CHECK: S.H
 DRAWN: S.H DATE: 11/19
 AUTHORISED (MANAGER ENGINEERING SERVICES): R.NAJAFZADEH

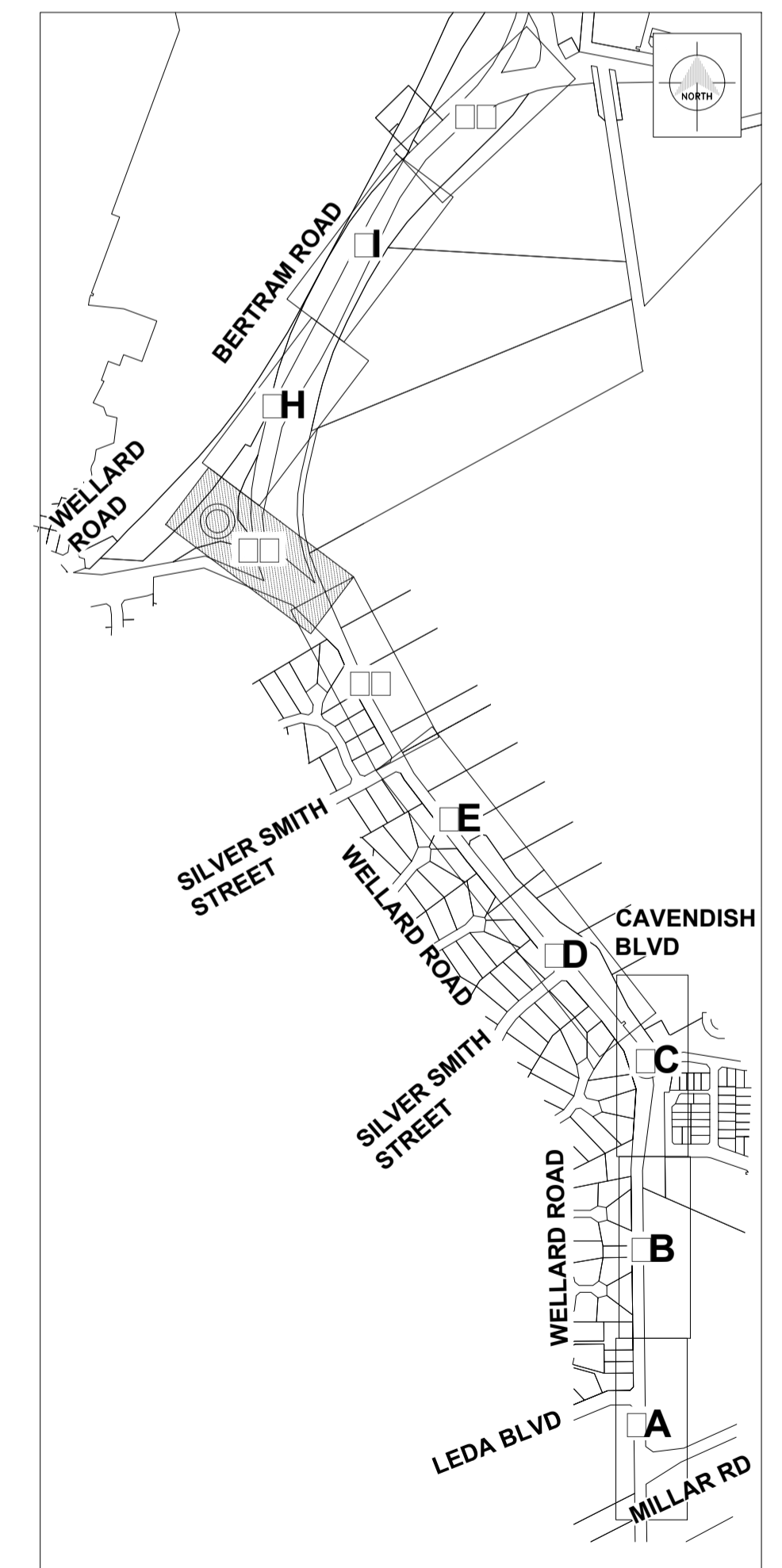
DRAWING TITLE: MRS AMENDMENT GENERAL LAYOUT SHEET 6 OF 10
 FILE NO.: WELL
 DRAWING NUMBER: 20-010-46 REVISION: B



ACQUIRED LAND		
LOT NO.	AREA (m ²)	DESCRIPTION
501	4415.44	LEDA NATURE RESERVE - BUSH FOR EVER
8001	1735.53	POS
8002	15.76	POS
8011	724.199	POS
9000	751.80	PRIVATE OWNER
81	2115.80	PRIVATE OWNER
79	2088.82	PRIVATE OWNER
77	951.65	PRIVATE OWNER
75	2974.39	PRIVATE OWNER
73	2115.47	PRIVATE OWNER
71	2270.76	PRIVATE OWNER
UNKNOWN	464.05	CROWN LAND
19	9988.24	TRAMWAY RESERVE - CROWN LAND
TOTAL	37.13ha	



LEGEND
 — EXISTING CADASTRAL BOUNDARIES
 — PROPOSED ROAD BOUNDARIES (MRS AMENDMENT)



REV	DATE	DESCRIPTION	DRAWN
B	03/20	ISSUED FOR COMMENT - PROPOSED BOUNDARY UPDATED	S.H
A	11/19	ISSUED FOR COMMENT	S.H

ASSOCIATE CONSULTANT:



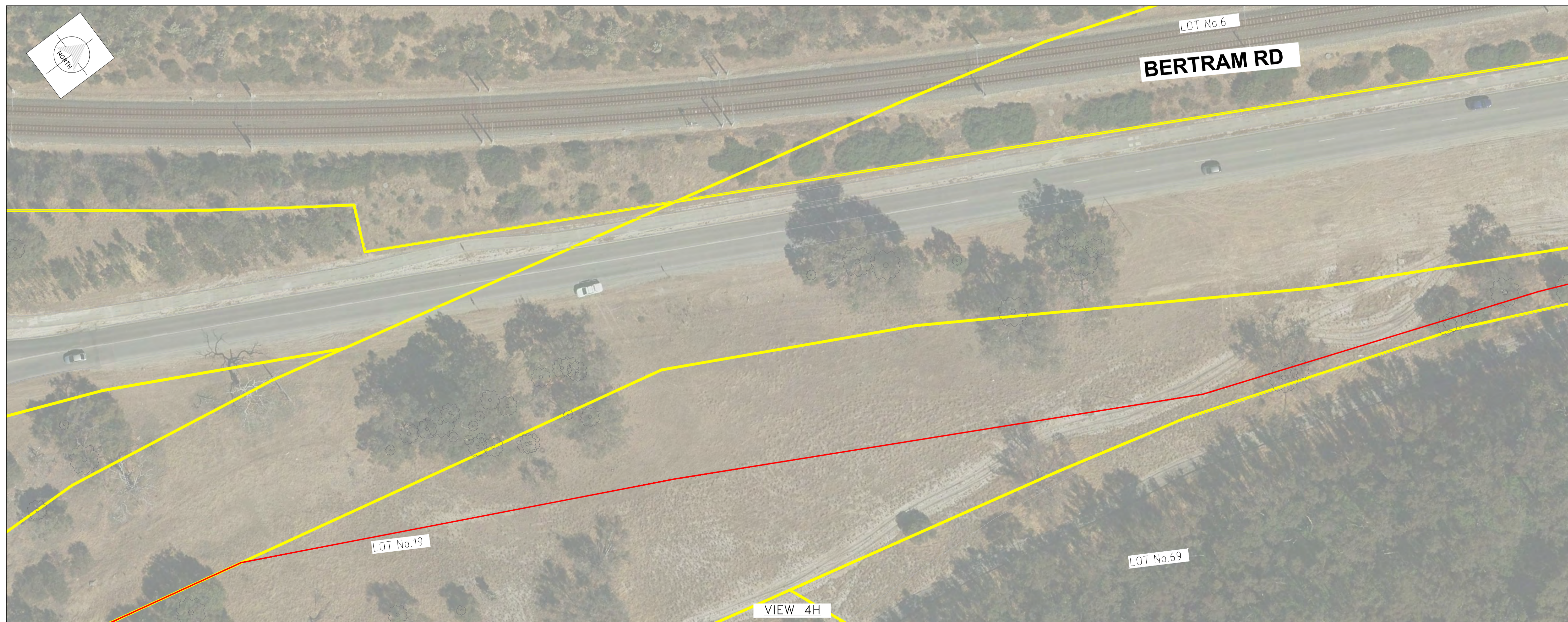
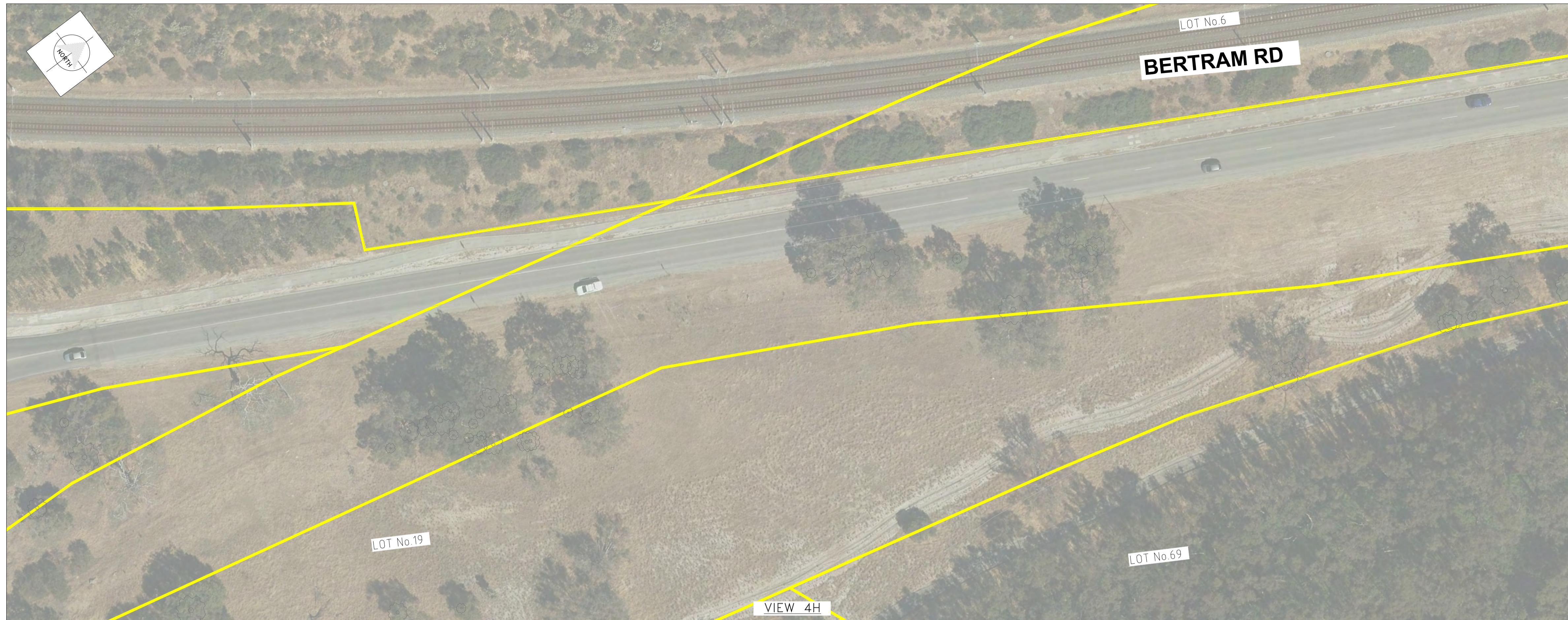
PROJECT:
**WELLARD ROAD DUAL CARRIAGE WAY
 MILLAR ROAD TO BERTRAM ROAD – WELLARD**

PHONE: (08) 9439 0200 ADDRESS: Cnr Gilmore Avenue and Sulphur Road, Kwinana WA 6167
 FAX: (08) 9439 0222
 EMAIL: admin@kwinana.wa.gov.au
 WEB: http://www.kwinana.wa.gov.au

SCALE: 1:500 (A1)
 DESIGN: S.H CHECK: S.H
 DRAWN: S.H DATE: 11/19
 AUTHORISED (MANAGER ENGINEERING SERVICES):
 R.NAJAFZADEH

DRAWING TITLE:
**MRS AMENDMENT
 GENERAL LAYOUT
 SHEET 7 OF 10**

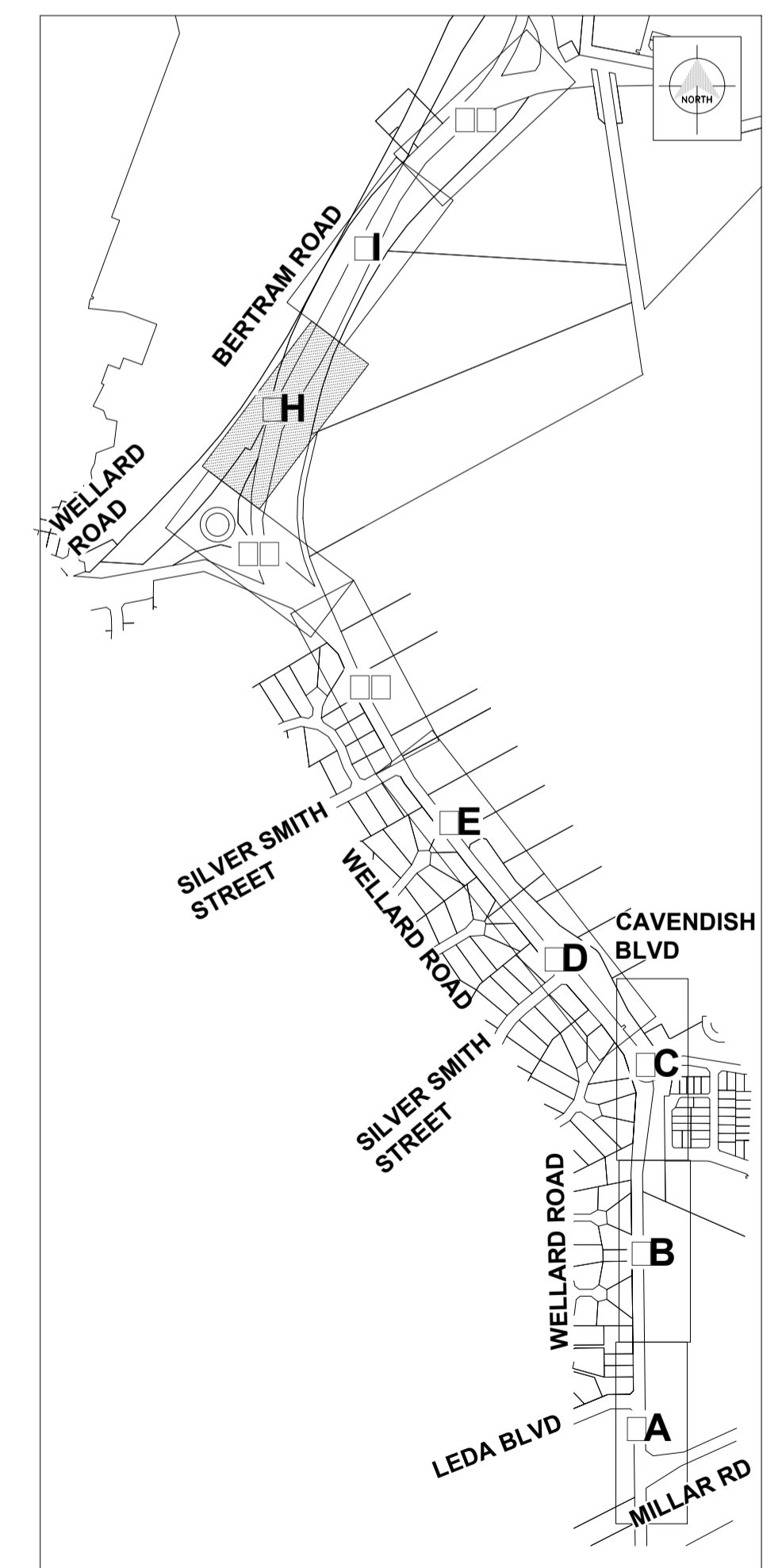
FILE NO.: WELL
 DRAWING NUMBER: 20-010-47 REVISION: B



ACQUIRED LAND		
LOT NO.	AREA (m ²)	DESCRIPTION
501	4415.44	LEDA NATURE RESERVE - BUSH FOR EVER
8001	1735.53	POS
8002	15.76	POS
8011	724.199	POS
9000	751.80	PRIVATE OWNER
81	2115.80	PRIVATE OWNER
79	2088.82	PRIVATE OWNER
77	951.65	PRIVATE OWNER
75	2974.39	PRIVATE OWNER
73	2115.47	PRIVATE OWNER
71	2270.76	PRIVATE OWNER
UNKNOWN	464.05	CROWN LAND
19	9988.24	TRAMWAY RESERVE - CROWN LAND
TOTAL	37.13ha	



LEGEND
 — EXISTING CADASTRAL BOUNDARIES
 — PROPOSED ROAD BOUNDARIES (MRS AMENDMENT)



REV	DATE	DESCRIPTION	DRAWN
B	03/20	ISSUED FOR COMMENT - PROPOSED BOUNDARY UPDATED	S.H
A	11/19	ISSUED FOR COMMENT	S.H

ASSOCIATE CONSULTANT:

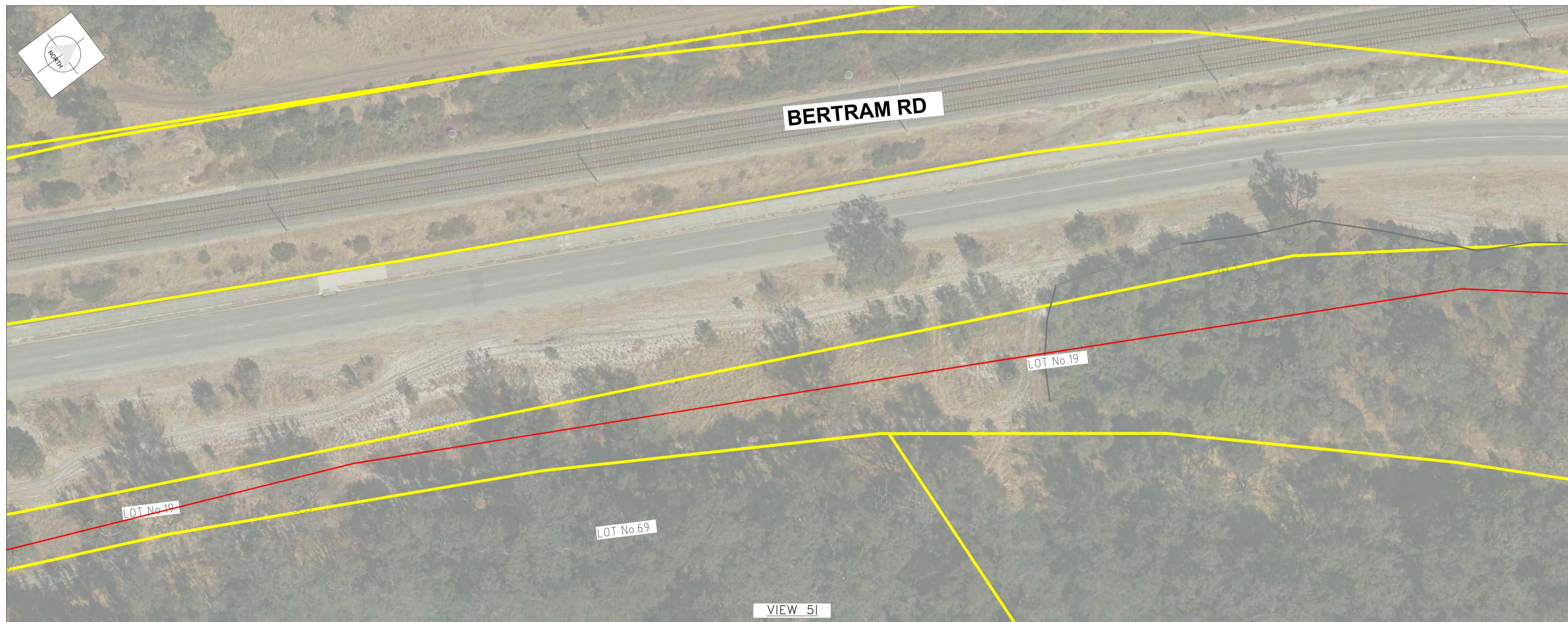
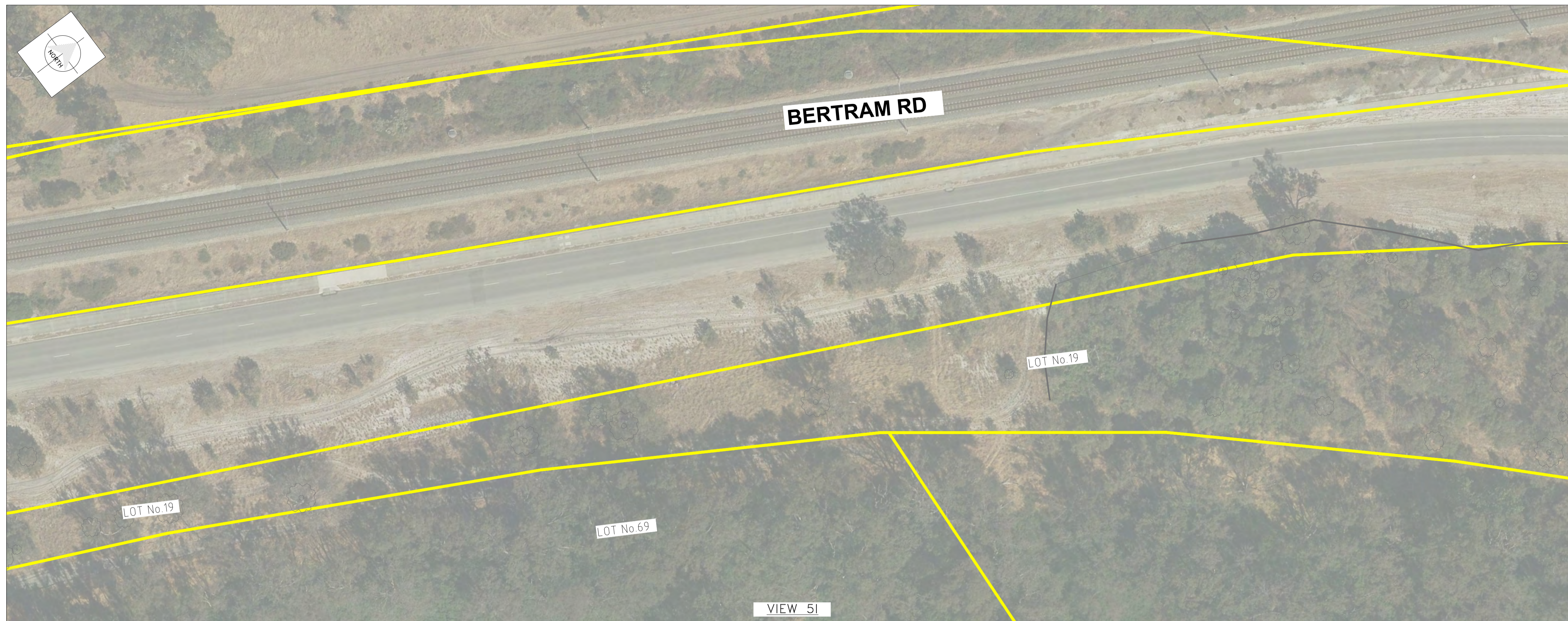


PROJECT: WELLARD ROAD DUAL CARRIAGE WAY
 MILLAR ROAD TO BERTRAM ROAD – WELLARD

PHONE: (08) 9439 0200 ADDRESS: Cnr Gilmore Avenue and Sulphur Road, Kwinana WA 6167
 FAX: (08) 9439 0222
 EMAIL: admin@kwinana.wa.gov.au
 WEB: http://www.kwinana.wa.gov.au

SCALE: 1:500 (A1)
 DESIGN: S.H CHECK: S.H
 DRAWN: S.H DATE: 11/19
 AUTHORISED (MANAGER ENGINEERING SERVICES): R.NAJAFZADEH

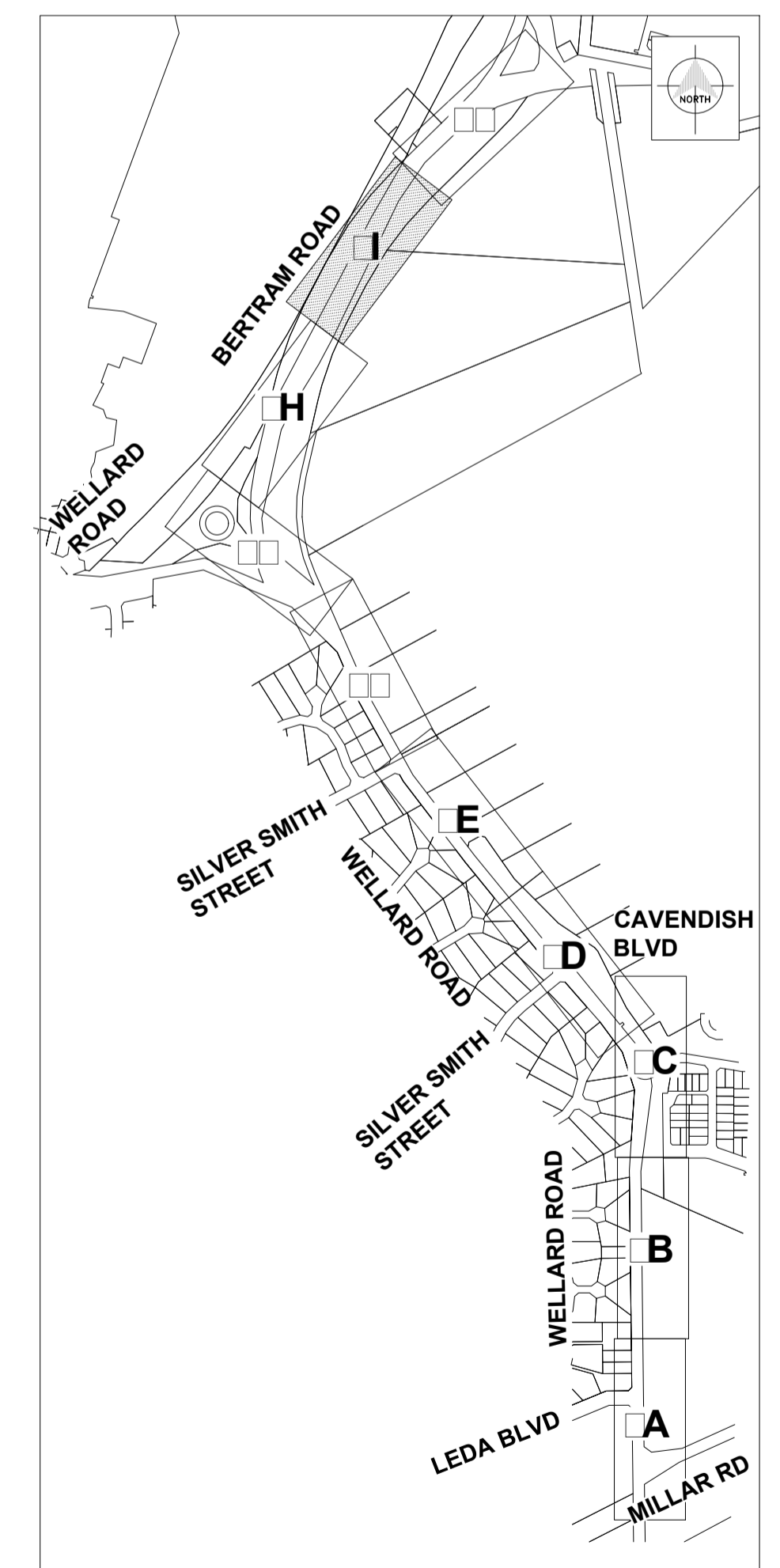
DRAWING TITLE: MRS AMENDMENT GENERAL LAYOUT SHEET 8 OF 10
 FILE NO.: WELL
 DRAWING NUMBER: 20-010-48 REVISION: B



ACQUIRED LAND		
LOT NO.	AREA (m ²)	DESCRIPTION
501	4415.44	LEDA NATURE RESERVE - BUSH FOR EVER
8001	1735.53	POS
8002	15.76	POS
8011	724.199	POS
9000	751.80	PRIVATE OWNER
81	2115.80	PRIVATE OWNER
79	2088.82	PRIVATE OWNER
77	951.65	PRIVATE OWNER
75	2974.39	PRIVATE OWNER
73	2115.47	PRIVATE OWNER
71	2270.76	PRIVATE OWNER
UNKNOWN	464.05	CROWN LAND
19	9988.24	TRAMWAY RESERVE - CROWN LAND
TOTAL	37.13ha	



LEGEND
 — EXISTING CADASTRAL BOUNDARIES
 — PROPOSED ROAD BOUNDARIES (MRS AMENDMENT)



REV	DATE	DESCRIPTION	DRAWN
B	03/20	ISSUED FOR COMMENT - PROPOSED BOUNDARY UPDATED	S.H
A	11/19	ISSUED FOR COMMENT	S.H

ASSOCIATE CONSULTANT:



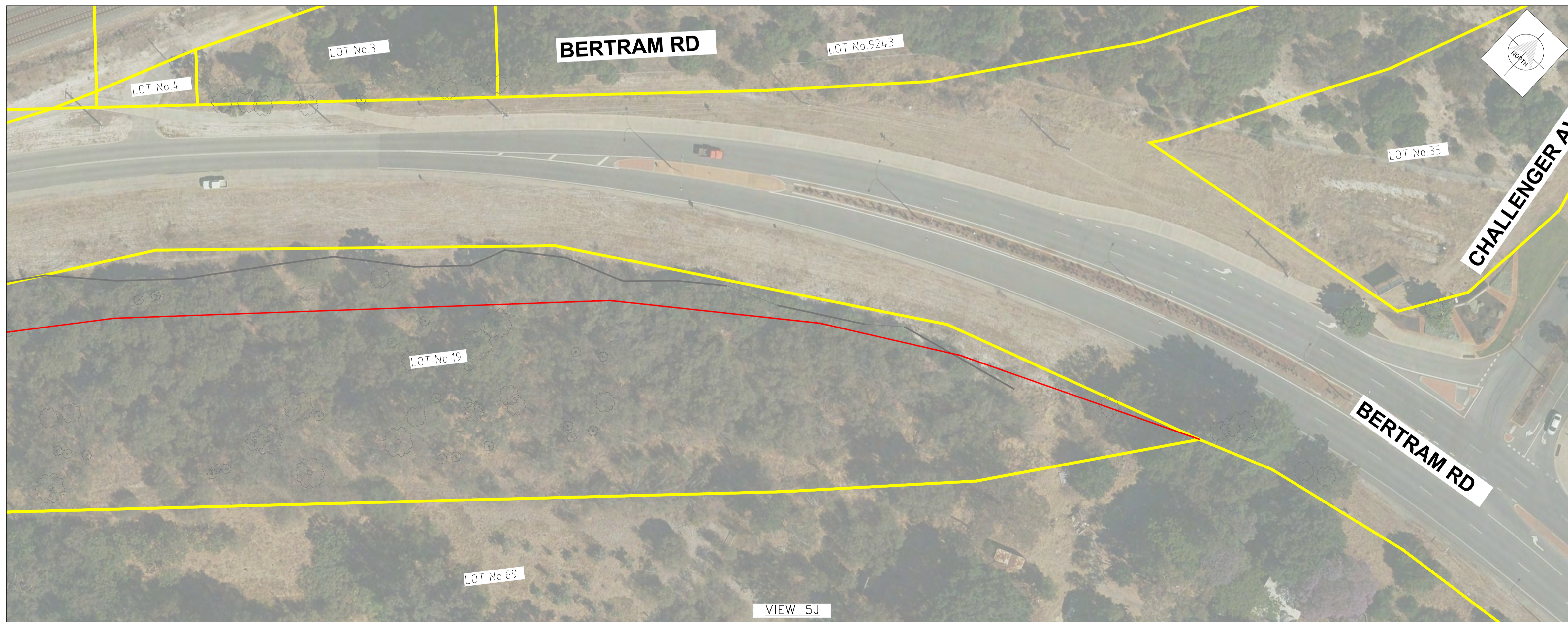
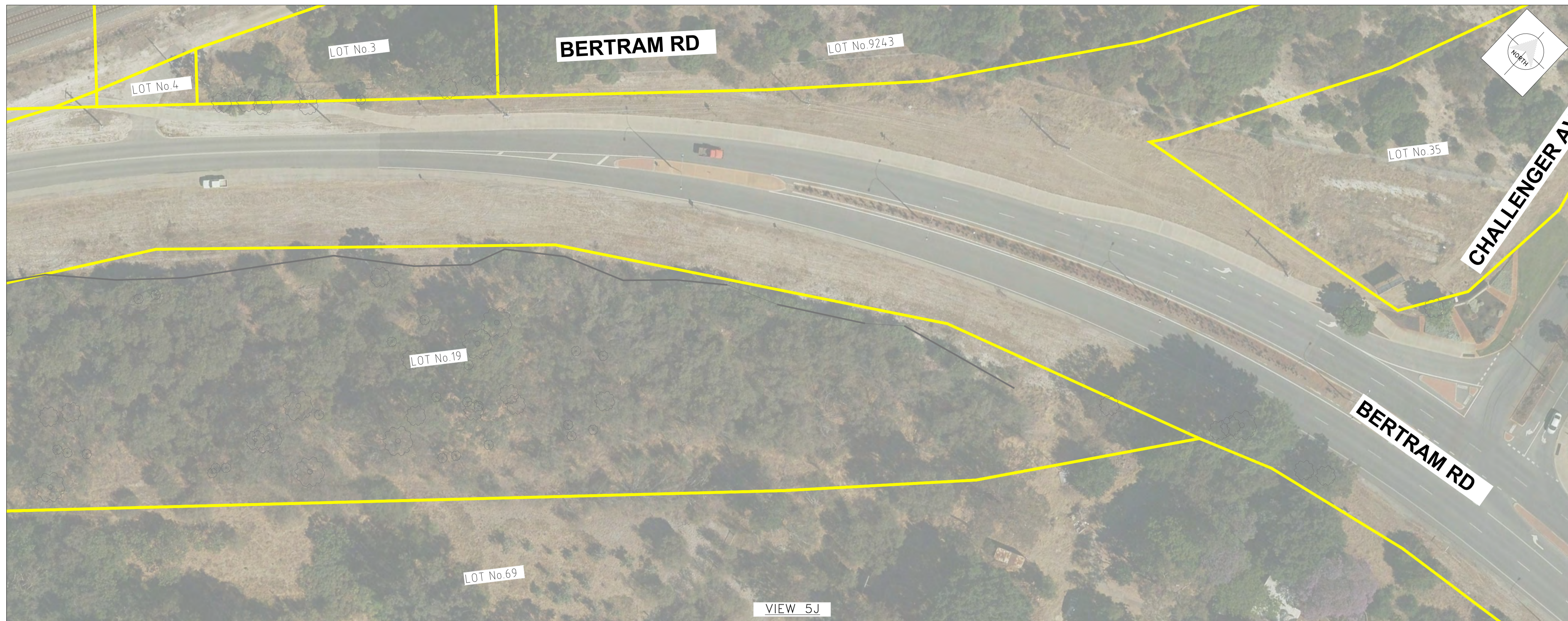
PROJECT:
 WELLARD ROAD DUAL CARRIAGE WAY
 MILLAR ROAD TO BERTRAM ROAD – WELLARD

PHONE: (08) 9439 0200 ADDRESS: Cnr Gilmore Avenue and Sulphur Road, Kwinana WA 6167
 FAX: (08) 9439 0222
 EMAIL: admin@kwinana.wa.gov.au
 WEB: http://www.kwinana.wa.gov.au

SCALE: 1:500 (A1)
 DESIGN: S.H CHECK: S.H
 DRAWN: S.H DATE: 11/19
 AUTHORISED (MANAGER ENGINEERING SERVICES):
 R.NAJAFZADEH

DRAWING TITLE:
 MRS AMENDMENT
 GENERAL LAYOUT
 SHEET 9 OF 10

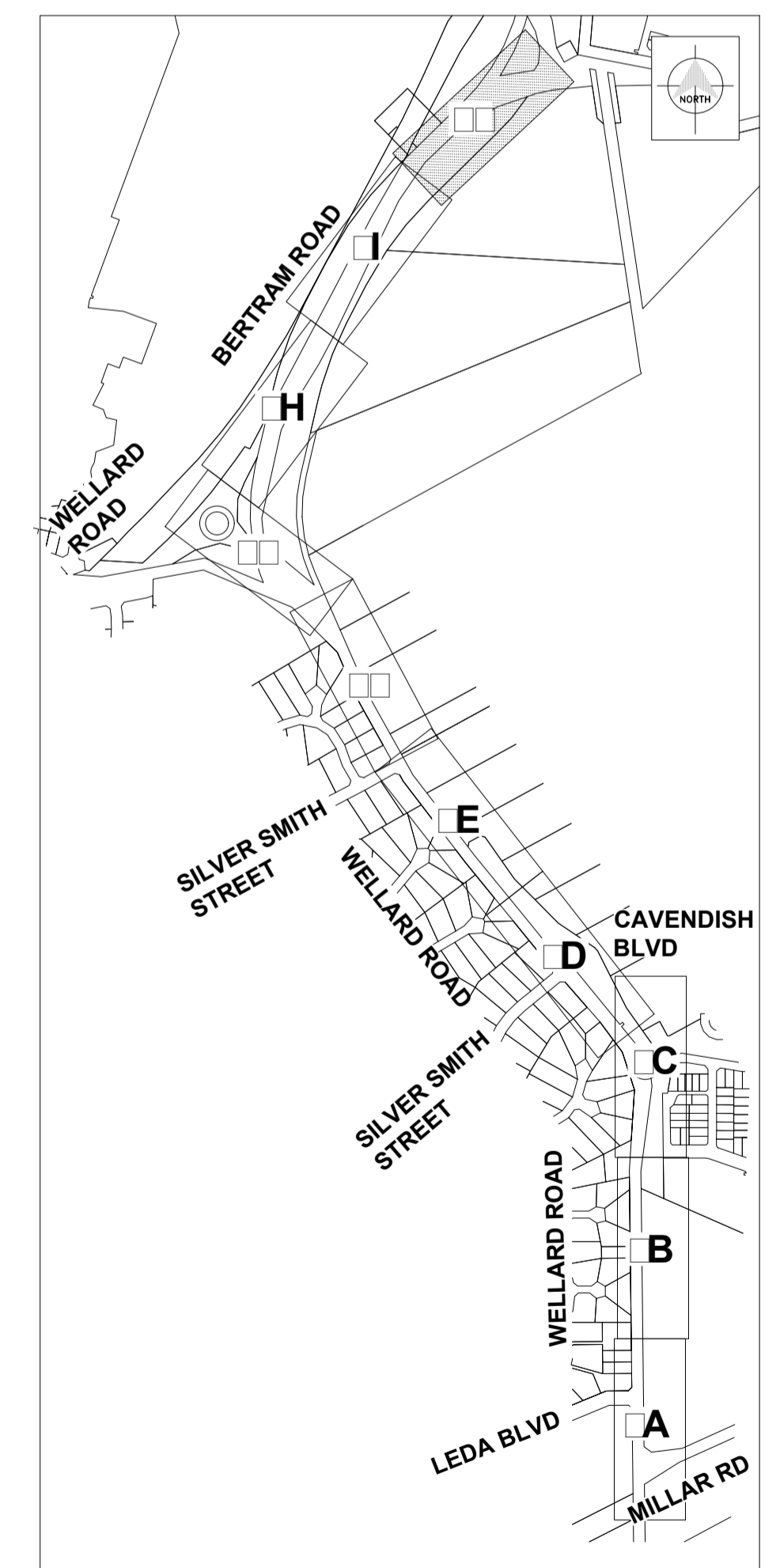
FILE NO.: WELL
 DRAWING NUMBER: 20-010-49 REVISION: B



ACQUIRED LAND		
LOT NO.	AREA (m ²)	DESCRIPTION
501	4,415.44	LEDA NATURE RESERVE - BUSH FOR EVER
8001	1735.53	POS
8002	15.76	POS
8011	724,199	POS
9000	751.80	PRIVATE OWNER
81	2,115.80	PRIVATE OWNER
79	2,088.82	PRIVATE OWNER
77	951.65	PRIVATE OWNER
75	2,974.39	PRIVATE OWNER
73	2,115.47	PRIVATE OWNER
71	2,270.76	PRIVATE OWNER
UNKNOWN	464.05	CROWN LAND
19	9,988.24	TRAMWAY RESERVE - CROWN LAND
TOTAL	37.13ha	



LEGEND
 — EXISTING CADASTRAL BOUNDARIES
 — PROPOSED ROAD BOUNDARIES (MRS AMENDMENT)



REV	DATE	DESCRIPTION	DRAWN
B	03/20	ISSUED FOR COMMENT - PROPOSED BOUNDARY UPDATED	S.H
A	11/19	ISSUED FOR COMMENT	S.H

ASSOCIATE CONSULTANT:



PROJECT:
 WELLARD ROAD DUAL CARRIAGE WAY
 MILLAR ROAD TO BERTRAM ROAD – WELLARD

PHONE: (08) 9439 0200 ADDRESS: Cnr Gilmore Avenue and Sulphur Road, Kwinana WA 6167
 FAX: (08) 9439 0222
 EMAIL: admin@kwinana.wa.gov.au
 WEB: http://www.kwinana.wa.gov.au

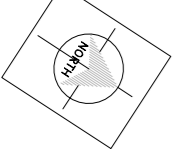
SCALE: 1:500 (A1)
 DESIGN: S.H CHECK: S.H
 DRAWN: S.H DATE: 11/19
 AUTHORISED (MANAGER ENGINEERING SERVICES):
 R.NAJAFZADEH

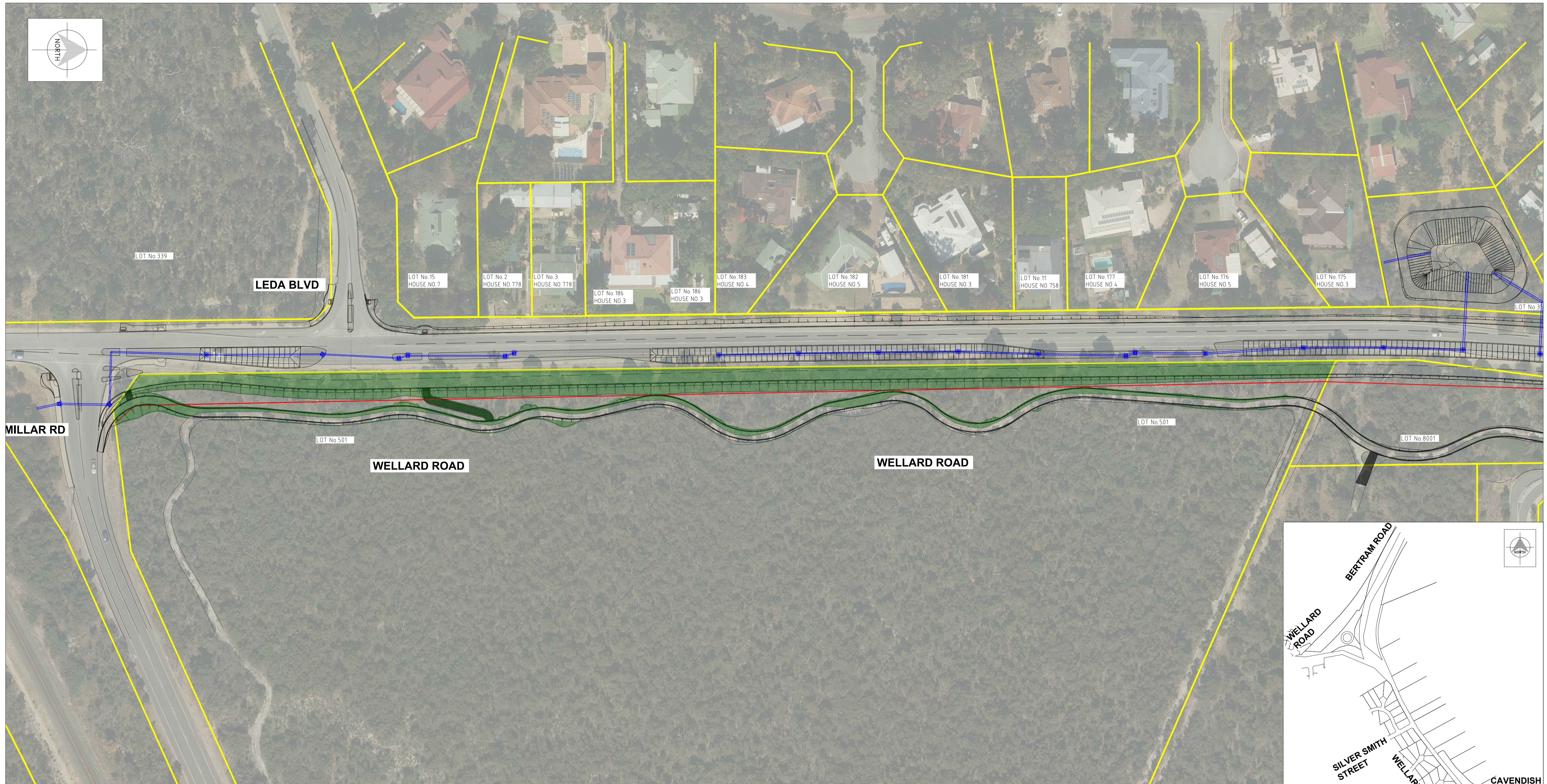
DRAWING TITLE:
 MRS AMENDMENT
 GENERAL LAYOUT
 SHEET 10 OF 10

FILE NO.: WELL
 DRAWING NUMBER: 20-010-50 REVISION: B



LEGEND
DOTTED LINE WATER SUPPLY
DASHED LINE PROPOSED TRACK CORP.
SOLID LINE PROPOSED HIGHWAY CORP.
THICK SOLID LINE CORP.
THIN SOLID LINE PROPOSED LOCAL ROADWAY
THIN DASHED LINE PROPOSED LOCAL ROADWAY
THIN DOTTED LINE PROPOSED LOCAL ROADWAY

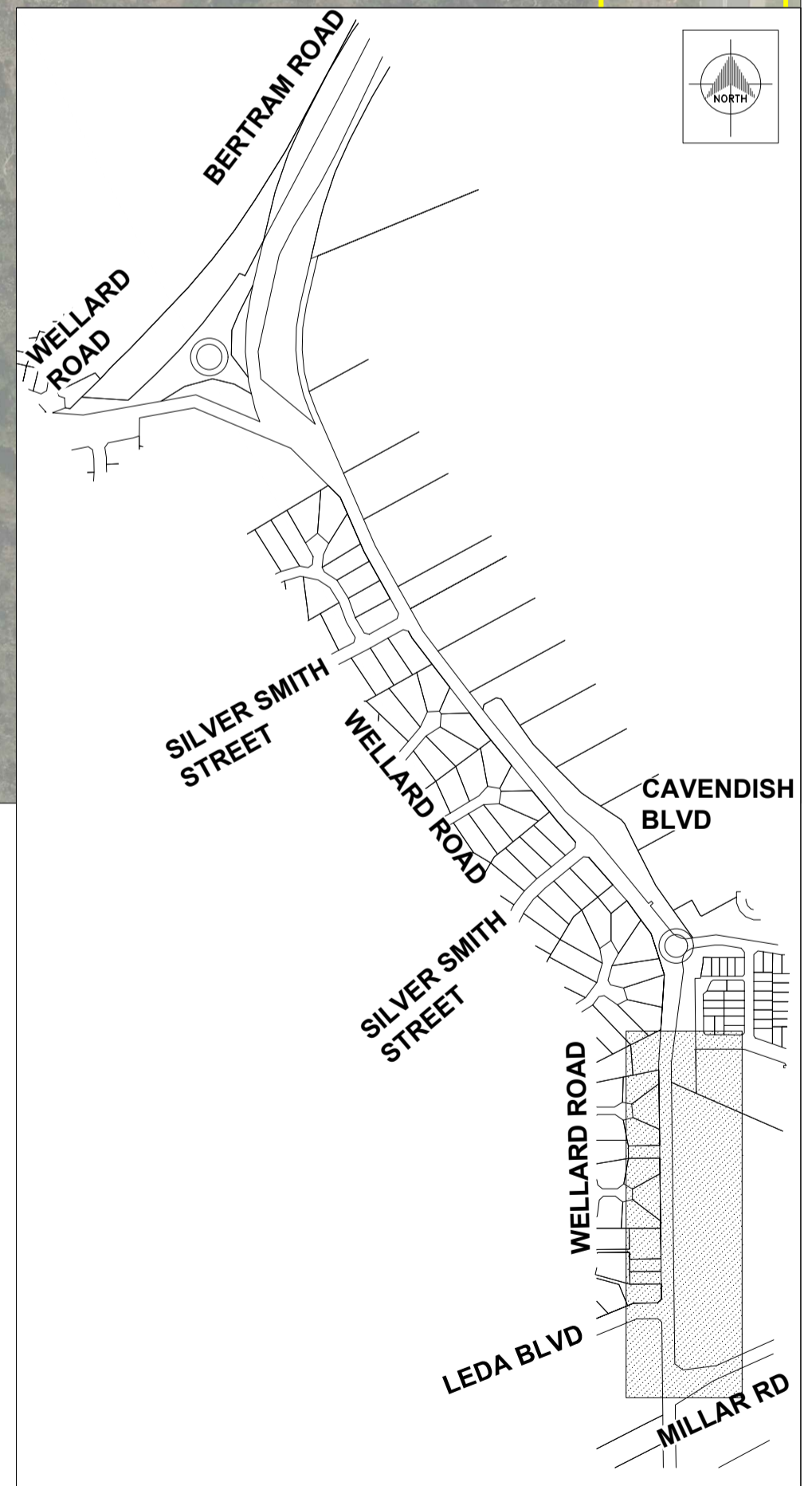




LAYOUT PLAN

- LEGEND**
- BATTER SLOPE
 - CLEARING AREA
 - PROPOSED SWALE
 - PROPOSED MEDIAN ISLAND
 - EXISTING CADASTRAL BOUNDARIES
 - EXISTING FENCE
 - PROPOSED ROAD BOUNDARIES (MRS AMENDMENT)

SCHEDULE OF QUANTITIES:
 1. CLEARING AREA A=5070m²=0.5ha



REV	DATE	DESCRIPTION	DRAWN
B	05/20	ISSUED FOR COMMENT	S.H
A	10/19	ISSUED FOR COMMENT	S.H

ASSOCIATE CONSULTANT:



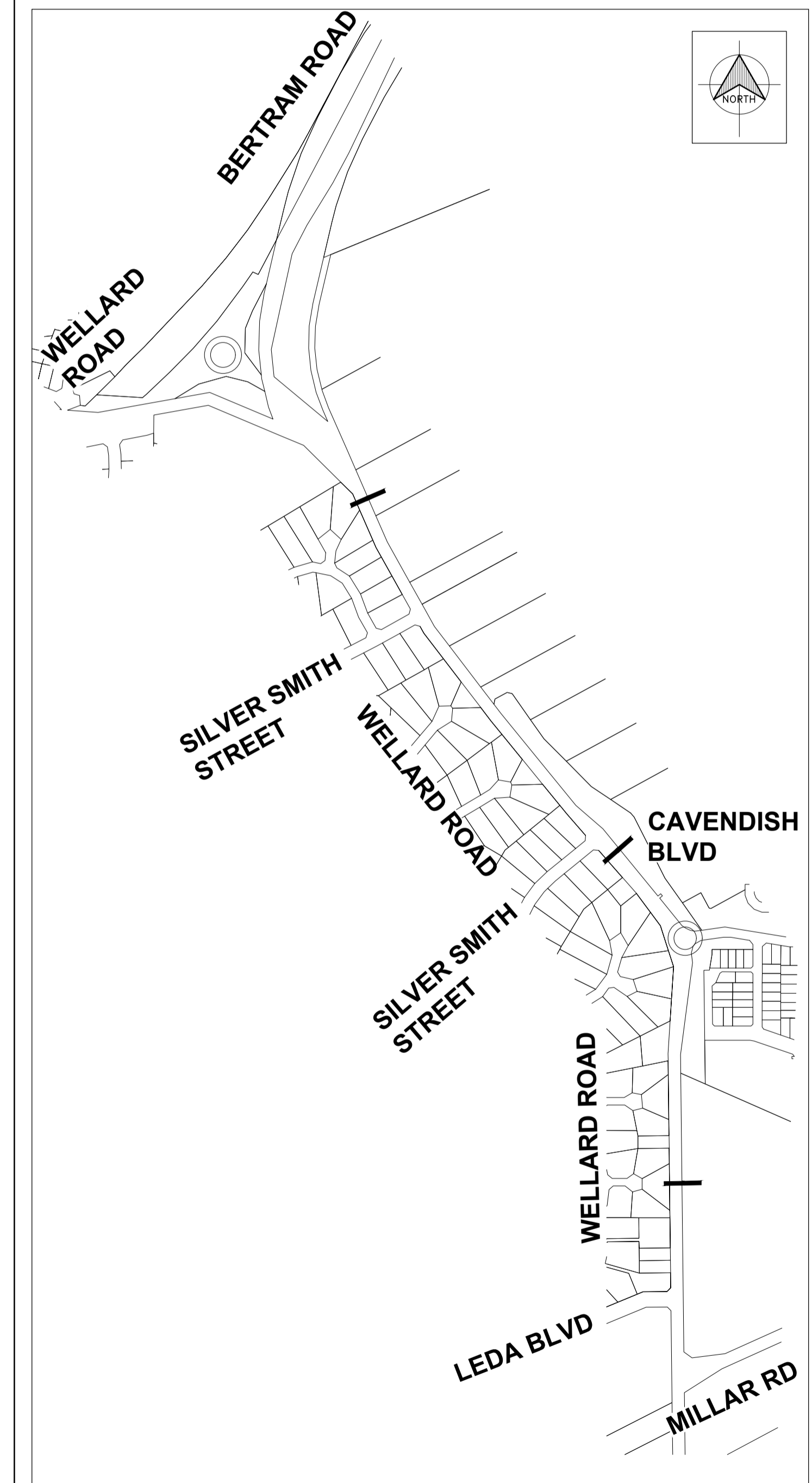
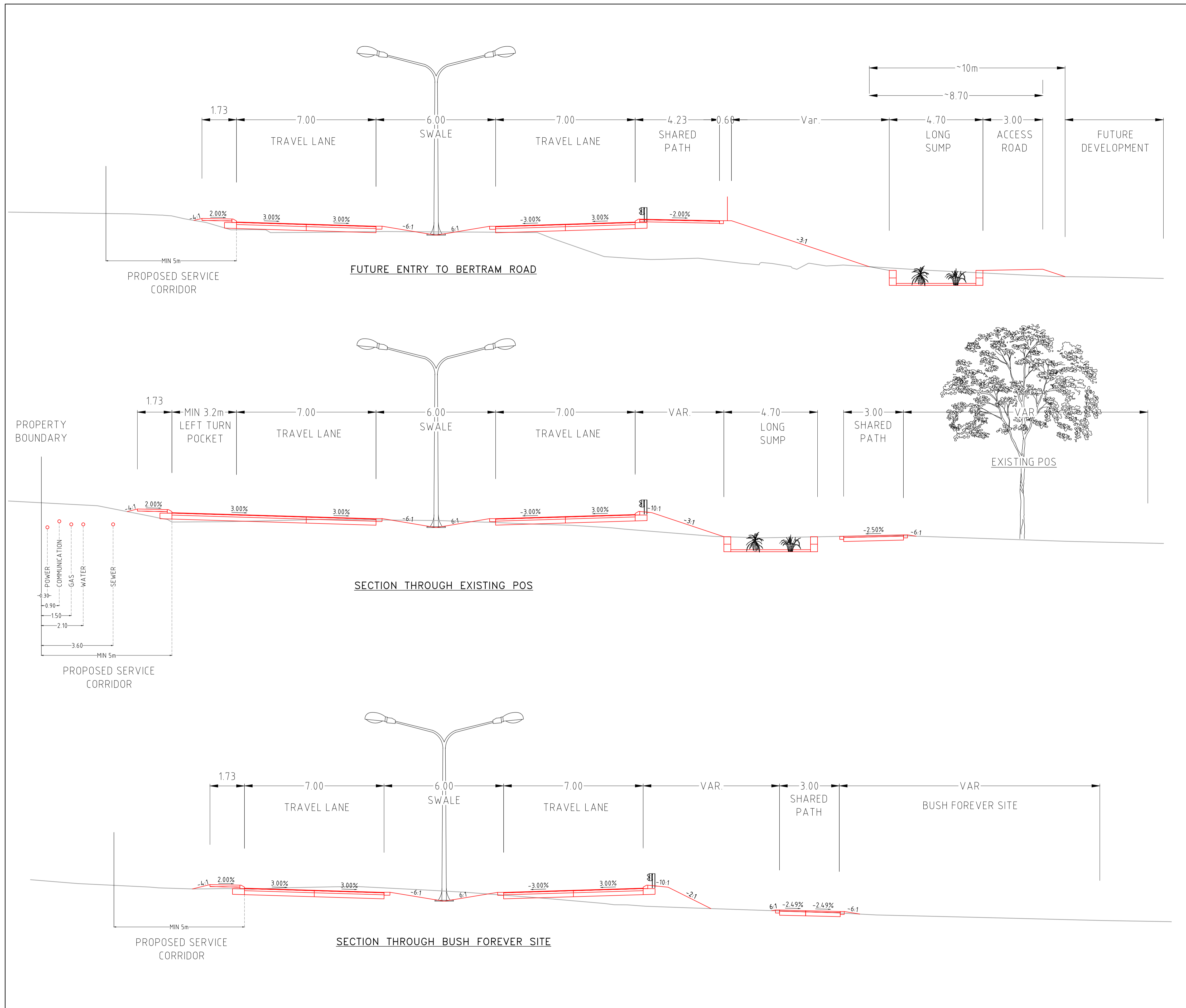
PROJECT: WELLARD ROAD DUAL CARRIAGE WAY
 MILLAR ROAD TO BERTRAM ROAD – WELLARD

PHONE: (08) 9439 0200 ADDRESS: Cnr Gilmore Avenue and Sulphur Road, Kwinana WA 6167
 FAX: (08) 9439 0222
 EMAIL: admin@kwinana.wa.gov.au
 WEB: http://www.kwinana.wa.gov.au

SCALE: 1:750 (A1)
 DESIGN: S.H CHECK: S.H
 DRAWN: S.H DATE: 10/19
 AUTHORISED (MANAGER ENGINEERING SERVICES):
 R.NAJAFZADEH

DRAWING TITLE: CLEARING AREA LAYOUT PLAN SHEET 1 OF 2

FILE NO: WELL
 DRAWING NUMBER: 20-010-71 REVISION: B



REV	DATE	DESCRIPTION	DRAWN
C	03/20	PROPOSED DRAINAGE LONG SUMP	S.H
B	08/19	REVISED SERVICE CORRIDOR WIDTH	S.H
A	07/19	ISSUED FOR COMMENT	S.H

ASSOCIATE CONSULTANT:



PROJECT: WELLARD ROAD DUAL CARRIAGE WAY
MILLAR ROAD TO BERTRAM ROAD – WELLARD

PHONE: (08) 9439 0200 ADDRESS: Cnr Gilmore Avenue and Sulphur Road, Kwinana WA 6167
FAX: (08) 9439 0222
EMAIL: admin@kwinana.wa.gov.au
WEB: http://www.kwinana.wa.gov.au

SCALE: 1:100 (A1)

DESIGN	S.H	CHECK	S.H
DRAWN	S.H	DATE	07/19

AUTHORISED (MANAGER ENGINEERING SERVICES)

R.NAJAFZADEH

DRAWING TITLE: TYPICAL CROSS SECTION PRELIMINARY DESIGN

FILE NO: WELL

DRAWING NUMBER: 20-010-85

REVISION: C

18 Reports – Civic Leadership

Nil

19 Notices of motions of which previous notice has been given

Nil

20 Notices of motions for consideration at the following meeting if given during the meeting

Nil

21 Late and urgent Business

Nil

22 Reports of Elected Members

Nil

23 Answers to questions which were taken on notice

Nil

24 Mayoral Announcements

Mayor Carol Adams reported that events of note that she had attended were:

- Conciliation Advisory Group Meeting
- Meeting with Eclipse Resources
- Mandogalup Improvement Scheme Vision Workshop (Industry)
- Mandogalup Improvement Scheme Vision Workshop (Mandogalup Community)
- Koorliny Art Centre Virtual Trivia Master as the guest presenter.
- Kwinana Local Economic Recovery Sub Committee meeting

The Mayor advised that media events she had participated in were:

- Business News, Local Government Wrap and Outer Harbour discussion
- Conciliation Advisory Group, participated in the filming of Reconciliation Week video
- Filming of Council round up for the Ordinary Council Meeting held on 27 May 2020
- Filming of the Community update on City's response to COVID-19
- Meeting with Minister Roger Cook MLA, Member for Kwinana
- South West Group Mayors and CEO's bi-monthly meeting
- Special Council Meeting, Consideration of advertising differential rates submission and request for Ministerial approval of 2020/2021 Proposed Differential Rates and Minimum Payments

24 MAYORAL ANNOUNCEMENTS

The Mayor mentioned that she had conducted the following Virtual Citizenship Ceremonies:

- 3 June 2020, six ceremonies
- 5 June 2020, six ceremonies
- 8 June 2020, four ceremonies
- 9 June 2020, six ceremonies
- 10 June 2020, twelve ceremonies

The Mayor provided the following updates regarding the WA Local Government Association:

- Weekly webinar briefings between Mayors, Chief Executive Officers and Local Government Minister David Templeman MLA
- Ministerial Roundtables – Stakeholder Engagement for Recovery Planning
On 27 May 2020 the Premier announced details on how the government was going to engage with key stakeholders and the community to support the State's recovery efforts. Part of the announcement included the establishment of the State Recovery Advisory Group and a series of Ministerial roundtable discussions.
- The Mayor was invited to participate in the State Recovery Stakeholder Engagement Roundtable focussing on Local Government and Leadership. The roundtable was co-hosted by Local Government Minister David Templeman MLA and Emergency Services Minister Fran Logan MLA.

The Mayor explained that the focus of the roundtable was to hear from local government leaders on:

- The impact of COVID-19 on respective local governments, both positive and negative
- The challenges and opportunities for recovery
- Share any quick wins to assist respective communities.

The Mayor advised that some of the general themes emerging from the feedback were:

- Better engagement with elected members via virtual platform (teams and zoom)
- Virtual meetings enable more efficiency and time saving especially for remote councils
- There is various ability between councils and Elected Members with virtual meetings and bandwidth problems for regional councils but a majority of councils are now electing to have a mixture of on line and in person meetings
- Pandemic gave councils the ability to reset some of our priorities
- Pandemic enabled long term partnerships to emerge with other organisations and local governments
- Greater co-operation between the regions (rural councils in particular)
- Able to short cut some of the bureaucracy given we local government had to respond quickly
- Job keeper and Jobseeker have had a positive impact but much angst in the community when the funds cease especially for those communities who have disadvantaged residents
- Rates is going to be challenge because reference to "rates freezing" has confused many people because the impost of the valuations are difficult to explain
- Emergency Service Levy (ESL) and Waste Water Rates are subject to Value General assessment

24 MAYORAL ANNOUNCEMENTS

- Request for ESL not to be collected by Local Governments
- The State and Local governments need to have a single message on Rates
- The City of Kwinana info video on how rates are calculated was promoted.

25 Confidential items

COUNCIL DECISION

184

MOVED CR W COOPER

SECONDED CR S WOOD

That, in accordance with Section 11.7 of the City of Kwinana *Standing Orders Local Law 2019*, Council move behind closed doors to allow discussion of the Confidential Item(s).

CARRIED
8/0

The Council Chambers doors were closed at 5:50pm.

25.1 Variations to kerbside waste and recycling contract

This report and its attachments are confidential in accordance with Section 5.23(2)(e) of the Local Government Act 1995, which permits the meeting to be closed to the public for business relating to the following:

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and

COUNCIL DECISION

185

MOVED CR W COOPER

SECONDED CR D WOOD

That Council:

1. Approve the following variations to the Waste Management Services – Waste and Recycling Collections, Processing and Disposal contract 618KWN16 with SUEZ Recycling and Recovery Pty Ltd –
 - a. A variation to the price rate for kerb-side recycling services, as per Attachment A, effective from 1 July 2020.
 - b. A 6 Month price review cycle, for the remainder of the contract.
2. Adopt the changes to Attachment A; Schedule of Recycling Price Rate Changes for Contract 618KWN16 to include the variation approved in (1).

CARRIED
8/0

COUNCIL DECISION

186

MOVED CR W COOPER

SECONDED CR S LEE

That Council return from Behind Closed Doors.

CARRIED
8/0

The Council Chambers doors were opened at 5:53pm.

26 Close of meeting

The Mayor declared the meeting closed at 5:53pm.

Chairperson:

24 June 2020