

Ordinary Council Meeting

13 May 2020

Minutes

Note – That due to the current COVID-19 social distancing requirements, and in accordance with recently amended *Local Government (Administration) Regulations 1996*, that this Ordinary Meeting of Council was held electronically.

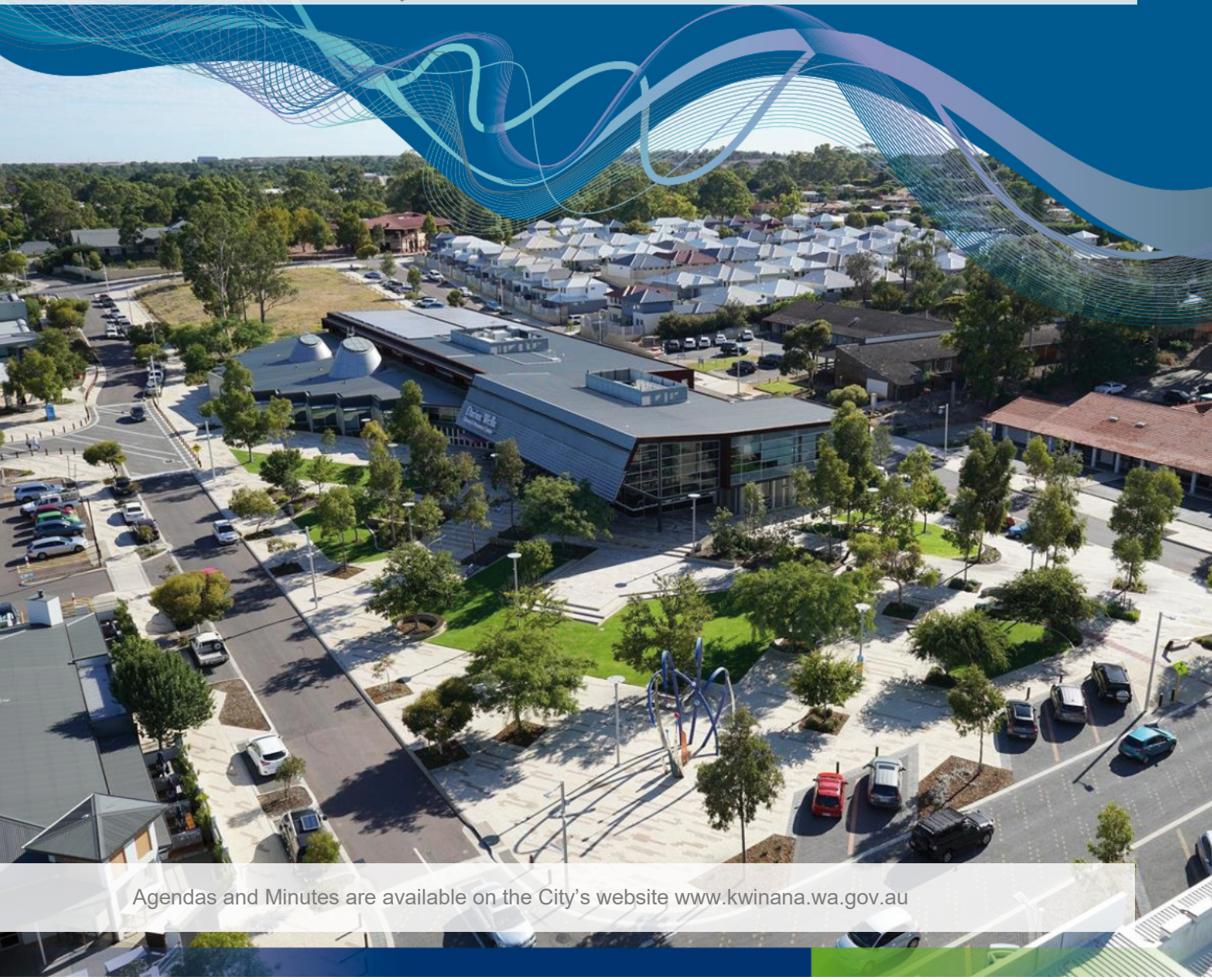


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Present:

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

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 Councillors and City Officers in attendance.

Councillor Merv Kearney joined the meeting at 5:31pm.

2 Acknowledgement of country

Presiding Member read the Acknowledgement of country

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

3 Dedication

Councillor Merv Kearney 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."

COUNCIL DECISION

154

MOVED CR W COOPER

SECONDED CR M ROWSE

That Council suspend Standing Order 7.12 Recording of Proceedings and suspend any other Standing Order (or part of a Standing Order) that does not facilitate the meeting occurring by way of an eMeeting including but not limited to any Standing Order that requires an Elected Member to stand or sit as well as any Standing Order that require a member of the public to be present during the meeting in order to ask a question or give a presentation or deputation.

**CARRIED
8/0**

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 22 April 2020:

COUNCIL DECISION

155

MOVED CR P FEASEY

SECONDED CR M KEARNEY

That the Minutes of the Ordinary Meeting of Council held on 22 April 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

Councillor Merv Kearney declared a financial interest in item 25.1, Rent Relief for City of Kwinana Tenants due to Kearney's Garden, Hardware and Pets leasing a property from Council.

9 Requests for leave of absence

COUNCIL DECISION

156

MOVED CR D WOOD

SECONDED CR W COOPER

That Mayor Carol Adams be granted a leave of absence on 28 May 2020.

**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

Nil

15 Reports – Economic

Nil

16 Reports – Natural Environment

Nil

17 Reports – Built Infrastructure

17.1 Retrospective Development Application for Equestrian Uses – Lot 34 (74) Treeby Road Anketell

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

An application has been received seeking retrospective planning approval to Equestrian Uses at Lot 34 Treeby Road, Anketell (Refer to the context map: Attachment A).

The proposal is for Equestrian Uses, whereby up to a total of 16 horses and ponies are kept at the property. The proposal includes the construction of additional stable and yard areas, with each horse/pony having its own designated yard and stable area (refer to Attachments F and G). It should be noted a number of the yard and stable areas have been constructed and additional stables and yards are yet to be constructed in accordance with Attachments F and G.

Lot 34 Treeby Road (the subject lot) is zoned Development under the City's Local Planning Scheme No. 2 (LPS2). Clause 2.4.2 states that in determining development applications, the City is to have regard to the '*orderly and proper planning of the locality and the preservation of the amenities of the locality*'.

The subject property is located a significant distance from residential development, being approximately 400 metres to the newly created Anketell North subdivision area adjacent to Anketell Road. The subject lot is also surrounded by large land holdings that consist of existing rural uses. The proposed Equestrian Use is considered to be consistent with the rural nature of the area and will therefore have minimal impact on the amenity of the area.

The *Planning and Development (Local Planning Schemes) Regulations 2015* state that development applications in an area covered by an approved Local Structure Plan (LSP) are to have due regard to the provisions of the approved LSP. A LSP for the Anketell North precinct (which includes the subject lot), has been prepared and endorsed by the Western Australian Planning Commission (WAPC) (see Attachments B and C) and is referred to as the Anketell North Local Structure Plan (Anketell North LSP).

Under the Anketell North LSP, the subject lot is predominately designated as future Residential R30 zoned land which is not compatible with equestrian uses (which are a non-permitted uses in a residential zone). Therefore, City Officers recommend the application be granted temporary approval, valid for two years. This recommendation for temporary approval demonstrates that due regard has been given to the Anketell North LSP. Limiting the approval timeframe will ensure future development in accordance with the LSP is not undermined.

Therefore it is recommended the application be approved subject to conditions.

17.1 RETROSPECTIVE DEVELOPMENT APPLICATION FOR EQUESTRIAN USES – LOT 34 (74) TREEBY ROAD ANKETELL

OFFICER RECOMMENDATION:

That Council approve the application for Equestrian Uses at Lot 34 (76) Treeby Road, Anketell subject to the following conditions and advice:

CONDITIONS:

- (1) The premises being kept in a neat/tidy condition at all times by the owner/occupier to the satisfaction of the City of Kwinana.
- (2) The keeping of up to a total of 16 horses/ponies is to be managed in accordance with the approved Equine Management Plan (EMP) to the satisfaction of the City of Kwinana.
- (3) Fencing is to be installed and maintained to the satisfaction of the City of Kwinana.
- (4) Stable floors, yards and wash-down areas are to be constructed with impervious material such as concrete or compacted limestone within 90 days from the date of this approval to maximise the prevention of nutrients entering into the soil and groundwater.
- (5) No indigenous tree, scrub or other vegetation may be removed from the site except which are deemed by the City to be diseased or dangerous, or for the purposes of a firebreak construction (as per the City of Kwinana Fire Break Notice).
- (6) The proponent shall implement dust control measures for the duration of the land use to the satisfaction of the City of Kwinana.
- (7) This approval is valid for 24 months from the date of this determination. Prior to the expiry of this approval, the use of the land shall cease and the land made good to the satisfaction of the City of Kwinana.

ADVICE NOTES:

- (1) The proponent is advised that all future development must be submitted to the City of Kwinana prior to the commencement of works or alteration of land use.
- (2) Should the proponent be aggrieved by the decision or any condition imposed, then a right of review may be lodged with the State Administrative Tribunal within 28 days of the date of this decision.
- (3) In relation to Condition 3, the proponent is advised to refer to the Stocking Rate Guidelines for Rural Smallholdings for further information regarding fencing specifications. The guidelines can be found on the Department of Primary Industries and Regional Development (DPIRD) website.
- (4) In relation to Condition 7, the land use is approved for a two year period from the date of the determination notice only. An application is required to be submitted to the City of Kwinana and an approval obtained prior to continuing with the land use beyond that date.
- (5) In accordance with the Environmental Protection Act (1986) Clearing of Native Vegetation Regulations (2004), the land use (stocking with horses) requires a Clearing Permit from the Department of Water and Environmental Regulation (DWER). The site is mapped a Threatened Ecological Community (Low Lying Banksia Woodlands or Shrublands), Environmentally Sensitive Area, contains Priority species and is adjacent to a Bush Forever Site No. 270. The proponent is advised to contact DWER for further information.

17.1 RETROSPECTIVE DEVELOPMENT APPLICATION FOR EQUESTRIAN USES – LOT 34 (74) TREEBY ROAD ANKETELL

- (6) Western Australia (WA) has a mandatory livestock ownership, identification and movement system. All livestock owners and beekeepers within WA must be registered and their stock identified in accordance with the Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013. Livestock includes animals kept as pets. The proponent is advised to contact DPIRD for further information.
- (7) The proponent is advised that this conditional development approval is not a building permit giving authority to commence construction. Prior to any building work commencing on site a Building Permit must be issued and penalties apply for failing to adhere to this requirement.
- (8) A Groundwater Licence is required should groundwater draw be necessary for irrigation for purposes other than domestic and/or stock watering. If there is an existing licence for the property, it may need to be amended to change the purpose or area. You are advised to contact the Department of Water and Environmental Regulation for more information on licensing.
- (9) The proponent shall make application for initial registration of equine premises to the City of Kwinana for approval.
- (10) The proponent should ensure the proposed development complies with all other relevant legislation, including but not limited to, the Environmental Protection Act 1986 and Regulations, Health (Miscellaneous Provisions) Act 1911 and Regulations, City of Kwinana Health (Keeping of Horses and Equine Premises) Local Law 1997, Contaminated Sites Act 2003 and the National Construction Code.

DISCUSSION:**Land Status**

Local Planning Scheme No. 2: Development Zone
Metropolitan Region Scheme: Urban Zone

Background

The subject application has been received as a result of an identified non-compliance noted by the City in September 2019. At this time, it was brought to the attention of City Officers that the keeping of horses was occurring at the property without prior approval.

Consequently, a letter was sent to the occupier of the property outlining that the use of the property for Equestrian Uses requires an approval of the City. The occupier was advised to submit a retrospective development application for Councils consideration.

It should be noted that the subject site was historically approved for the keeping of up to four horses. The approved land use was for Stables which is defined under LPS2 as: *'land and buildings used or adapted for use for the keeping of horses'*. However, in 2015 the then property owner advised the City that the use of the land for keeping of horses is no longer being undertaken and the use of the land for keeping of horses ceased. Since this time the zoning of the land has changed from Rural A to Development. In accordance with LPS2, where a non-conforming use of any land has been discontinued for a period of six months or more, such land shall not thereafter be used otherwise than in conformity with the provisions of the Scheme. Considering the land use for Stables is not a permitted use within the Development zone, the original approval for Stables is no longer in effect on the subject lot. The property has since been sold and the current occupier has now submitted the subject application.

17.1 RETROSPECTIVE DEVELOPMENT APPLICATION FOR EQUESTRIAN USES – LOT 34 (74) TREEBY ROAD ANKETELL

The Proposal

The proposed use of the site is classified as 'Equestrian Uses' under LPS2. LPS2 defines Equestrian Uses as: *'buildings, facilities and land designed and used for equestrian activities whether or not for commercial gain and includes but is not limited to riding instruction, horse breeding, horse training, agistment, show jumping and dressage'*. Considering the substantial number of horses proposed to be kept at the subject lot and the fact that a number of horses are technically being agisted, City Officers advise that the proposal best fits the 'Equestrian Uses' definition over the definition for 'Stables' (as defined above). Furthermore, the proponent indicated that a number of the horses are currently being trained from the property for activities such as racing and rodeo. The proposal also includes a number of stables and yards as required (refer to Attachments F and G).

The application is for the following number of stock to be kept at the subject lot:

- 11 horses
- One (1) pony
- Four (4) miniature ponies

Each of the above horses/ponies is proposed to have its own stable and yard area with a total of 16 stables and yard areas being proposed. It should be noted that a number of these stables and yarded areas (five, to date) have already been constructed. The proponent has indicated that three horses at the property are owned by the property occupier with the remaining being horses in training that are agisted at the property or ex-race horses that are being rehabilitated after racing and will eventually be rehomed.

As part of an application for Equestrian Uses, an Equine Management Plan has been submitted as seen in Attachments D to G. This plan has been referred to Department of Water and Environmental Regulation (DWER) and the Department of Primary Industries and Regional Development (DPIRD) for advice as discussed later in this report.

Planning Assessment

Orderly Planning

The subject lot is zoned Development under LPS2. Clause 6.15.1 of LPS2 states that *'the purpose of the Development Zone is to provide for the orderly planning and development of larger areas of land in an integrated manner within a regional context whilst retaining flexibility to review planning with changing circumstances'*. Furthermore, Clause 2.4.2 of LPS2 states that in determining development applications, the City is to have regard to the *'orderly and proper planning of the locality and the preservation of the amenities of the locality'*.

The subject property is located a significant distance from residential development, being approximately 400 metres to the newly created Anketell North subdivision area adjacent to Anketell Road. The subject lot is also surrounded by large land holdings that consist of existing rural uses. The proposed Equestrian Use is considered to be consistent with the rural nature of the area and will therefore have minimal impact on the amenity of the area. Furthermore, the Equine Management Plan will ensure any impacts of the number of horses proposed to be agisted on the environment and amenity of the area are reduced.

17.1 RETROSPECTIVE DEVELOPMENT APPLICATION FOR EQUESTRIAN USES – LOT 34 (74) TREEBY ROAD ANKETELL

The proposed land use is best suited in rural areas surrounded by rural land uses, meaning that the proposed Equestrian use is well suited to its location. At the same time however, it is noted that the subject lot (and surrounding area) is envisaged to transition to urban as detailed in the LSP. Therefore, it is recommended the application be temporarily approved for up to 2 years. This recommendation is also consistent with the abovementioned Clause 6.14.1 of LPS2 in providing for flexibility during a time of change. A temporary approval will ensure the proposed use will not jeopardise the future planned development of the Anketell North area. This is further discussed below in relation to the structure planning element.

Local Structure Planning

The *Planning and Development (Local Planning Schemes) Regulations 2015* state that where there is an approved LSP, all development shall have due regard to the provisions of the structure plan. The subject lot is part of the approved LSP for the Anketell North precinct (Refer to Attachments B and C). The subject lot, is predominately designated as future Residential R30 zoned land and includes a small portion of a future primary school under the Anketell North Local Structure Plan (refer to the overlay plan as seen in Attachment C).

Under LPS2, Table 1 (Zoning and Use Classes) stipulates Equestrian Uses as an 'X' (not permitted) use within the Residential Zone. Although it is clear the proposed use is certainly inconsistent with the approved Anketell North Local Structure Plan, it is recommended the application be approved temporarily, for a maximum of two years to ensure the proposal has due regard to the structure planning and overall future of the area. While City Officers note that development timeframes are difficult to foresee and can change, it is considered that granting temporary approval is a reasonable outcome and will not conflict with future urban development especially given the time taken to approve and act on a subdivision. This is also considering there are no active or approved subdivision applications or Local Development Plans over the subject lot. Additionally, the nearest completed development within the Anketell North structure plan area is approximately 400 metres from the subject lot. Therefore, the proposal is considered to have due regard to the provisions of the Anketell North LSP and therefore is consistent with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*

Advice from the DWER and DPIRD

As previously mentioned, City Officers refer applications for the keeping of horses (Equestrian Uses and Stables) to DWER. In some instances applications are also referred to DPIRD for advice in relation to stocking rates and general management requirements.

In its response, DWER identified the subject lot is located within the catchment of the Peel Harvey Estuary System and therefore recommended the application be referred to DPIRD to provide expert advice particularly in relation to land uses within the Peel Harvey Estuary System and catchment area.

17.1 RETROSPECTIVE DEVELOPMENT APPLICATION FOR EQUESTRIAN USES – LOT 34 (74) TREEBY ROAD ANKETELL

In its response, DPIRD provided comment outlining how the proposed stocking rates (for 11 horses, one pony and four miniature ponies) could be achieved. Calculations were undertaken by DPIRD and a response provided outlining how all horses are required to be yarded/stabled for a minimum of 23 hours per day. DPIRD also provided standard comment regarding the management of the horses to ensure there will be no impact on the environment or groundwater quality. These management requirements include composting and removal of manure and type of flooring required within the yards and stables. These strict management requirements were provided to ensure the protection of the Peel Harvey Estuary System. The proponent has incorporated these requirements into an amended Equine Management Plan.

Conclusion

City Officers consider the proposal to be consistent with planning provisions stipulated under the *Planning and Development (Local Planning Schemes) Regulations 2015* and LPS2.

Although the proposed use does not align with the existing Local Structure Plan over the subject property, it is considered to meet the relevant objectives of the Development Zone.

City Officers consider it appropriate to grant a temporary approval for the subject application noting the context in which the subject lot is located.

This report demonstrates that the proposal contributes to the orderly and proper planning for the locality and preserves the amenity of the area. Due regard has been given to the approved Local Structure Plan without prejudicing the longer term development objectives of the subject lot. Therefore it is recommended Council approve the application subject to conditions.

LEGAL/POLICY IMPLICATIONS:

For the purpose of Councillors considering a financial or impartiality interest only, the proponent is Rodney Murray Jackson and Tammy Horn and the owner is Glenbrook Civil Engineering Contractors Pty Ltd

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

Legislation

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

On 8 April 2020 the Minister for Planning issued a Notice of Exemption for some elements of Development Approvals. One of these was adding an additional two (2) years to the time allocated for substantial commencement of the application. There are not considered to be implications for this application as the approval is for a temporary period only, with the use to cease and all improvements to be removed as per Condition 7.

**17.1 RETROSPECTIVE DEVELOPMENT APPLICATION FOR EQUESTRIAN USES – LOT 34 (74)
TREEBY ROAD ANKETELL****FINANCIAL/BUDGET IMPLICATIONS:**

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

ASSET MANAGEMENT IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

The Equine Management Plan has been designed to reduce potential impacts on the natural environment and groundwater. The proponent is also advised that a clearing permit is required to be submitted to DWER where native vegetation exists in grazing areas.

STRATEGIC/SOCIAL IMPLICATIONS:

This recommendation will 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:

There are no community engagement implications as a result of this report. While the City received complaints from residents within the wider Wandirua rural community, it was noted that majority of the concerns were relating to the management of the horses. This application is a planning application primarily for consideration of the land use (Equestrian Use). Furthermore, the recommendation is for a temporary approval only which also seeks to address management issues that were raised by complaints. Therefore it is deemed unnecessary to publicly advertise the application for comment.

PUBLIC HEALTH IMPLICATIONS

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

17.1 RETROSPECTIVE DEVELOPMENT APPLICATION FOR EQUESTRIAN USES – LOT 34 (74) TREEBY ROAD ANKETELL

RISK IMPLICATIONS:

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

Risk Event	Appeal of Council's decision on the proposed Equestrian Uses.
Risk Theme	Failure to fulfil statutory regulations or compliance requirements Providing inaccurate advice/ information.
Risk Effect/Impact	Reputation Compliance Environment
Risk Assessment Context	Strategic
Consequence	Minor
Likelihood	Possible
Rating (before treatment)	Low
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	<ul style="list-style-type: none"> • Work instructions in place and checklists used when assessing the application. • Consideration of the application within the statutory timeframes. • Compliance of the proposal with LPS2 and other relevant planning legislation. • Liaising with the proponent throughout the application process.
Rating (after treatment)	Low

COUNCIL DECISION

157

MOVED CR P FEASEY

SECONDED CR W COOPER

That Council approve the application for Equestrian Uses at Lot 34 (76) Treeby Road, Anketell subject to the following conditions and advice:

CONDITIONS:

- (1) The premises being kept in a neat/tidy condition at all times by the owner/occupier to the satisfaction of the City of Kwinana.
- (2) The keeping of up to a total of 16 horses/ponies is to be managed in accordance with the approved Equine Management Plan (EMP) to the satisfaction of the City of Kwinana.
- (3) Fencing is to be installed and maintained to the satisfaction of the City of Kwinana.

17.1 RETROSPECTIVE DEVELOPMENT APPLICATION FOR EQUESTRIAN USES – LOT 34 (74) TREEBY ROAD ANKETELL

- (4) Stable floors, yards and wash-down areas are to be constructed with impervious material such as concrete or compacted limestone within 90 days from the date of this approval to maximise the prevention of nutrients entering into the soil and groundwater.**
- (5) No indigenous tree, scrub or other vegetation may be removed from the site except which are deemed by the City to be diseased or dangerous, or for the purposes of a firebreak construction (as per the City of Kwinana Fire Break Notice).**
- (6) The proponent shall implement dust control measures for the duration of the land use to the satisfaction of the City of Kwinana.**
- (7) This approval is valid for 24 months from the date of this determination. Prior to the expiry of this approval, the use of the land shall cease and the land made good to the satisfaction of the City of Kwinana.**

ADVICE NOTES:

- (1) The proponent is advised that all future development must be submitted to the City of Kwinana prior to the commencement of works or alteration of land use.**
- (2) Should the proponent be aggrieved by the decision or any condition imposed, then a right of review may be lodged with the State Administrative Tribunal within 28 days of the date of this decision.**
- (3) In relation to Condition 3, the proponent is advised to refer to the Stocking Rate Guidelines for Rural Smallholdings for further information regarding fencing specifications. The guidelines can be found on the Department of Primary Industries and Regional Development (DPIRD) website.**
- (4) In relation to Condition 7, the land use is approved for a two year period from the date of the determination notice only. An application is required to be submitted to the City of Kwinana and an approval obtained prior to continuing with the land use beyond that date.**
- (5) In accordance with the Environmental Protection Act (1986) Clearing of Native Vegetation Regulations (2004), the land use (stocking with horses) requires a Clearing Permit from the Department of Water and Environmental Regulation (DWER). The site is mapped a Threatened Ecological Community (Low Lying Banksia Woodlands or Shrublands), Environmentally Sensitive Area, contains Priority species and is adjacent to a Bush Forever Site No. 270. The proponent is advised to contact DWER for further information.**
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- (7) The proponent is advised that this conditional development approval is not a building permit giving authority to commence construction. Prior to any building work commencing on site a Building Permit must be issued and penalties apply for failing to adhere to this requirement.**
- (8) A Groundwater Licence is required should groundwater draw be necessary for irrigation for purposes other than domestic and/or stock watering. If there is an existing licence for the property, it may need to be amended to change the purpose or area. You are advised to contact the Department of Water and Environmental Regulation for more information on licensing.**

**17.1 RETROSPECTIVE DEVELOPMENT APPLICATION FOR EQUESTRIAN USES – LOT 34 (74)
TREEBY ROAD ANKETELL**

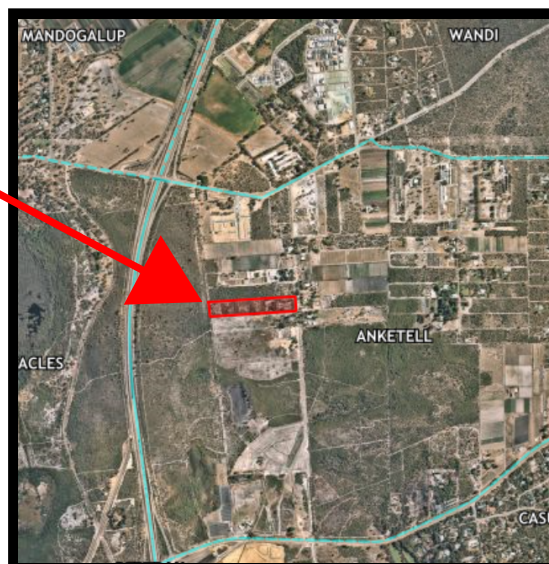
- (9) The proponent shall make application for initial registration of equine premises to the City of Kwinana for approval.**
- (10) The proponent should ensure the proposed development complies with all other relevant legislation, including but not limited to, the Environmental Protection Act 1986 and Regulations, Health (Miscellaneous Provisions) Act 1911 and Regulations, City of Kwinana Health (Keeping of Horses and Equine Premises) Local Law 1997, Contaminated Sites Act 2003 and the National Construction Code.**

**CARRIED
8/0**

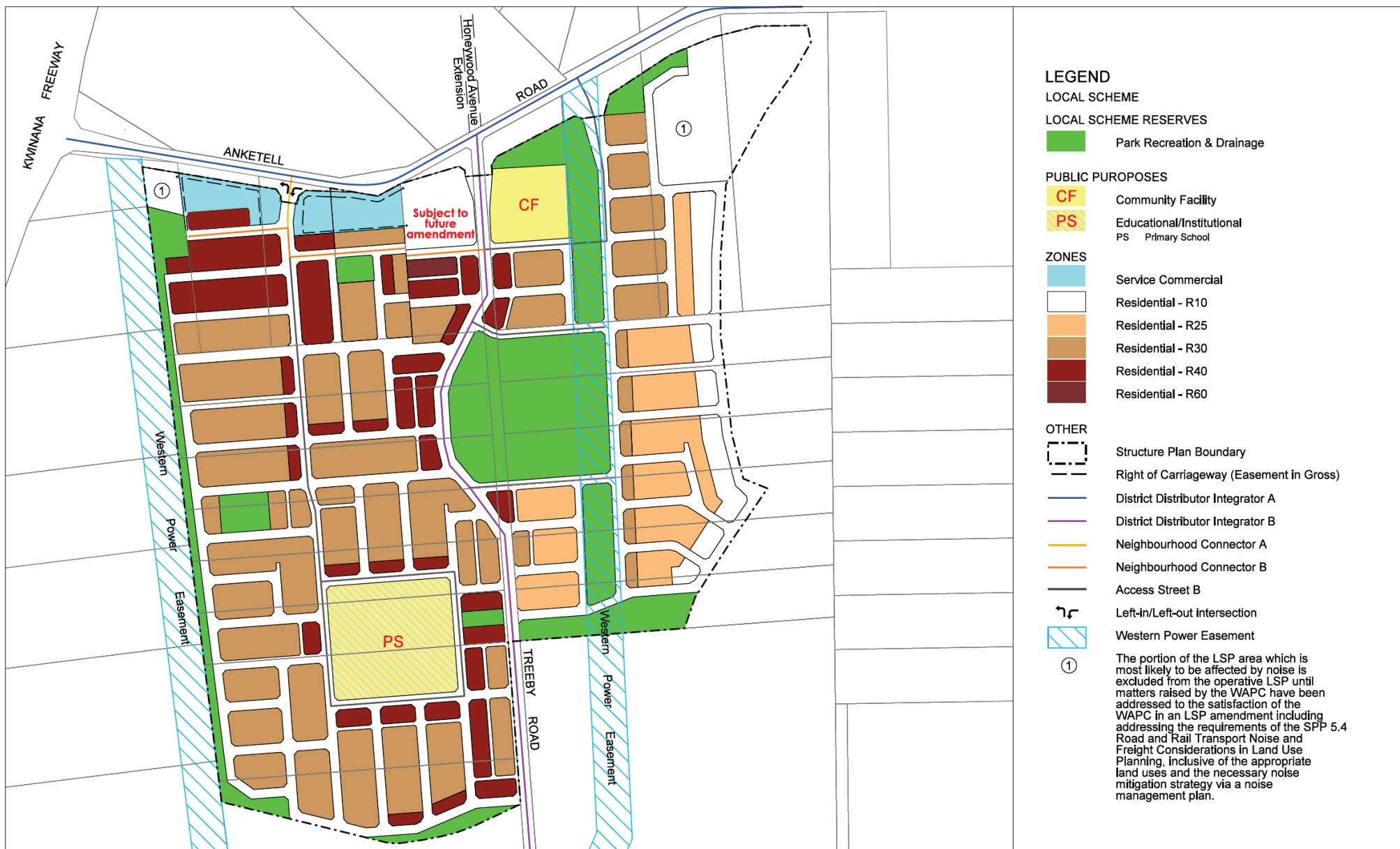
Attachment A: Context Map



Subject Lot



Attachment B: Anketell North Local Structure Plan



Source: VERIS, 190424 Anketell North Local Structure plan amd5 rev10.dwg

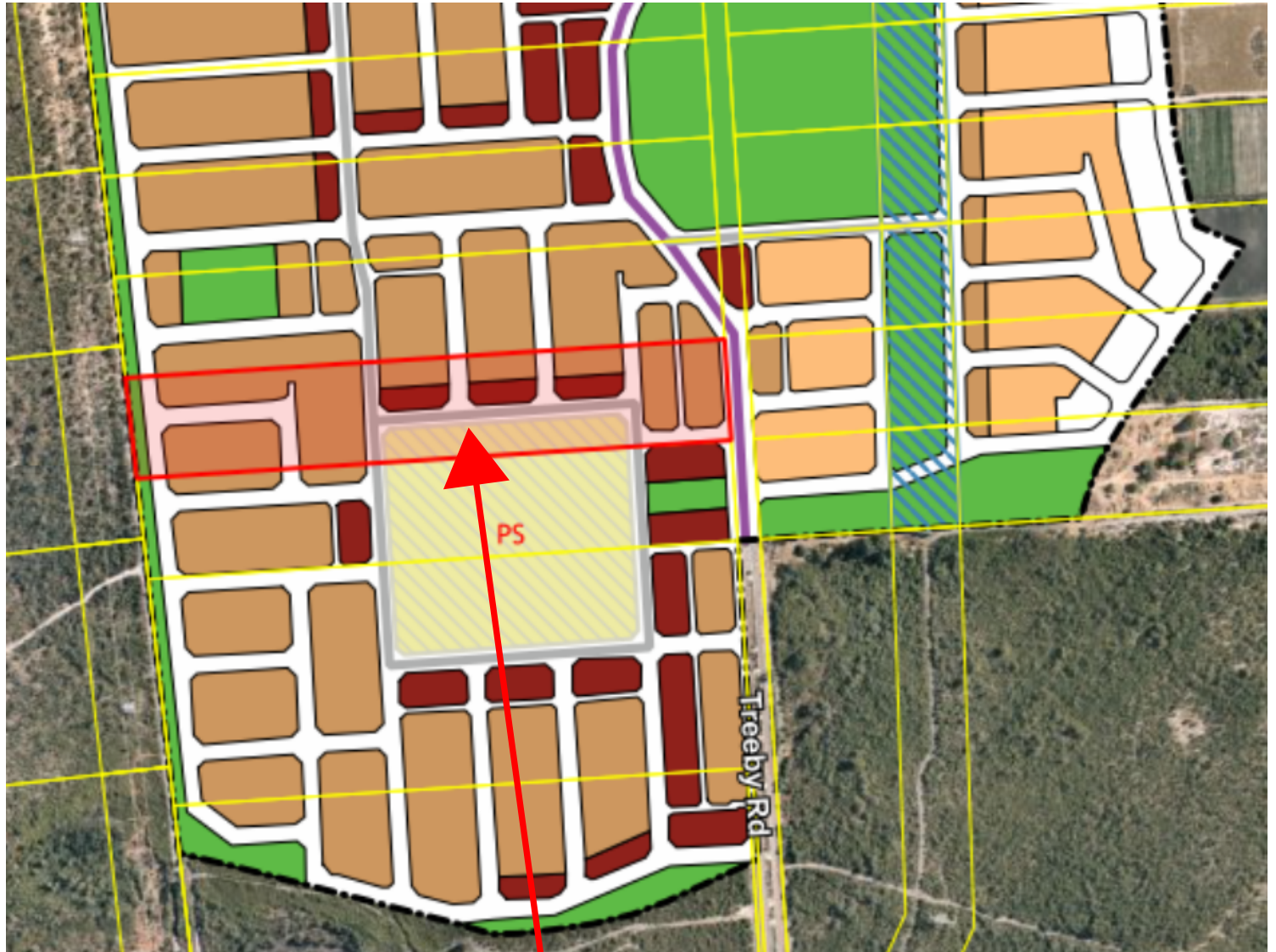
ANKETELL NORTH LOCAL STRUCTURE PLAN

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s: 1:6000@A3
d: 29 May 2019
p: 17/052/0078

Taylor Burrell Barnett
Taylor Burrell Barnett Town Planning and Design
Level 7, 160 St Georges Terrace, Perth WA 6000
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Attachment C: Anketell North Local Structure Plan Overlay



Subject Lot

LOT 34 Treeby Road ANKETELL

The use and development of the land is required to be in accordance with the Local Planning Scheme No.2, the Property Management Plan and all other legislation where applicable.

STOCK MANAGEMENT

1. Stocking Rates

No more than 11 horses, one (1) pony and four (4) miniature ponies shall be kept on the property at any one time. Stocking Rate as determined by the Department of Water and Environment Regulation and the Department of Primary Industries and Regional Development.

2. Period of stabling and yarding (hours per day)

Each horse and pony shall be yarded for a minimum of 23 hours a day.

All horses/ponies will access fenced paddocks on the property for a period of one (1) hour per day only.

3. Water Supply

Sufficient water supply is to be available to sustain the number of horses and ponies, even in the hottest weather. Adult horses require 45 litres (L) per day and up to 70 L/day in summer.

4. Paddocks

Paddocks shall be developed in accordance with the following conditions:

- Horses are to be rotated between paddocks, or paddocks and stables to rest paddocks.
- No grazing on any paddocks that, in the opinion of the City, become deficient of adequate grass cover.
- Water troughs shall be cleaned regularly and checked regularly to ensure appropriate operation.
- Horses shall be hand fed to reduce overgrazing paddocked areas and have minimum 4 – 5 foot rolls of hay 24/7 to graze on.
- All paddocked areas shall be fenced to the satisfaction of the City of Kwinana.

5. Stables

All horses and ponies are kept in reticulated stables and/or yards with impermeable floors so that uneaten feed, manure and urine soaked bedding can be collected.

6. Waste Management

All horse manure shall be collected from stables, paddocks and yards on a daily basis and be temporarily stockpiled in an enclosed area on an impermeable surface and regularly removed from the property to an appropriate waste disposal facility.

7. Vegetation Management

In accordance with the *Environmental Protection Act (1986) Clearing of Native Vegetation Regulations (2004)* the land use (stocking with horses) requires a Clearing Permit from the Department of Water & Environmental Regulation. The site is mapped a Threatened Ecological Community (Low Lying Banksia Woodlands or Shrublands), Environmentally Sensitive Area, and contains Priority species and is adjacent to Bush Forever Site No. 270.

8. Stormwater Management

Uncontaminated stormwater shall be kept separate from wastewater generated equine activities.

9. Dust Control

Bore water to be used daily on paddocks/yards if needed to keep dust under control.

10. Fly Management

Fly management is to be undertaken through traps being placed around the property.

11. Fencing

Fencing is to be provided and maintained to the satisfaction of the City of Kwinana. Further information regarding fencing can be found in the *Stocking Rate Guidelines for Rural Small Holdings* on the Department of Primary Industries and Regional Development website.

12. Approval

- a) This approval does not negate the requirement for the landowner to gain an Equine Premises approval from the City of Kwinana's Environmental Health Services. The Equine Premises approval shall be complied with the conjunction with the Planning Approval.
- b) The applicant may apply to the City of Kwinana to vary the conditions of this approval from time to time. The City of Kwinana may refuse to vary the conditions, approve the variance subject to additional conditions or grant approval unconditionally at its absolute discretion.

BIOSECURITY - LIVESTOCK IDENTIFICATION

Western Australia (WA) has a mandatory livestock ownership, identification and movement system. All livestock owners and beekeepers within WA must be registered and their stock identified in accordance with the *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013*. Livestock includes animals kept as pets.

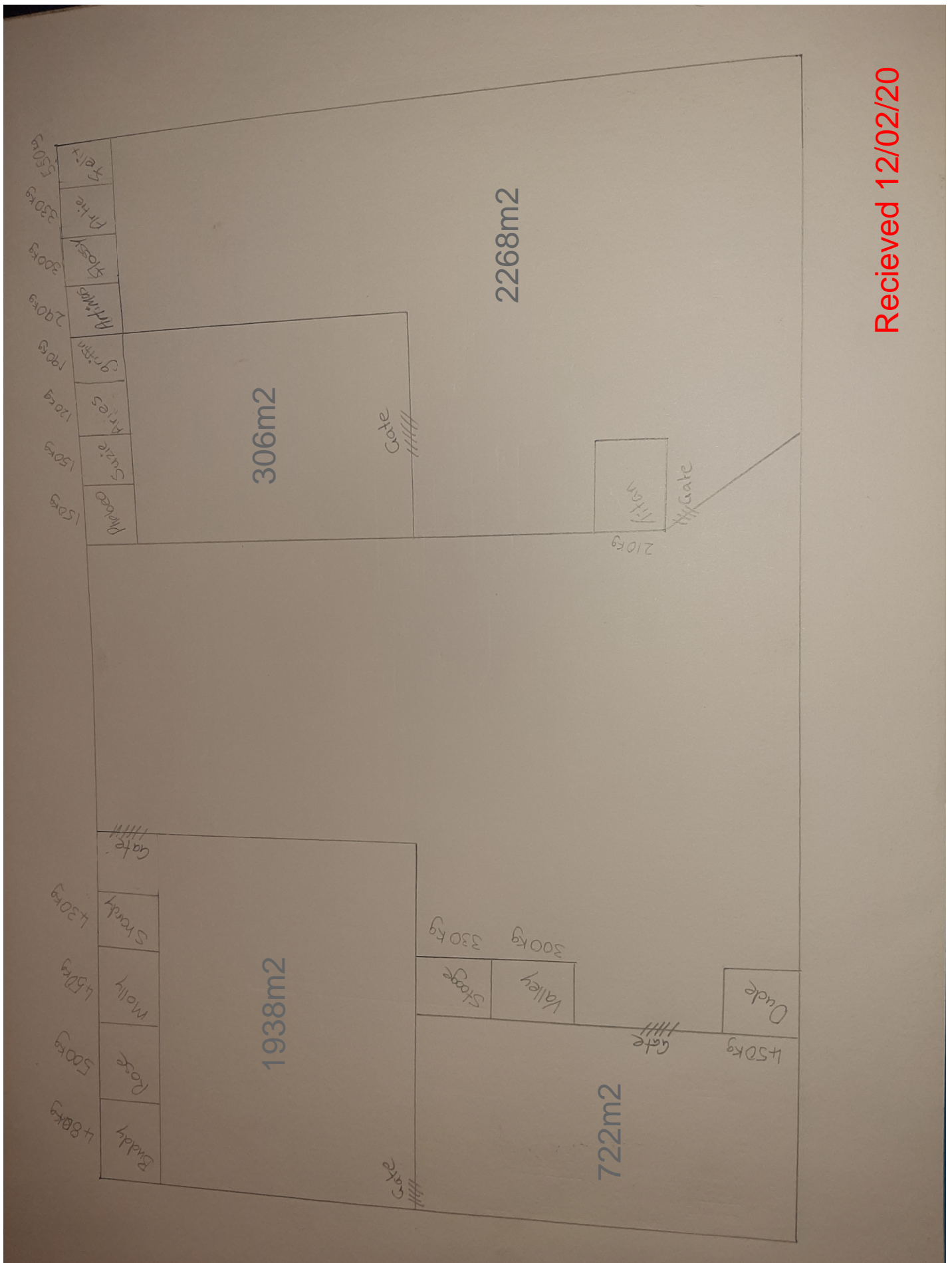
STATE PLANNING POLICY 2.1

The applicant is advised this management plan should be read in conjunction with State Planning Policy 2.1: *The Peel-Harvey Coastal Plain Catchment*.

Attachment F: Equine Management Plan - Site Plan

Equine Management Plan

LOT 34 (74) Treeby Road ANKETELL



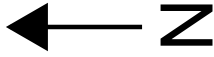
Recieved 12/02/20

Attachment G: Equine Management Plan - Site Plan

Equine Management Plan

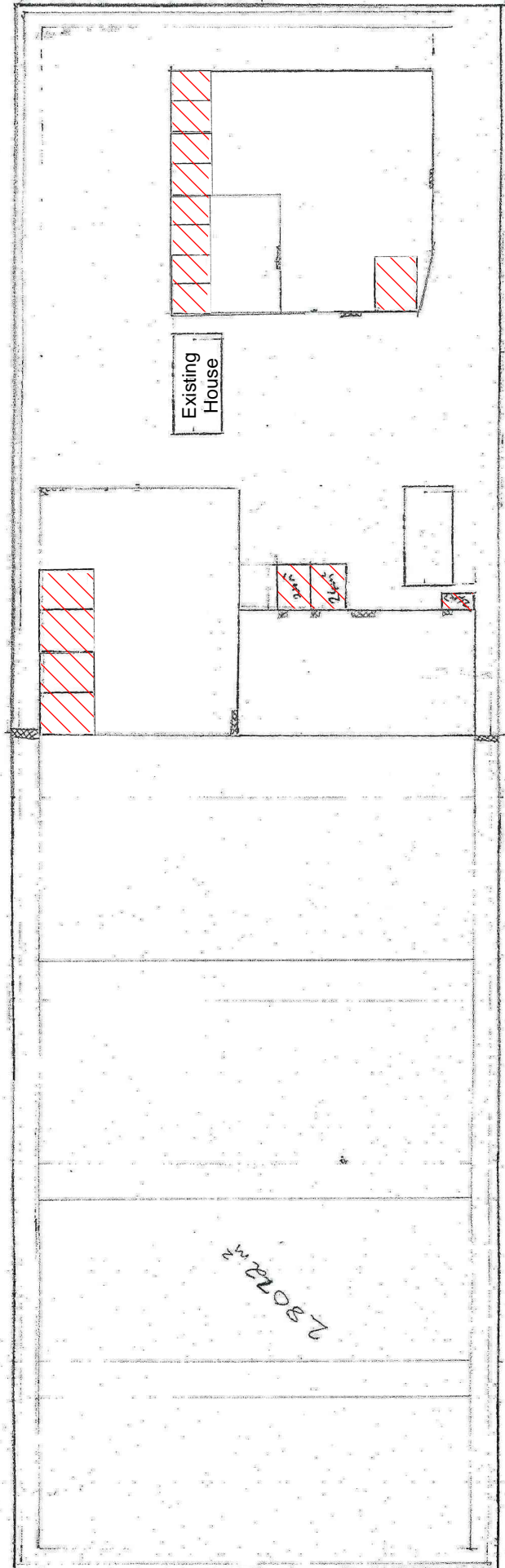
LOT 34 (74) Treeby Road ANKETELL

Site Plan 74 TREEBY RD, ANKETELL



Key

 = Stables/Yards



17.2 Potential Metropolitan Region Scheme Amendment – Lots 52 and 53 McDowell Lane and Lots 104, 107 and 108 Thomas Road, the Spectacles

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

The Department of Planning, Lands and Heritage (DPLH) is seeking preliminary comment from the City of Kwinana (City) concerning a potential amendment to the Metropolitan Region Scheme (MRS) to rezone Lots 52 and 53 McDowell Lane and Lots 104, 107 and 108 Thomas Road, The Spectacles from 'Rural' and 'Parks and Recreation' to 'Urban' (Attachment A). For brevity and clarity the area the subject of the potential amendment is referred to in this report as the 'Thomas Road Triangle'.

Once the DPLH has received comments from key agencies it will seek advice from the Western Australian Planning Commission (WAPC) and then advise the proponent whether, or not, the potential amendment is likely to be supported. The proponent can then decide whether to lodge a formal amendment proposal with the WAPC.

The concept plan included with the proponent's documentation (Attachment B) identifies the proposed future use of the Thomas Road Triangle as 'Mixed Business'.

The potential MRS amendment raises a number of regionally and locally significant planning and environmental issues. The issues are discussed in this report and include the following:

- i. Land use optimisation in the vicinity of the Kwinana Freeway/Thomas Road interchange and Kwinana Train Station.
- ii. Regionally and locally significant environmental values, including:
 - vegetation communities, flora species, fauna habitat and fauna species; and
 - remnant vegetation within the Thomas Road Triangle is part of an ecological linkage.
- iii. Proximity to the service commercial area on the eastern side of the Kwinana Freeway/Thomas Road interchange.
- iv. Traffic flow and safety of the transport network.

City Officers are currently considering these issues as part of the preparation of a new draft Local Planning Strategy. City Officers are of the view that any consideration of an MRS amendment for this locality is premature and will prejudice the outcome of the new draft Local Planning Strategy.

It is important to note that Council considered the potential for an MRS and Local Planning Scheme (LPS) amendment to rezone the Thomas Road Triangle to 'Mixed Business' land uses in March 2016 where it provided 'in principal' support to a rezoning. This was conditional upon a number of key criteria which needed to be addressed by the proponent and by Council. These criteria have not been addressed, and Council made it clear in its determination at that time that any future decision would not be fettered or prejudiced by that 2016 decision.

17.2 POTENTIAL METROPOLITAN REGION SCHEME AMENDMENT – LOTS 52 AND 53 MCDOWELL LANE AND LOTS 104, 107 AND 108 THOMAS ROAD, THE SPECTACLES**OFFICER RECOMMENDATION:**

That Council takes the following action in relation to the potential Metropolitan Region Scheme (MRS) amendment to rezone Lots 52 and 53 McDowell Lane and Lots 104, 107 and 108 Thomas Road, The Spectacles (Thomas Road Triangle) from 'Rural' and 'Parks and Recreation' to 'Urban':

1. Advise the Department of Planning, Lands and Heritage (DPLH) that it does not support the potential MRS amendment for the following reasons:
 - a) The potential amendment area raises a number of significant strategic planning issues; including:
 - i. Land use optimisation in the vicinity of the Kwinana Freeway/Thomas Road interchange and Kwinana Train Station.
 - ii. Regionally and locally significant environmental values, including:
 - vegetation communities, flora species, fauna habitat and fauna species; and
 - remnant vegetation within the Thomas Road Triangle that is part of an ecological linkage.
 - iii. Proximity to the service commercial area on the eastern side of the Kwinana Freeway/Thomas Road interchange.
 - iv. Traffic flow and safety of the transport network.
 - b) A comprehensive environmental assessment should be completed to the satisfaction of the Department of Biodiversity Conservation and Attractions and the Commonwealth Department of Agriculture, Water and Environment pursuant to the Western Australian *Environmental Protection Act 1986* and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* which considers potential environmental impacts of the proposed development of the Thomas Road Triangle and future management of the regionally significant environmental values present in the area.
 - c) The City of Kwinana is currently preparing a new Local Planning Strategy and Council is of the view that the potential MRS amendment is premature and will prejudice the outcome of the new Local Planning Strategy.
2. Forward this Ordinary Council Meeting Report and Council's recommendations to the Department of Planning, Lands and Heritage.
3. Advises the proponents and the DPLH that the above determination about the potential MRS amendment to rezone Thomas Road Triangle supersedes and replaces Council's determination made on 23 March 2016 where it provided conditional 'in principal' support to a rezoning of this locality. That support was conditional upon a number of key criteria which needed to be addressed by the proponent and by Council. These criteria have not been addressed, and Council made it clear in its determination at that time that any future decision about the rezoning of this locality under the MRS and Local Planning Scheme No. 2 would not be fettered or prejudiced by its decision on 23 March 2016.

17.2 POTENTIAL METROPOLITAN REGION SCHEME AMENDMENT – LOTS 52 AND 53 MCDOWELL LANE AND LOTS 104, 107 AND 108 THOMAS ROAD, THE SPECTACLES**DESCRIPTION OF THE PROPOSED AMENDMENT:**

The potential MRS amendment to rezone Lots 52 and 53 McDowell Lane and Lots 104, 107 and 108 Thomas Road, The Spectacles (Thomas Road Triangle) encompasses a 9.39 hectares (ha) triangle of land, situated north of Thomas Road, east of the Perth-Mandurah Rail line and west of the Kwinana Freeway (Attachment C).

Lots 52 and 53 McDowell Lane are zoned 'Rural' under the MRS, and Lots 104, 107 and 108 Thomas Road are zoned 'Parks and Recreation'. The purpose of the potential MRS amendment is to rezone all of the lots within the Thomas Road Triangle as 'Urban' under the MRS.

The area the subject of the potential amendment is in close proximity to the following locations as shown in Attachment C:

- Kwinana Train Station (identified as a Local Centre);
- Kwinana Freeway/Thomas Road interchange;
- The Spectacles Parks and Recreation Reserve (part of Beeliar Regional Park);
- Thomas Road Service Station; and
- Orton Road service commercial area situated east of the Kwinana Freeway.

Proponent's justification

The proponent proposes that the Thomas Road Triangle be developed for a range of mixed business/service commercial uses (large format retail, direct factory outlets and office space) that would benefit from the proximity to the Kwinana Freeway and the Kwinana Train Station.

The proponent considers that office/business activities located with the Western Trade Coast (WTC) could be located in the Thomas Road Triangle to free up sites in industrial areas for industrial uses and provide employment at sites better serviced by public transport than the WTC.

The proponent considers that development of the Thomas Road Triangle for a range of mixed business uses will provide much needed employment opportunities within the City and make best use of the advantages offered by its location. The land uses would fit into a broad service commercial/mixed business category and could also include large format retail and direct factory outlets. It is the proponent's view that these land uses are large employers which would otherwise not locate in the City Centre and their presence would have no, or minimal effect, on the City Centre itself.

BACKGROUND:**Thomas Road Triangle**

As mentioned above, the Thomas Road Triangle is in close proximity to a number of land uses with significant transport, economic and environmental values, including:

- Kwinana Train Station (identified as a Local Centre);
- Kwinana Freeway/Thomas Road interchange;
- The Spectacles Parks and Recreation Reserve (part of Beeliar Regional Park);
- Thomas Road Service Station; and
- Orton Road service commercial area situated east of the Kwinana Freeway.

17.2 POTENTIAL METROPOLITAN REGION SCHEME AMENDMENT – LOTS 52 AND 53 MCDOWELL LANE AND LOTS 104, 107 AND 108 THOMAS ROAD, THE SPECTACLES

There is also a significant amount of bushland within the Thomas Road Triangle, situated within the Parks and Recreation reserve (Lots 104, 107 and 108) and on privately owned 'Rural' zoned land (Lots 52 and on Lot 53). There is one residential dwelling on Lot 52 and one residential dwelling on Lot 53.

The issues associated with determining potential future land uses within the Thomas Road Triangle are discussed below.

Previous Council resolution in relation to amending the MRS to rezone the Thomas Road Triangle from 'Rural' and 'Parks and Recreation' to 'Urban'

In 2016, City Officers considered a proposal to rezone Lots 52 and 53 McDowell Lane that would facilitate the development of these lots for mixed business purposes. On the 23 March 2016, Council gave its 'in principle' support to the rezoning of all of the lots within the Thomas Road Triangle to 'Urban' (including the lots reserved as 'Parks and Recreation') for the purposes of mixed business, subject to the following matters:

1. *A Metropolitan Region Scheme (MRS) Amendment to rezone the whole of the subject site from 'Rural' Zone and 'Parks and Recreation' reservation to 'Urban' Zone.*
2. *A consequential amendment to local Town Planning Scheme No. 2 (TPS No. 2) to rezone the whole of the subject site to 'Mixed Business' Zone under TPS No. 2 including any site - specific requirements that may emerge from detailed planning.*
3. *The 'in principle' support for 1 and 2 above is subject to the following requirements:*
 - a. *Council's support at a forthcoming Ordinary Meeting of Council to the current draft Local Planning Strategy, which identifies the subject site as future Mixed Business.*
 - b. *The proponent preparing a Concept Plan for the whole of the subject site which demonstrates the feasibility of the development of the site for future mixed business land uses taking into account such matters as traffic and access / egress into the site off Thomas Road and its Johnson Road intersection, effective subdivisional and lot design, land use permissibility and built form, noise, landscape, visual amenity impacts, environmental impacts and any potential offsets.*
 - c. *Letters of 'in principle' support from both Main Roads and the Western Australian Planning Commission (WAPC) and the owner of Lot 52 McDowell Lane to the Concept Plan and to the potential rezoning of the subject site to Mixed Business Zone under its TPS No 2. In respect to the WAPC, a commitment to an MRS amendment to rezone the land reserved as Rural and Parks and Recreation to Urban under the MRS.*
4. *Advises the applicant that Council's 'in principle' support to the initiation of an MRS and TPS No 2 amendment, based on its satisfaction of the above requirements, is on a without prejudice basis and Council is not fettered as a part of its consideration of any submission following advertising and may make any determination it deems appropriate for the amendments under its responsibilities under the Planning and Development Act 2005 and Town Planning Scheme No 2 including a decision not to proceed with the amendments.*

17.2 POTENTIAL METROPOLITAN REGION SCHEME AMENDMENT – LOTS 52 AND 53 MCDOWELL LANE AND LOTS 104, 107 AND 108 THOMAS ROAD, THE SPECTACLES

Council's resolution in March 2016 was based on the previous version of the City's draft Local Planning Strategy which had been advertised for community comment during 2015. The previous draft Local Planning Strategy identified all of the Thomas Road Triangle as 'Future Mixed Business/Light Industry' on the basis that:

- the lots are in close proximity to Kwinana Freeway and Thomas Road and are accessible for local and regional traffic; and
- there is a shortage of good quality sites for mixed business uses and the site was identified in the City's Local Activity and Commercial Centres Strategy as a potential site because of its commercial advantages.

The previous version of the draft Local Planning Strategy has been superseded by the work currently being undertaken by City Officers and Councillors in developing a new Local Planning Strategy for endorsement by Council and the WAPC for formal advertising and eventual final adoption.

The previous version of the draft Local Planning Strategy never progressed to Council for support to advertise. Council's resolution clearly stated that its decision was 'on a without prejudice basis' and that Council 'may make any determination it deems appropriate for the amendments under its responsibilities under the *Planning and Development Act 2005* including a decision not to proceed with the amendments'.

It should also be noted that the proponent has not submitted, with the potential MRS amendment, the documentation requested in Council's resolution in March 2016, including:

- a concept plan in accordance with part 3(b) of Councils resolution above; or
- letters of support from Main Roads and the WAPC in accordance with part 3(c) of Council's resolution.

NEW DRAFT LOCAL PLANNING STRATEGY

Since Council's adoption of the above resolution in 2016, the City has commenced preparation of a new Local Planning Strategy and new Local Planning Scheme which supersedes the earlier drafts of the Local Planning Strategy.

As a part of the new Local Planning Strategy, the City has commissioned a range of studies to update the assessment of local economic activity, development, biodiversity, population and housing within the City. These studies have included separate transport, economic, environment, housing and rural studies that inform the preparation of the new Local Planning Strategy.

To assist in the preparation of the new Local Planning Strategy, the City undertook an extensive community engagement exercise during 2019 and has workshopped various strategic concepts with Councillors. The community engagement exercise, consultant studies and Councillor Forums highlight the opportunity for an office/business park development in the Kwinana Freeway/Thomas Road Interchange Precinct, subject to the consideration of the environmental values of the location. This would be subject to Council support as part the new Local Planning Strategy and it is not evident whether such a proposal would be supported and/or how it impacts the Thomas Road Triangle.

17.2 POTENTIAL METROPOLITAN REGION SCHEME AMENDMENT – LOTS 52 AND 53 MCDOWELL LANE AND LOTS 104, 107 AND 108 THOMAS ROAD, THE SPECTACLES

Ultimately, it is the local planning strategy process, which should determine the merits of an office/business park development in this vicinity and at this stage, the new Local Planning Strategy has not progressed to a point where Council endorsement can be determined. It is anticipated that a draft Local Planning Strategy would be presented to Council for its formal consideration towards the later part of 2020.

ISSUES RAISED BY THE POTENTIAL AMENDMENT

Notwithstanding the above comments, City Officers consider that there are multiple issues that need to be addressed within the Thomas Road Triangle prior to any development proceeding, including the following:

Land use optimisation in the vicinity of the Kwinana Freeway/Thomas Road interchange
Local Commercial and Activity Centre Strategy (Shrapnel Urban Planning, 2014)

The Local Commercial and Activity Centre Strategy (LCACS) identifies three locations in the vicinity of the Kwinana Freeway/Thomas Road interchange as Mixed Business/Industrial (Attachment D).

These areas are:

- Thomas Road/Holden Close (site 23);
- Orton Road (site 24) (situated on the east side of the Kwinana Freeway/Thomas Road interchange) - Part of site 24 is currently being developed as service commercial area; and
- The Spectacles (site 26).

LCACS also identifies a Local Centre in the vicinity of the Kwinana Train Station (site 18).

Economic Analysis for the new Local Planning Strategy (Syme Marmion & Co)

The City commissioned a range of studies to properly assess changes within the City to assist in the preparation of the new Local Planning Strategy. These studies included an analysis of economic activity by Syme Marmion & Co (January, 2020) (Attachment E) which states:

“The City’s location on the Kwinana Freeway provides opportunity for very large format retail outlets that have a metropolitan wide catchment; its location on the main east-west freight routes to the Outer Harbour provides freight and logistics and servicing opportunities. Properties around the off ramps to the Freeway, particularly at Thomas Road with its proximity to the Kwinana rail station, are well placed to take advantage of this exposure. A significant potential benefit is that retail employment opportunities offer the best option to make inroads into unemployment in younger age groups which is well above average in Kwinana.”

“These are large employers which otherwise would not locate in the City. Their presence would have no, or minimal effect on existing activity centres, including the City Centre itself.” City Officers recommend that prior to supporting an MRS amendment for the properties situated within the Thomas Road Triangle, that a new Local Planning Strategy should be adopted by the City. This will ensure the consideration of the range of planning and environmental issues and potential future land uses in the Kwinana Freeway/Thomas Road Interchange Precinct in a strategic manner, including land uses that will benefit from the proximity to the Kwinana Freeway/Thomas Road interchange.

17.2 POTENTIAL METROPOLITAN REGION SCHEME AMENDMENT – LOTS 52 AND 53 MCDOWELL LANE AND LOTS 104, 107 AND 108 THOMAS ROAD, THE SPECTACLES

Land use optimisation in the vicinity of the Kwinana Train Station

Local Commercial and Activity Centre Strategy (Shrapnel Urban Planning, 2014)

The Kwinana Train Station is identified as a Local Centre in LCACS which states that Local Centres may be permitted to be developed or expanded to a maximum of 800m² of Shop/Retail floor space provided no individual tenancy, other than a supermarket or similar, exceeds 200m².

LCACS also states that local offices and integrated higher density residential development should be encouraged wherever practicable. Care should be taken to ensure that non-retail development and uses in local centres remain consistent with the intended role of the local centres.

Economic Analysis for Local Planning Strategy (Syme Marmion & Co)

In relation to the Kwinana Train Station, the Syme Marmion report states:

“There is an opportunity for an office precinct to develop at the Thomas Road/Freeway interchange and around the Kwinana train station. Sites here have easy access to the Western Trade Coast and could service activities there. The objective would be to draw office and business uses away from the Western Trade Coast. This would have two main purposes:

- freeing up sites in industrial areas for industrial uses; and
- providing employment at sites much better served by public transport than the Western Trade Coast.”

Liveable Neighbourhoods and State Planning Policy 4.2 – Activity Centres for Perth & Peel

Liveable Neighbourhoods and State Planning Policy 4.2 outline a range of objectives in relation to land use planning in the vicinity of train stations. However, of particular relevance to the consideration of the potential MRS amendment is the aim of ensuring that land uses in the vicinity of train stations take advantage and benefit from their proximity to public transport, and generate a demand for the use of the train.

City Officers recommend that prior to supporting an MRS amendment for the properties situated within the Thomas Road Triangle, the new Local Planning Strategy should be adopted by the City. This will ensure consideration of a range of planning and environmental issues and potential future land uses that will benefit from the proximity to the Kwinana Train Station.

Existing environmental values within the Thomas Road Triangle

Regional Open Space and Bush Forever

The Thomas Road Triangle is in close proximity to The Spectacles ‘Parks and Recreation’ reserve which is part of the Beeliar Regional Park.

Lots 104, 107 and 108 Thomas Road are reserved as Parks and Recreation and identified as Bush Forever sites (Site No. 269) in the MRS. The potential amendment proposes to transfer Lots 104, 107 and 108 from ‘Parks and Recreation’ reserve to an ‘Urban’ zone.

Vegetation and Fauna Habitat values

The Thomas Road Triangle contains remnant vegetation described as Bassendean Central and South Vegetation Complex, this complex includes Banksia Woodlands, which is classified as a Threatened Ecological Community under the Commonwealth *Environment Protection & Biodiversity Conservation Act* (1999) (EPBC Act).

17.2 POTENTIAL METROPOLITAN REGION SCHEME AMENDMENT – LOTS 52 AND 53 MCDOWELL LANE AND LOTS 104, 107 AND 108 THOMAS ROAD, THE SPECTACLES

The Banksia Woodlands are a potential foraging and potential breeding habitat for:

- Carnaby's Black Cockatoo (*Calyptrorhynchus latirostris*) which is listed as 'Endangered' under the EPBC Act and 'Specially Protected Fauna' under the WA *Wildlife Conservation Act 1950 (WC Act)*; and
- Forest Red-tailed Black Cockatoo (*Calyptrorhynchus banksii naso*) which is listed as Vulnerable under the EPBC Act and WC Act.

Due to the occurrence of a Threatened Ecological Community on site and gaps in the current environmental information collected, City Officers recommend an additional targeted flora survey of all suitable habitat within the Thomas Road Triangle be undertaken at the appropriate time of the year, prior to the City supporting any amendment to the MRS. City Officers recommend that the WAPC consult with the Department of Biodiversity, Conservation and Attractions in relation to conducting additional targeted flora survey of all suitable habitat for threatened flora species within the Thomas Road Triangle proposed amendment area.

Ecological linkage

The vegetation on Lots 104, 107 and 108 Thomas Road form part of an ecological linkage connecting The Spectacles to areas of remnant vegetation situated to the south of Thomas Road.

City Officers recommend that prior to supporting any MRS amendment for the properties situated within the Thomas Road Triangle a new Local Planning Strategy should be adopted by the City that has considered the range of environmental issues and potential in the Kwinana Freeway/Thomas Road Interchange Precinct, including:

- regionally significant vegetation communities, flora species, fauna habitat and fauna species; and
- remnant vegetation within the Thomas Road Triangle that is part of an ecological linkage.

Traffic flow and safety of the transport network

Perth Freight Transport Network Plan for Transport @ 3.5 million (Department of Transport, 2016) identifies Thomas Road (west of the Kwinana Freeway) as a Primary Distributor and Thomas Road (east of the Kwinana Freeway) as a proposed Primary Distributor. As a Primary Distributor, Thomas Road is intended to provide for major regional and inter-regional traffic movement and carry large volumes of generally fast moving traffic. Main Roads objective is to minimise access to properties fronting onto a Primary Distributor such as Thomas Road. All Primary Distributor roads are managed by Main Roads Western Australia.

In September 2017, the State Government established the Westport Taskforce to investigate a total supply chain solution to Western Australia's growing freight volumes recognising the importance of providing high standard freight corridors to the future Outer Harbour. The provision of freight corridors to connect the future Outer Harbour to the broader metropolitan transport network requires a number of east - west links across the south-west metropolitan sub-region. Thomas Road is likely to provide a significant supporting east-west transport linkage between the Kwinana Freeway and the Western Trade Coast.

17.2 POTENTIAL METROPOLITAN REGION SCHEME AMENDMENT – LOTS 52 AND 53 MCDOWELL LANE AND LOTS 104, 107 AND 108 THOMAS ROAD, THE SPECTACLES

In relation to the previous potential amendment considered by Council on 23 March 2016, Main Roads advised that it was concerned about access to any development on Lots 52 and 53 given the proximity to the Kwinana Freeway/Thomas Road interchange.

City Officers advise that any future proposal in the Thomas Road Triangle will need to carefully consider access and provide the necessary separation distance to the Kwinana Freeway/Thomas Road interchange and the Johnson Road/Thomas Road intersection.

City Officers recommend that vehicle access/egress between Thomas Road and the Thomas Road Triangle should be resolved to the satisfaction of City and Main Roads before any proposal to amend the MRS to rezone land within the Thomas Road Triangle is supported by Council.

CONCLUSION

The City acknowledges that the potential MRS amendment has previously been the subject of consideration by Council in March 2016. However, more than four years has passed since Council's resolution and the City has:

- commenced preparing a separate and new Local Planning Strategy;
- commissioned a range of specific transport, economic, environment, housing and rural studies; and
- undertaken an extensive community engagement exercise and has workshopped various strategy concepts with Council.

These studies and consultation processes have revealed a range of issues that need to be resolved and City Officers are of the view that it would be premature to proceed with the potential MRS amendment prior to an investigation of the area being completed and until after the strategy planning for Westport has been completed.

It is also noted that the proponent has not submitted with the proposed MRS amendment details required by Council in March 2016.

LEGAL/POLICY IMPLICATIONS:

For the purpose of Councillors considering a financial or impartiality interest only, the owners of the properties including on the potential amendment are:

- Matzin Capital Pty Ltd (Lot 52 McDowell Lane)
- Catherine Margaret Burke (Lot 53 McDowell Lane)
- Western Australian Planning Commission (Lots 104, 107 and 108 Thomas Road)

Acts and Regulations

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Environmental Protection Act 1986*
- *Environmental Protection (Noise) Regulations 1997*
- *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth)
- *Wildlife Conservation Act 1950*

17.2 POTENTIAL METROPOLITAN REGION SCHEME AMENDMENT – LOTS 52 AND 53 MCDOWELL LANE AND LOTS 104, 107 AND 108 THOMAS ROAD, THE SPECTACLES

Planning Schemes

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

State Government Policies and Documents

- Beeliar Regional Park Management Plan (CALM, 2006)
- South Metropolitan Peel Sub-regional Planning Framework (WAPC, 2018)
- Jandakot Drainage and Water Management Plan - Peel Main Drain Catchment
- Liveable Neighbourhoods 2009
- State Planning Policy 3.0 – Urban Growth and Settlement (WAPC)
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas (WAPC)
- State Planning Policy 4.2 – Activity Centres for Perth and Peel (WAPC, 2010)
- State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning (WAPC)

Local Planning Policies

- Community Infrastructure Plan 2011-2031
- Local Commercial and Activity Centres Strategy (LCACS)
- Local Planning Policy No. 1 - Landscape Feature and Tree Retention

Reports

- Economic Analysis for Local Planning Strategy (Syme Marmion & Co, January 2020)
- Local Commercial and Activity Centre Strategy (Shrapnel Urban Planning, 2014)

FINANCIAL / BUDGET IMPLICATIONS:

The cost of preparing the potential MRS amendment has been borne by the applicant.

ASSET MANAGEMENT IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

City Officers recommend that prior to supporting an MRS amendment for the properties situated within the Thomas Road Triangle, a new Local Planning Strategy should be adopted by Council that has considered the range of environmental issues and potential in the Kwinana Freeway/Thomas Road Interchange Precinct, including:

- regionally significant vegetation communities, flora species, fauna habitat and fauna species; and
- remnant vegetation within the Thomas Road Triangle is part of an ecological linkage.

17.2 POTENTIAL METROPOLITAN REGION SCHEME AMENDMENT – LOTS 52 AND 53 MCDOWELL LANE AND LOTS 104, 107 AND 108 THOMAS ROAD, THE SPECTACLES

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following outcome and objective detailed in the Strategic Community Plan 2017-2027.

Plan	Outcome	Objective
<i>Strategic Community Plan 2017-2027</i>	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:

The DPLH is seeking preliminary comment from the City concerning a potential amendment to the MRS to rezone Lots 52 and 53 McDowell Lane and Lots 104, 107 and 108 Thomas Road, The Spectacles from 'Rural' and 'Parks and Recreation' to 'Urban' (Attachment A).

Once the DPLH has received comments from key agencies it will seek advice from the WAPC and then advise the proponent whether, or not, the potential amendment is likely to be supported. The proponent can then decide whether to lodge a formal amendment proposal with the WAPC.

If the MRS amendment is initiated by the WAPC, it will be advertised for 60 days if it is determined to be a major amendment, or 3 months if it is determined to be a minor amendment, pursuant to the *Planning and Development Act*.

PUBLIC HEALTH IMPLICATIONS:

Noise impacts from traffic on the Kwinana Freeway and Thomas Road requires careful management. It is important that future subdivision and development applications be accompanied by appropriate noise studies to demonstrate that the sensitive land uses will not be exposed to unacceptable noise levels. The City will only support land uses in locations where it can be confident there will not be long-term noise conflicts.

RISK IMPLICATIONS:

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

Risk Event	The WAPC may not adopt the City's advice.
Risk Theme	Failure to fulfil statutory regulations or compliance requirements.
Risk Effect/Impact	Compliance

17.2 POTENTIAL METROPOLITAN REGION SCHEME AMENDMENT – LOTS 52 AND 53 MCDOWELL LANE AND LOTS 104, 107 AND 108 THOMAS ROAD, THE SPECTACLES

Risk Assessment Context	Strategic
Consequence	Moderate
Likelihood	Possible
Rating (before treatment)	Moderate
Risk Treatment in place	The City has sought an extension of time from the DPLH to provide sufficient time to report to Council. The City will be reporting to the DPLH following the Council meeting on the 13 May 2020.
Response to risk treatment required/in place	Council's decision will be provided to the WAPC on the subject of the potential MRS amendment so as to inform its decision.
Rating (after treatment)	Moderate

COUNCIL DECISION

158

MOVED CR S LEE

SECONDED CR D WOOD

That Council takes the following action in relation to the potential Metropolitan Region Scheme (MRS) amendment to rezone Lots 52 and 53 McDowell Lane and Lots 104, 107 and 108 Thomas Road, The Spectacles (Thomas Road Triangle) from 'Rural' and 'Parks and Recreation' to 'Urban':

1. **Advise the Department of Planning, Lands and Heritage (DPLH) that it does not support the potential MRS amendment for the following reasons:**
 - a) **The potential amendment area raises a number of significant strategic planning issues; including:**
 - i. **Land use optimisation in the vicinity of the Kwinana Freeway/Thomas Road interchange and Kwinana Train Station.**
 - ii. **Regionally and locally significant environmental values, including:**
 - **vegetation communities, flora species, fauna habitat and fauna species; and**
 - **remnant vegetation within the Thomas Road Triangle that is part of an ecological linkage.**
 - iii. **Proximity to the service commercial area on the eastern side of the Kwinana Freeway/Thomas Road interchange.**

17.2 POTENTIAL METROPOLITAN REGION SCHEME AMENDMENT – LOTS 52 AND 53 MCDOWELL LANE AND LOTS 104, 107 AND 108 THOMAS ROAD, THE SPECTACLES

iv. Traffic flow and safety of the transport network.

- b) A comprehensive environmental assessment should be completed to the satisfaction of the Department of Biodiversity Conservation and Attractions and the Commonwealth Department of Agriculture, Water and Environment pursuant to the Western Australian *Environmental Protection Act 1986* and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* which considers potential environmental impacts of the proposed development of the Thomas Road Triangle and future management of the regionally significant environmental values present in the area.**
 - c) The City of Kwinana is currently preparing a new Local Planning Strategy and Council is of the view that the potential MRS amendment is premature and will prejudice the outcome of the new Local Planning Strategy.**
- 2. Forward this Ordinary Council Meeting Report and Council's recommendations to the Department of Planning, Lands and Heritage.**
 - 3. Advises the proponents and the DPLH that the above determination about the potential MRS amendment to rezone Thomas Road Triangle supersedes and replaces Council's determination made on 23 March 2016 where it provided conditional 'in principal' support to a rezoning of this locality. That support was conditional upon a number of key criteria which needed to be addressed by the proponent and by Council. These criteria have not been addressed, and Council made it clear in its determination at that time that any future decision about the rezoning of this locality under the MRS and Local Planning Scheme No. 2 would not be fettered or prejudiced by its decision on 23 March 2016.**

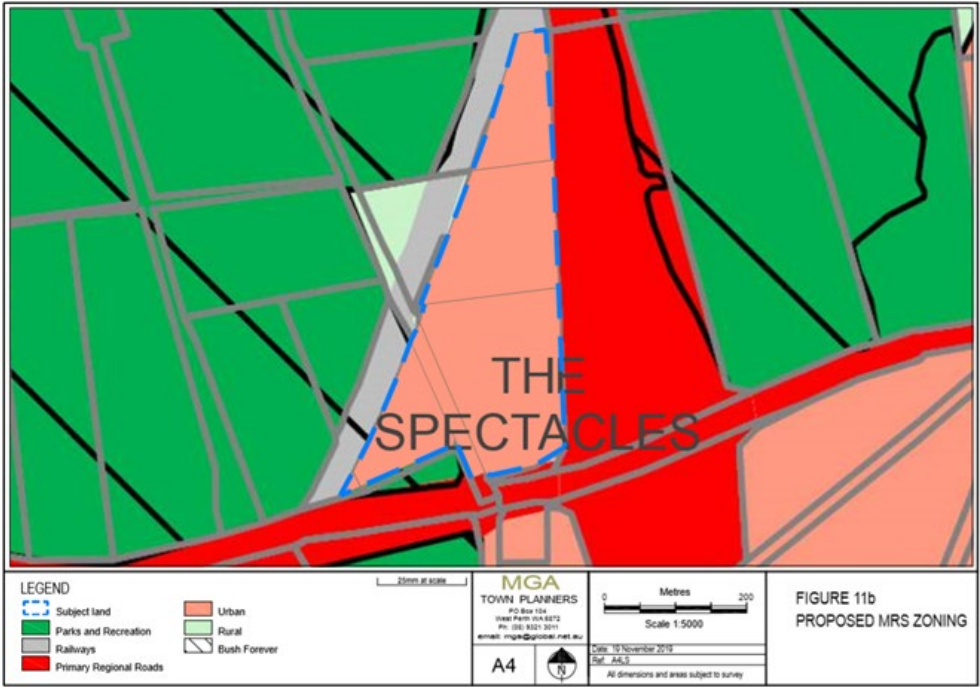
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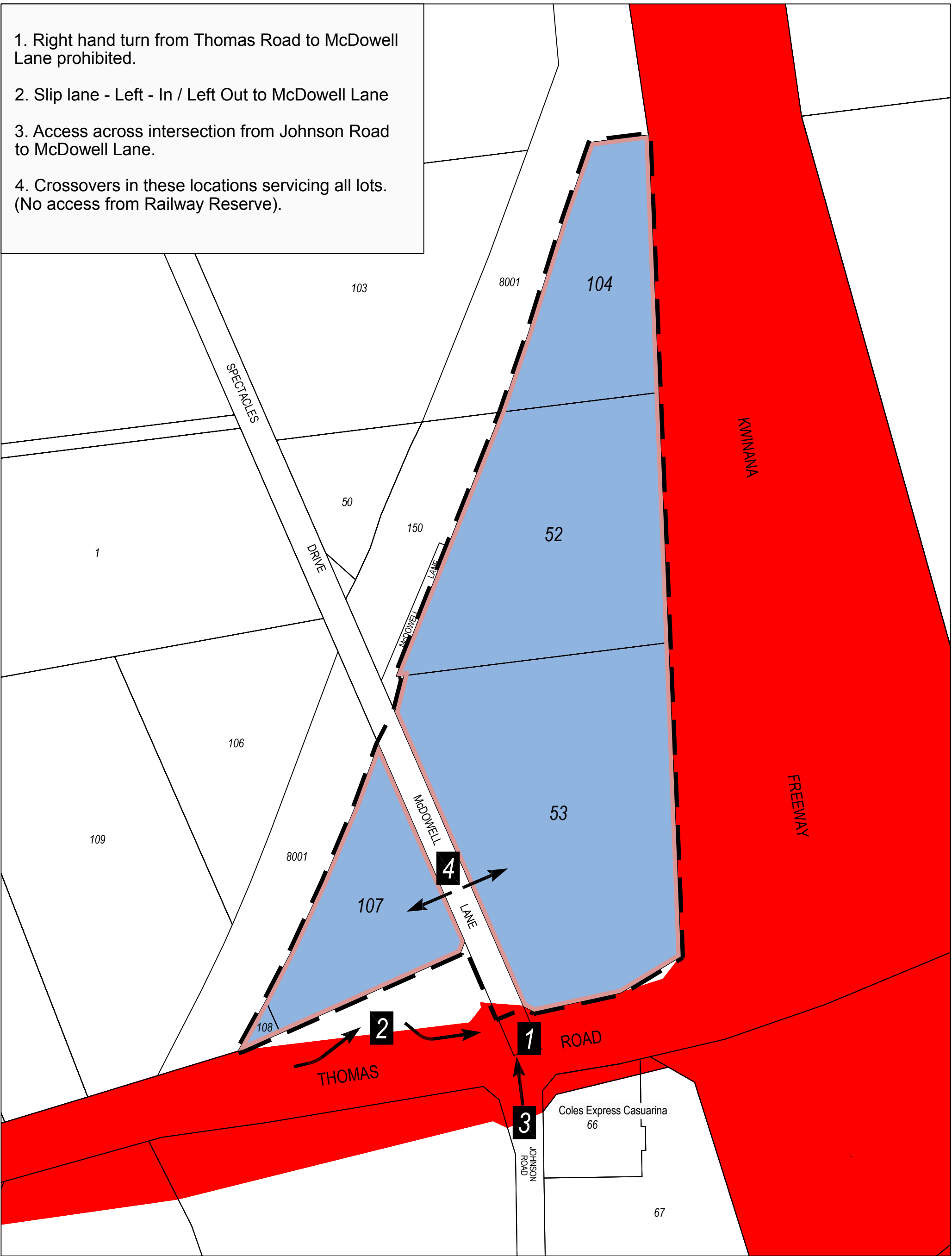
Attachment A – Existing MRS zoning and potential proposed amendment MRS amendment

Existing



Proposed





LEGEND Subject land Primary Regional Road Mixed Business	25mm at scale	MGA TOWN PLANNERS PO Box 104 West Perth WA 6872 Ph: (08) 9321 3011 email: mga@global.net.au	 Scale 1:2500	FIGURE 5 CONCEPT PLAN
	A3		Date: 19 November 2019 Ref: A3P	
	All dimensions and areas subject to survey			

Attachment C - Locality Plan



- Secondary Centre**

 - 1. Kwinana City Centre
- District Centres**

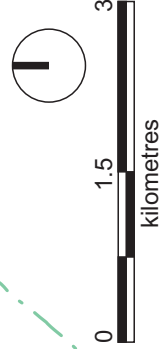
 - 2. Wandl DC
- Neighbourhood Centres**

 - 3. Medina
 - 4. Bertram
 - 5. Leda
 - 6. Thomas Road
 - 7. Mortimer Road
 - 8. Wellard 01
- Local Centres**

 - 9. Orelia
 - 11. Calista
 - 12. Parmelia
 - 13. Anketell 02
 - 14. Casuarina 02
 - 15. Casuarina 03
 - 16. Wandl LC
 - 17. Mandogalup 01
 - 18. Station
 - 19. Wellard 02
 - 20. Wellard 03
 - 21. Wellard E 01
 - 22. Wellard E 02
- Mixed Business/ Industrial**

 - 23. Thomas Rd/ Holden Cl
 - 24. Orton Road
 - 25. Postans 01
 - 26. Spectacles 01
- Industrial Areas**

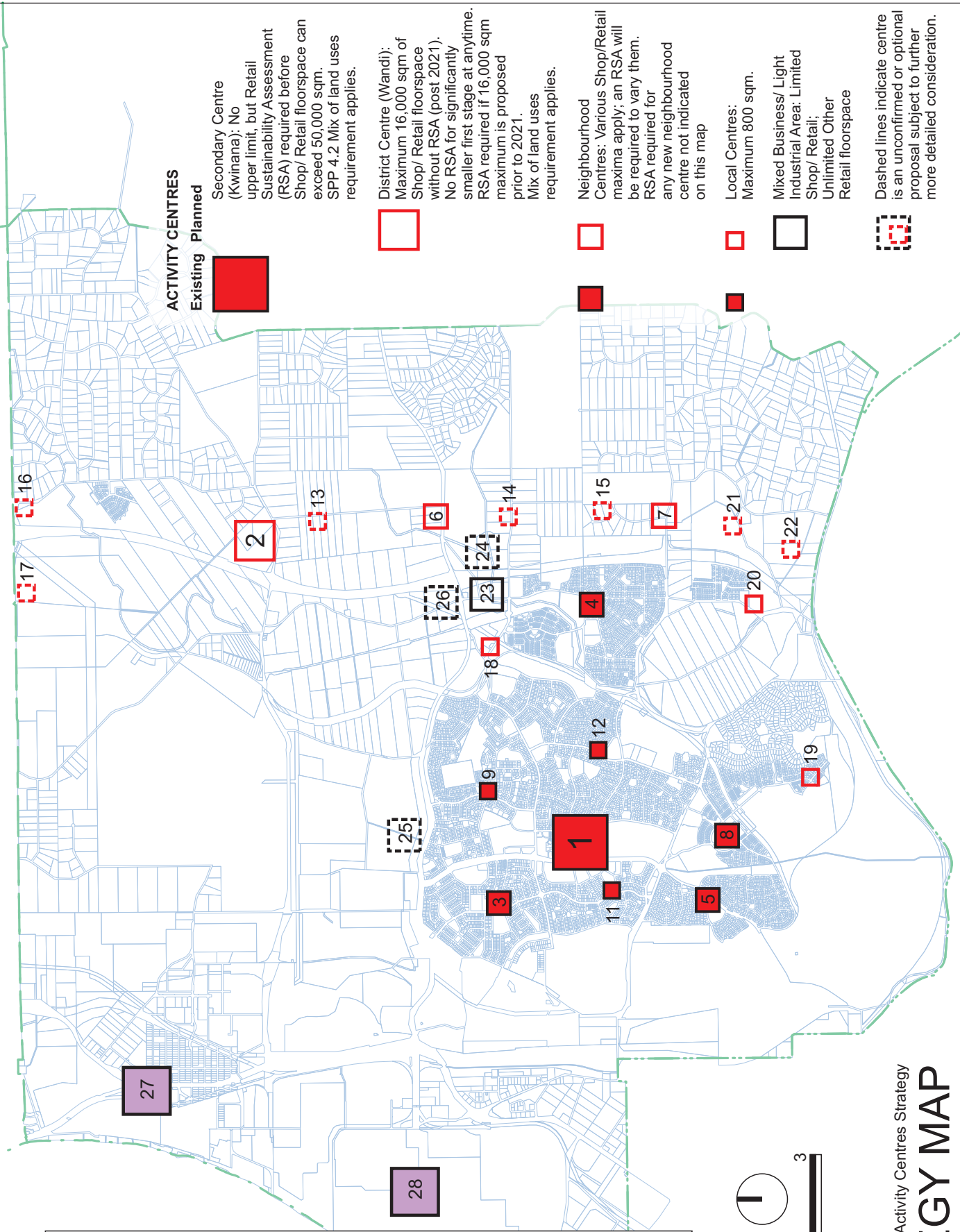
 - 27. Naval Base
 - 28. Kwinana Beach



City of Kwinana
Local Commercial and Activity Centres Strategy

STRATEGY MAP

Version: 20140829



ACTIVITY CENTRES

- Existing**

Planned
- Secondary Centre (Kwinana):** No upper limit, but Retail Sustainability Assessment (RSA) required before Shop/ Retail floorspace can exceed 50,000 sqm. SPP 4.2 Mix of land uses requirement applies.
- District Centre (Wandl):** Maximum 16,000 sqm of Shop/ Retail floorspace without RSA (post 2021). No RSA for significantly smaller first stage at anytime. RSA required if 16,000 sqm maximum is proposed prior to 2021. Mix of land uses requirement applies.
- Neighbourhood Centres:** Various Shop/Retail maxima apply; an RSA will be required to vary them. RSA required for any new neighbourhood centre not indicated on this map
- Local Centres:** Maximum 800 sqm.
- Mixed Business/ Light Industrial Area:** Limited Shop/ Retail; Unlimited Other Retail floorspace
- Dashed lines indicate centre is an unconfirmed or optional proposal subject to further more detailed consideration.



Economic Analysis for Local Planning Strategy

City of Kwinana
January 2020

ERA

Economic Research Associates Pty Ltd



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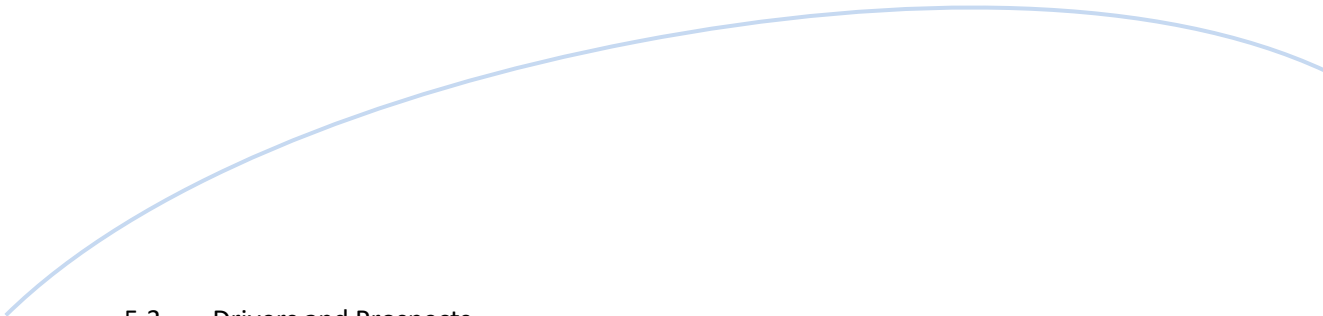
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Executive Summary

Population

In common with all of the municipalities in the Perth South Metropolitan and Peel regions, Kwinana is experiencing substantial population growth. The population of the City of Kwinana is in the middle of a strong growth phase. It grew from 23,986 in 2006 to 30,697 in 2011 and to 40,058 in 2016.

The City's population is projected to more than double to 85,158 by 2036. This has several direct implications:

- An increased resident workforce, with the consequent demand for increased employment opportunities;
- Increased demand for activity centre floorspace (retail, commercial, services) – this will primarily affect existing activity centres in the City.

The City is bounded to the north and south by the much larger Cities of Cockburn and Rockingham respectively. This constitutes its immediate local region. Together they contain the main local and regional employment centres: The Western Trade Coast (the Kwinana / Rockingham Industrial Complex and Henderson), the Rockingham Strategic Metropolitan Centre and Stirling base.

The region is growing quickly: between 2016 and 2036 the population of the three cities combined will almost double to 436,000. Kwinana is somewhat smaller in population than the other two, constituting around 20% of the total by 2036. To the south the Peel region is also growing strongly and its population will almost double to 248,000 by 2036. Population growth will bring proportionate increases in the resident workforce and demand for employment.

Employment

While employment self-containment (i.e. the proportion of resident workers who are employed within the boundaries of the Local Government Area or region) for the City of Kwinana is quite low (18.5%), a further 25% of resident workers are employed in the adjacent Cities of Rockingham and Cockburn. Employment in the Cities of Kwinana, Rockingham and Cockburn overall accounts for 43.4% of employment for Kwinana working residents. Employment provision for Kwinana residents thus requires a regional view: the future of Rockingham City Centre and of Henderson within the Western Trade Coast is important to Kwinana residents.

One aspect of employment for Kwinana residents that has proved particularly problematic is the unemployment rate. This is currently (and consistently) nearly twice that of Greater Perth and Western Australia as a whole.



Employment Growth

Employment in Kwinana is not keeping up with population growth. Since 2005/06 employment in Kwinana has remained steady at around 15,500 jobs, while the population has increased from 24,000 to over 42,000 in 2018.

The City and its local region currently have quite high jobs capacity, expressed as employment self-sufficiency (i.e. the ratio of total jobs to the resident workforce): around 78% for the City of Kwinana and 73% for the local region overall. If these ratios were to be maintained as the population grows, then another 12,000 jobs need to be created in the City of Kwinana, and 34,100 jobs in the local region overall between 2018 and 2036. This is an enormous planning and development challenge

A proportion of these jobs (around one-third) will be population-driven, namely jobs that arise to directly service the local population. They include local retail and business services, health services, education services (particularly primary and secondary education) and personal services. However, this leaves 6,900 jobs in Kwinana and 18,500 jobs in the local region that must be found in strategic and externally oriented jobs. These jobs are typically found in the Western Trade Coast and major city centres, such as Rockingham.

Providing places for employment for Kwinana residents is thus an important objective for City land use planning. These jobs also need to match the skill levels of resident workers. They also need to account for changes, likely in the form of upgrades, in education and skill levels as the population changes.

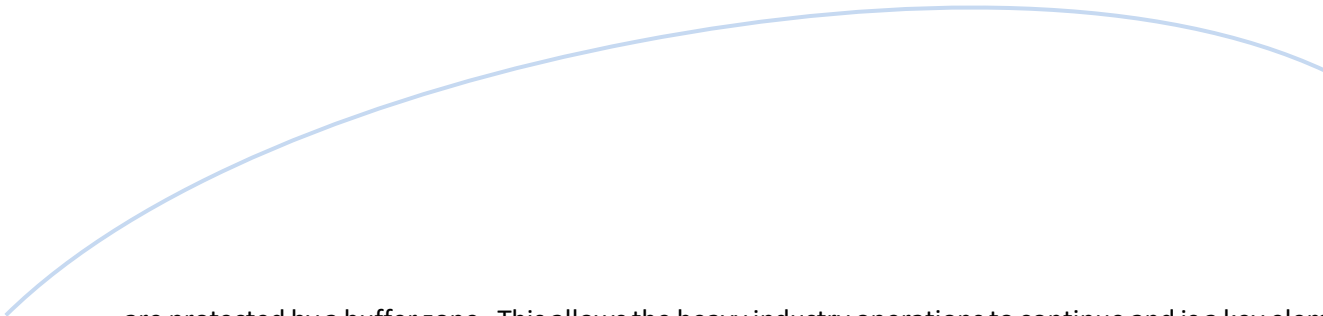
Employment Locations

Western Trade Coast

Understanding the industry base in Kwinana is made slightly more complex because it includes the State's premier heavy industry area. As such, it fills a particular economic role in the economy of the State. This role influences the mix of industry in Kwinana and its relative position within the broader economy.

The Western Trade Coast (WTC) includes the Kwinana Industrial Complex - the southern portion of which is in the City of Rockingham – and Henderson in the City of Cockburn. As a large well established and complex port-related heavy industry zone with access to a highly skilled labour pool, the Western Trade Coast is unique in Western Australia and unusual, even in international terms. Its core industries are minerals and chemicals processing and production, with associated bulk transport and distribution. These are all highly integrated and have grown over time.

It has strong competitive advantages, in particular its highly sophisticated inter-organisational relationships and networks. By one count there are over 158 interconnecting pipes and conveyors between organisations in the Kwinana complex, with off-take from one organisation forming the intake for another. New entrants add to the network. For example, chemical companies will provide inputs to lithium processing and processing waste is used as feedstock to concrete production. As an indication of the importance of this network, for example, the Kalunborg Eco-industrial Estate in Denmark, often held as a good example of industrial symbiosis, has just 30 reported synergies. The number of synergies that have evolved in the WTC provide a unique eco-system for industrial development. Its heavy industry uses



are protected by a buffer zone. This allows the heavy industry operations to continue and is a key element of its competitive advantage.

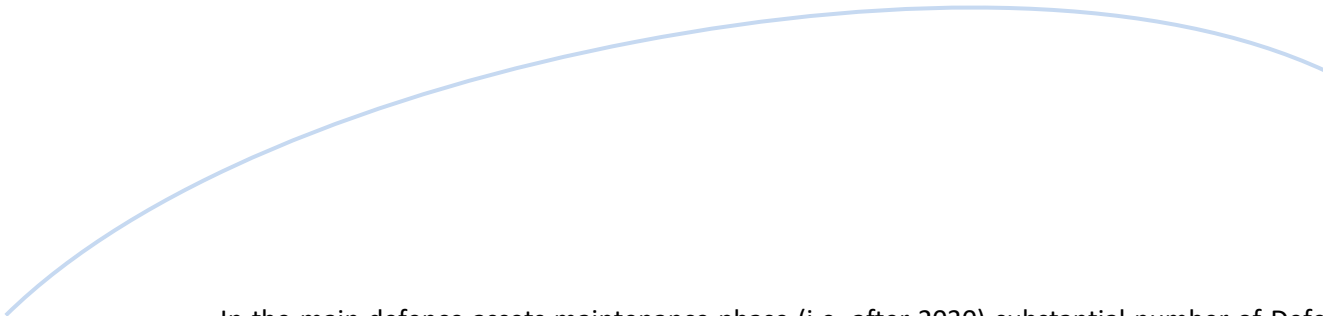
Although there are potential areas for expansion of the core industries in the buffer zone, principally at Latitude 32, these are undeveloped, with no time frame for critical land assembly and land servicing tasks to be undertaken. There is a current general shortage of suitable land for core industries. New entrants are increasingly seeking very large sites, with lithium processors requiring sites of 35 – 70 ha and these are practically non-existent.

WTC employment has grown from 9,000 in 1997 to 14,350 in 2017, a 59% increase. Over the same period, floorspace has increased from 0.67 million m² to 1.84 million m², a 176% increase, indicating a sharp reduction in employment intensity. Both the Kwinana Industrial Complex and Henderson have grown over the period, with floorspace increasing by 146% and 302% respectively and employment by 49% and 87% respectively. In each these locations employment density has reduced, with floorspace growing more than employment by some margin. In the Kwinana Complex the major land uses of Manufacturing and Storage/Distribution have shown the strongest floorspace growth. In Henderson, in addition to substantial growth in Manufacturing and Storage/Distribution floorspace, there has also been strong growth in Office / business, Service industry and Utilities/communications floorspace.

The employment picture is quite different: for both the Kwinana Complex and for Henderson, all industry sectors have shown either minimal growth or a decline. The exception is Office/business uses, which has grown strongly in employment numbers and proportion. Office/business uses now account for over 50% of all employment in the Western Trade Coast. While some of this employment is directly related to the on-site industrial activity, much of it is not specific to the land uses on the sites on which the offices are located.

There are several drivers of new and expanded projects in the Western Trade Coast:

- 1 Defence industries. These are mostly concentrated in and around the Henderson Australian Marine Complex (AMC). The vision is for Western Australia to be the principal location for delivery of all maintenance and sustainment requirements for Australia's submarines and frigates. Some points to note:
 - Time frames are long: the main defence industries projects will not be fully operational until the early 2030s.
 - Available information indicates that the AMC is near capacity and is congested. Some proactive management is needed to ensure land is available in the area to ensure that the defence opportunities can be fulfilled. LandCorp has some adjacent land which it is planning to develop by 2021 and this will provide some expansion capacity to activities in the AMC.
 - Defence is looking to establish an office/training facility easily accessible to the AMC. This would put considerable pressure on land availability in the WTC if it were located there.

- 
- In the main defence assets maintenance phase (i.e. after 2030) substantial number of Defence personnel might be based in and around Kwinana for extended periods, requiring facilities including housing, social services, cafes etc. This is an opportunity for Kwinana as a nearby, attractive and well-serviced residential location.
 - There is a need for skills development around defence. The Henderson campus of South Metropolitan TAFE provides specialist engineering, fabrication and shipbuilding courses and both this campus and the Kwinana TAFE campus would be good locations to expand to provide semi-professional and trade training for the defence industry.
- 2 New energy materials – one project lithium processing plant is now in construction with another in prospect. There is a considerable interest in taking new energy metals (lithium, nickel and cobalt) processing as far down the value chain as possible (e.g. refined lithium chemicals, anodes and cathodes, separators and energy storage batteries). There is potential for this to be a main activity in the WTC in the future. This will only occur if land is available.
 - 3 Oil & gas (processing and new projects) - the Henderson area of the WTC has had fabrication and assembly business in the past for the construction phase of oil and gas projects the north-west. This phase is now largely complete. However, there are several substantial NW gas expansion projects in prospect and this might be an opportunity for the AMC and the Henderson common user facility (CUF).
 - 4 Waste-to-energy: construction of a waste-to energy plant is underway, for completion by 2021.

A number of new and emerging industries can be pinpointed as likely to have a presence in the Western Trade Coast in the future. Some are already there, others are being developed. Identified shortlisted emerging industries include – but are not limited to – the following sectors:

- Future Battery Metals;
- Advanced Manufacturing of Prefabricated Housing;
- Circular Economy;
- Hydrogen Economy.

Each has been identified at the Commonwealth and State level as having high growth potential and each has active government programs for their development. Each has potential for a substantial presence in the Western Trade Coast.

Other drivers for WTC development include extension and expansion of existing activities, for example:

- Grain exports
- Petroleum products processing and handling

Some existing industries would benefit from the proximity of a container port at Outer Harbour. For example, some specialist grain is containerised, as are lithium chemicals. However, the bulk ports are also vital to the well-being of the WTC overall and there is some evidence that they require upgrading.



Westport

The Westport Taskforce is currently considering options for the future of port facilities for Perth and there are scenarios including the relocation of container facilities to Outer Harbour in Cockburn Sound. The possible economic benefit to Kwinana from an expanded port at Outer Harbour is dependent on the ultimate form that the port and its associated transport and logistics infrastructure takes. There are many aspects of the future of Outer Harbour which are still to be decided, for example:

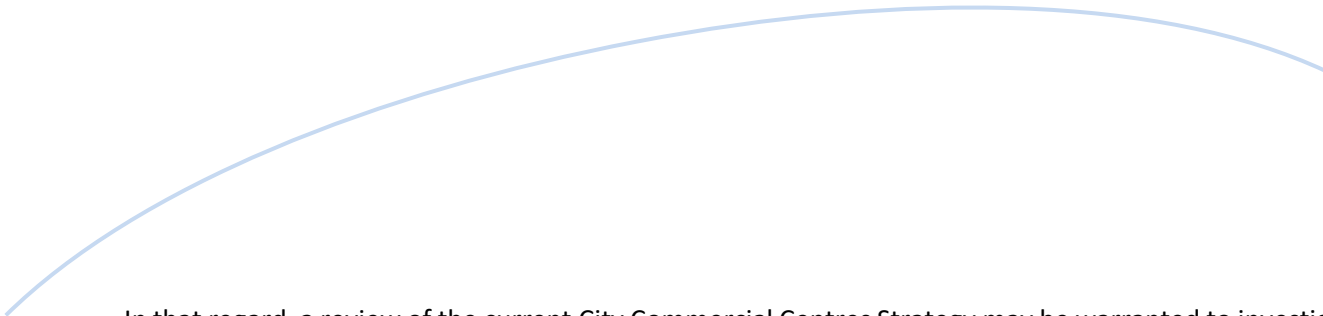
- Whether a transition of container traffic from Fremantle is in whole or in part – this is clearly a question of scale;
- Whether any transition occurs gradually or quickly; and
- The amount and format of land-side facilities. There is an option for an intermodal facility at Latitude 32. However, intermodal facilities are large land users and relatively small employers. Moreover, intermodal facilities do not require the air quality buffer that protects many of the uses in the Kwinana industrial complex. While the proximity of a container port will be beneficial to many current and prospective industries, an open question is the extent to which the transport, storage and logistics aspects of outer harbour operations assist the Kwinana economy, beyond the employment of a relatively small, and diminishing in relative terms, number of transport workers, especially in an age of increasing automation of these activities. Detailed analysis is therefore required on whether this is the best use of scarce land capable of heavy and strategic industry uses in the WTC.

Kwinana City Centre

The Kwinana City Centre (along with other activity centres in the City) will expand with local population growth. The City's Commercial Centres Strategy shows capacity for the retail floorspace in the Centre to grow from 26,400 m² in 2016 to around 45,000 m² by 2031 and with continuing population growth it appears to be on track to have capacity for around 50,000 m² of retail floorspace by 2036. Associated local business services in the Centre would increase at the same rate. Note, however, that current changes in retail behaviour and the rapid spread of on-line purchasing will serve to subdue these estimates. There are currently around 1,850 people employed in the Kwinana Centre, and this could potentially approximately double by 2036. It is a very valuable focal point for the residents of Kwinana and is an important component of local residential amenity.

However, there are very low prospects of activity in the Kwinana Centre expanding beyond this local role:

- Its catchment is constrained, being effectively bounded by industrial areas to the west and north and the Freeway to the east, and it relies entirely on the population immediately surrounding it for its viability. This can be contrasted to many other similar centres, for example Cockburn, the location of which provides an expanded catchment along the major transport route on which they are located.
- There is significant leakage to Cockburn from the new and proposed residential areas east of the Freeway.
- There is no evidence of significant current or future commercial spin-off from Western Trade Coast activities.



In that regard, a review of the current City Commercial Centres Strategy may be warranted to investigate the future scale of the Kwinana City Centre. One scenario that could be explored in such a review would be to plan for some reduction on growth for the City Centre and allow for some of this growth to be at a new commercial centre in the Kwinana rail station / Thomas Road / Freeway intersection area. This is a strong retail location and would capture some of the retail trade that will otherwise be captured by other centres, particularly Cockburn. The sum of this centre and the City Centre would be greater than that of the City Centre alone on its current trajectory.

Key Considerations

There are several considerations in determining the implications for land use planning of Kwinana's economic environment.

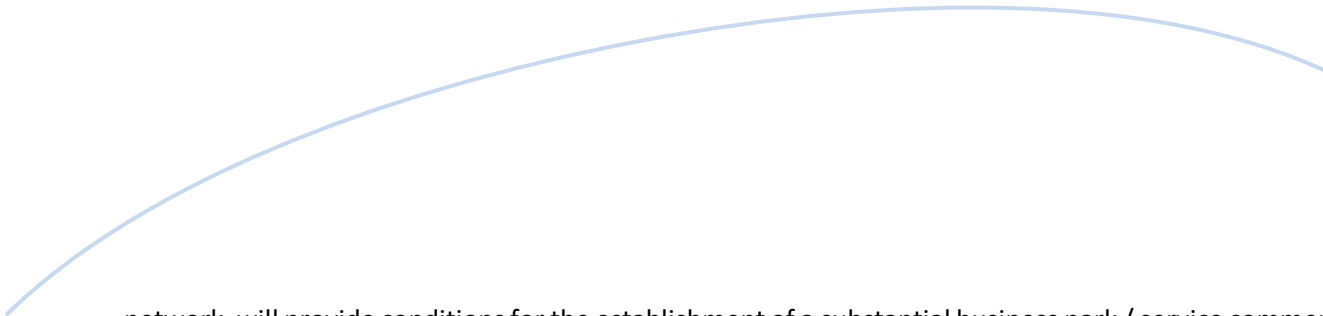
Industrial Land Supply

1. There is limited supply of buffer-protected heavy industrial land in the WTC. This supply is under pressure from uses which do not require the buffer protection, most particularly freight and logistics and office / business uses.
2. There is limited supply of light and general industrial land in the South Metro and Peel region generally:
 - There is an overall under-provision of future industrial land in the Perth metropolitan area and Peel region in the sub-regional planning framework.
 - The shortage is most acute in the South West and Peel sectors, with some over-provision in the metropolitan North West and North East sub-regions.
 - There is undeveloped land available in the South West sector, including in the City of Kwinana to increase the amount of industrial and employment land in the sector.

Industrial Land Demand

For **Heavy and Strategic industrial land**, some demand can be identified in existing growth sectors. However, many viable future projects in existing and new sectors may not yet be apparent but their possibility needs to be allowed for in planning. This is a particular aspect of the unique and scarce nature of the heavy and strategic industrial land at the WTC. The recent lithium 'boom' indicates that opportunities can come up very quickly (i.e. within a 5 – 10 year time frame). It was the availability of sites and the particular advantages of WTC that made the Kwinana location viable. A number of new and emerging industries can be pinpointed as likely to have a presence in the Western Trade Coast in the future.

For **Light and General industrial land**, demand will continue from general population growth plus special uses associated with Outer Harbour activities. There are high prospects that expanded uses arising from the on-line economy (for example dark supermarkets and dark kitchens catering solely for on-line purchases) will increase demand for well-located light and general industrial land. There are also high prospects that the large labour pool in the metropolitan south west and Peel and long commuting times to the inner Perth employment areas, exacerbated by expansion limits on the regional road and rail



network, will provide conditions for the establishment of a substantial business park / service commercial park in the region.

Health Services

An expanding population will mean increased demand for health services. However, the delivery of these services is changing rapidly and this has some implications for land use in Kwinana. In brief:

- There is a significant trend towards home delivery of services and more day surgery with reduced emphasis on big hospitals, except for acute needs and specialist services.
- Rockingham Hospital the primary regional health campus for the long term, delivering increased day surgery and specialist services and this will be the acute and specialist hospital for Kwinana.
- The physical focus of health services in Kwinana is might be a community-focussed health services centre that might include expanded GP services, tele-connected to specialists with visiting services to patients' homes. This might locate in the City Centre.
- The need for nursing homes for the very frail aged will continue to grow. The population growth of people aged over 85 in the City indicates the need for two to three additional nursing homes by 2036. These are large employers.

Movement Economy

The City's location on the Kwinana Freeway provides opportunity for very large format retail outlets that have a metropolitan wide catchment; its location on the main east-west freight routes to the Outer Harbour provides freight and logistics and servicing opportunities. Properties around the off ramps to the Freeway, particularly at Thomas Road with its proximity to the Kwinana rail station, are well placed to take advantage of this exposure. A significant potential benefit is that retail employment opportunities offer the best option to make inroads into unemployment in younger age groups which is well above average in Kwinana.

Office / Business uses in Industrial Land

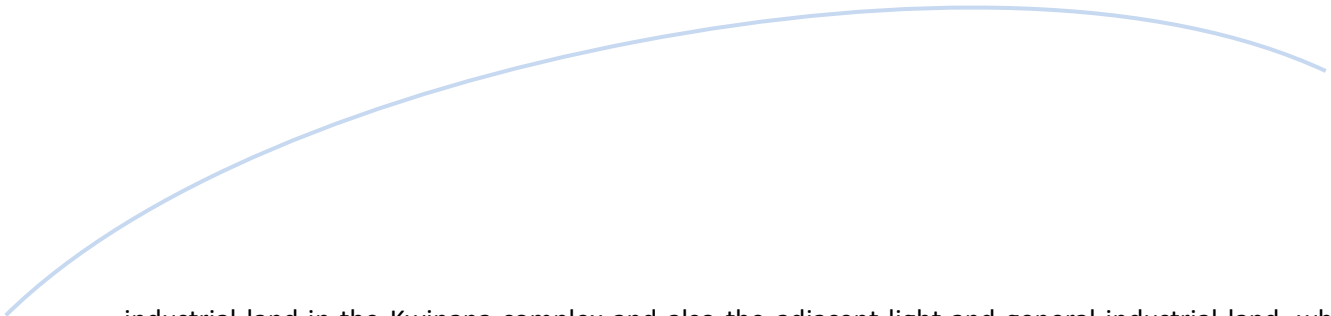
In the Western Trade Cost over 50% of all employment is now in office/ business activities. While some is directly associated with nearby or adjacent industrial land uses, much of it does not and could be located elsewhere. There are several problems with this scale of office use on industrial land:

- In the case of the WTC it takes up scarce land that could be used for purposes that require the heavy industrial / strategic industry zoning;
- The land is not well served by public transport for worker access;
- It has limited facilities for worker amenity;
- It is within the Kwinana air buffer.

The growth in this land use demonstrates the need – the task of the planning system is to find a nearby alternative.

Land Use and Strategic Implications

The most significant economic driver for Kwinana, and the employment site for many of its residents, is its current and potential future industrial estates, including the buffer-protected strategic and heavy



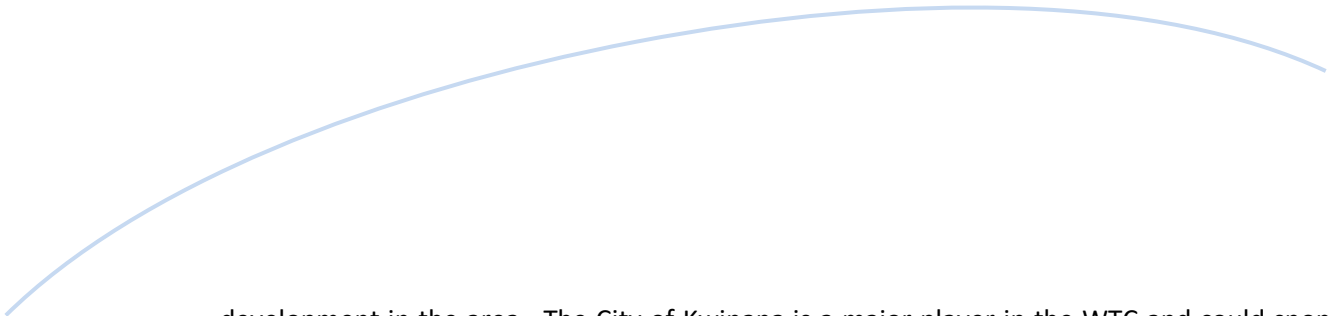
industrial land in the Kwinana complex and also the adjacent light and general industrial land, which accommodates many spin-off activities and also those activities that find advantage in the Kwinana location but do not need heavy industrial land capability and zoning. These must be regarded as a scarce resource and managed accordingly.

Employment land supply and currently planned future provision is well behind future employment demand, with prospects of declining rates of employment self-sufficiency and self-containment unless all measures are taken to maximise the amount of employment land in the City and to ensure its highest value use. It may be some time until a firm decision on the outer harbour and this provides current uncertainty. Many land development projects in the Western Trade Coast are on-hold until the future of Outer Harbour is determined. However, this is not the whole story: there are many industry developments now underway, particularly in defence support and defence industries and in new energy metals, that have their own dynamic and time scale independent of the Outer Harbour. Time frames for these developments are long: significant defence expansion and outer harbour operations are unlikely before 2031, at best.

For employment provision for Kwinana residents a regional view is key: the future of Rockingham City Centre and of Henderson is important to Kwinana residents. Almost as many Kwinana residents work in each of the Cities of Rockingham and Cockburn as in the City of Kwinana.

The broad implications of this analysis for City planning are:

- Industrial land and infrastructure must be project ready - that is, available for major projects when they occur. Further supply of strategic industrial land is required and further areas of new light and general industrial land must be preserved, even for long term time frames.
- Industrial land must be protected from encroachment and from inappropriate use. For heavy and strategic sites in the Kwinana Complex, this means active discouragement of uses which do not contribute to the network in the complex and which do not require the operational protection afforded by the buffer uses around the complex. This particularly includes activities which are which are large land users but small employers, such as storage, freight and logistics, and large employment uses which could be located elsewhere, such as office / business uses. This might require specific provisions in the statutory planning framework to only allow those uses which meet the criteria. It also requires strict protection of the buffer from residential encroachment. This also applies to light and general industrial land generally.
- It is critical that the specific form of any Outer Harbour works is carefully considered to ensure the highest and best long term use of scarce strategic industrial land is preserved.
- There have been many relatively recent changes in the nature of and prospects for industrial activity in the Western Trade Coast and there is now a need for a comprehensive masterplan that accounts for these prospects and makes explicit the opportunities for the complex and the measures required to ensure these opportunities are maximised. This would provide the information base to inform any statutory planning provisions that might govern future



development in the area. The City of Kwinana is a major player in the WTC and could sponsor this masterplan.

- An expansion of the Kwinana City Centre to form a role beyond that of a district-level activity centre is very unlikely. Given this, and the rapidly changing nature of retail activity, a review of the current Commercial Centre Strategy is suggested. This would examine, as one scenario, expanding the total retail expenditure captured in the City of Kwinana by the establishment of a new activity centre in the vicinity of the Kwinana rail station at the junction of Thomas Rd and the Freeway.
- As the key activity centre with a catchment area with quite rapid population growth, the form of the Kwinana City Centre will evolve over time and current planning and land use can allow for that. The City needs to ensure that available land in the City Centre is managed in a way that allows full advantage to be taken of evolving opportunities. Health services is one such opportunity where the best form of delivery will only become apparent in the medium term as the population grows to its longer term size and the service delivery models themselves mature. The City holds several properties in key locations in the City Centre and they will at some time in the future be very suitable sites as the focal point for the delivery of some of these services. There are few, if any, currently viable and suitable long term uses for these sites and they should be preserved for future use in a form so that they can be easily accessed when these long term uses become available.
- There is future opportunity for Kwinana as a residential and service location for personnel involved with the defence assets maintenance phase at Henderson and for any expansion of Navy operations at Garden Island. The residential amenity of Kwinana overall will then become important. This will include:
 - A range of housing choice including housing suitable for people on short term rotation or secondment; and
 - The services available in activity centres, particularly the Kwinana City Centre.
- There is an opportunity to capitalise on the access and location advantages of Freeway exposure at sites around the off-ramps at Thomas Road (in particular), Rowley Road, Anketell Road and Mortimer Road. Uses for these sites would fit into a broad service commercial category and might include very large format retail uses. These are large employers which otherwise would not locate in the City. Their presence would have no, or minimal effect on existing activity centres, including the City Centre itself.
- There is an opportunity for an office precinct to develop at the Thomas Road / Freeway intersection and around the Kwinana train station. Sites here have easy access to the Western Trade Coast and could service activities there. The objective would be to draw office and business uses away from the Western Trade Coast. This would have two main purposes:
 - Freeing up sites in industrial areas for industrial uses; and
 - Providing employment at sites much better served by public transport than the WTC.



1. Introduction

This economic analysis of the City of Kwinana is prepared to aid in the preparation of a new Local Planning Strategy. The analysis applies to the Town Planning Scheme zones, which include Kwinana City Centre, Commercial, Service Commercial, Mixed Business 1, General Industry, Light Industry, Rural A, and Rural B and will be used to guide the allocation of land to various land uses and aid the preparation of future strategies to guide employment and economic development.

It is intended to guide the allocation of land to various land uses and aid in the preparation of future strategies to guide employment and economic development. The study is required to bridge the gap between planning and economics, recognising the key role that land availability and the economic activity on it has in the prosperity of a community.

The overall focus of the study is to establish the opportunities where the provisions of the Local Planning Strategy might be able to help in expanding the economy of the City. The opportunities are likely to come from several sources:

- Demographic changes: for example, a growth in elderly age groups creates demand and opportunity for aged care facilities; population growth increases the scale and expands the range of viable land uses at key activity centres.
- Location of transport routes: for example, the City's location on the Kwinana Freeway provides an opportunity for very large format retail outlets that have a metropolitan wide catchment; its location on the main east-west freight routes to the Outer Harbour provides freight and logistics and servicing opportunities.
- Strategic: Kwinana City centre is identified as a secondary centre in the South Metropolitan Peel Sub-regional Planning Framework (WAPC 2018), with an identified role as a key employment node, a local service centre and the opportunity to target key support sectors, focusing on training provision for industrial activities.
- Regional: its location, with major industrial and employment areas, namely most of the Western Trade Coast and Kwinana Industrial Area, within its boundaries.



2. Policy Overview

There are several current State Government and City of Kwinana documents that are relevant to the further development of the Kwinana economy.

2.1. State Planning Strategy

The State Planning Strategy 2050 is an integral part of the Western Australia planning system designed to inform planning policies and decisions throughout the State. The State Planning Strategy is the lead strategic planning document within Government. This document takes into account what is known about the future and the expectations of Western Australians, to provide a guide for future land-use planning and development throughout the State.

Relevant State Strategic Goals for Kwinana are:

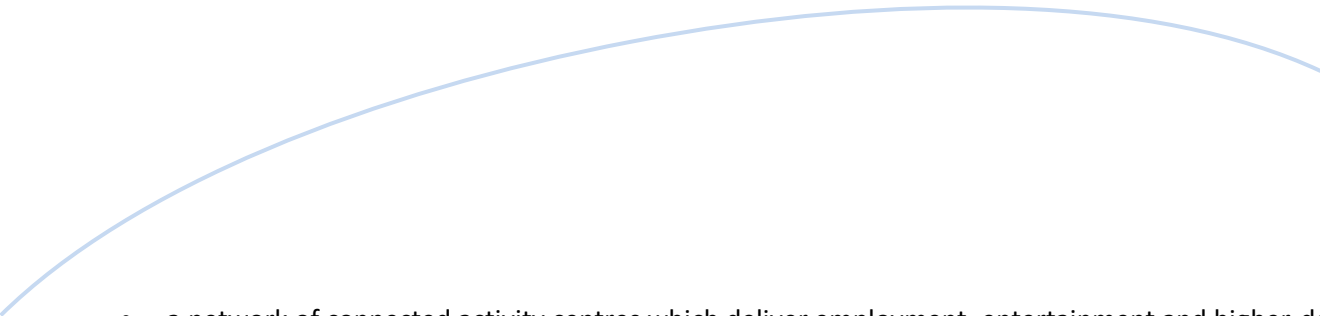
- Global competitiveness:
 - diversifying the economic base
- Strong and resilient regions:
 - creating liveable places
 - building strong networks
- Infrastructure planning:
 - supporting economic diversity,
 - resource-efficient services
 - linking regional economic opportunities
 - creating opportunities
- Sustainable communities:
 - responsive to diverse needs
 - attractive liveable environments
 - connections between and within communities
 - integrated and outcome based planning

2.2. Perth and Peel @ 3.5 million (WAPC 2018)

The overall spatial framework for Perth and Peel the *Perth and Peel@3.5 million* suite of documents is guided by the 'Connected City' principles, involving substantial intensification and increased development density. It also identifies the key structuring element of people movement and freight transport as these employment areas obviously need well-formed and connected transport routes.

A **connected city** is identified as the preferred future growth pattern because it provides the best balance between urban infill and fringe development. As a connected city Perth and Peel will have:

- a strong central business district that is the business, finance, service, retail, cultural and entertainment centre of the State;

- 
- a network of connected activity centres which deliver employment, entertainment and higher-density lifestyle choices. These centres will be designed to be attractive, accessible, compact, vibrant, pedestrian and cycling-friendly environments that have high-quality public transport and road linkages;
 - connected, specialised hubs of innovation, education, health, research and technology which are designed and located to enable access to skilled labour and appropriate infrastructure;
 - urban areas that deliver a range of contemporary lifestyle choices from low density suburban, to medium-density urban and high-density inner-city lifestyles in strategically-located areas;
 - high-quality global and local infrastructure networks including roads, public transport, energy, water, communication and globally competitive, highly accessible airport and sea port infrastructure;
 - urban form that maximises the use of existing infrastructure assets in parallel with extending infrastructure into the development areas of the outer sub-regions identified in the relevant draft sub-regional planning frameworks; and
 - integrated land and water management that provides social amenity, environmental protection and resilience to climate change for a more liveable city into the future, through better urban water management, water sensitive urban design and green infrastructure.

2.3. South Metropolitan Peel Sub-Regional Planning Framework (WAPC 2018)

The South Metropolitan Peel Sub-Regional Planning Framework (SMPS-RPF) is an element of the *Towards Perth and Peel @ 3.5 million* suite of documents.

The Framework notes that to deliver jobs within the sub-region, and therefore contribute to the employment self-sufficiency levels in each sector, employment growth needs to better match the sub-region's labour force and demographic profile. This includes knowledge-based employment strategically located at major centres.

The Framework anticipates that to 2050 job numbers within the industrial centres will be concentrated within the Latitude 32 and Nambeelup industrial centres, with a total of approximately 24,000 additional jobs being provided within these two centres. Industrial centres at Forrestdale, Maddington/Kenwick and Mundijong–Cardup are also predicted to contribute approximately 20,000 jobs during this timeframe. The job numbers are a projection only, based on the draft framework scenario, and may vary due to a number of factors including economic drivers, staging and sequencing of land uses as well as infrastructure provision.

The analysis in this report suggests that, with employment densities in industrial estates generally declining, this might be an over-estimate of the future employment growth in Latitude 32.

2.4. State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP 4.2).

The main purpose of State Planning Policy 4.2 (SPP 4.2) is to specify broad planning requirements for the planning and development of new activity centres and the redevelopment and renewal of existing centres in Perth and Peel. It is mainly concerned with the distribution, function, broad land use and urban design criteria of activity centres, and with coordinating their land use and infrastructure planning. It describes a

hierarchy for activity centres to meet different levels of community need and enable employment, goods and services to be accessed efficiently and equitably by the community.

Kwinana City Centre, along with Cockburn Centre, is classified as a Secondary Centre in the Policy.

Rockingham City Centre is classified as a Strategic Metropolitan Centre in the Policy. They are the most important centres in their metropolitan sub-region and Rockingham is the Strategic Metropolitan Centre for the Kwinana area. The intended characteristics of Secondary Centres, compared with Strategic Metropolitan Centres, are shown in the following table:

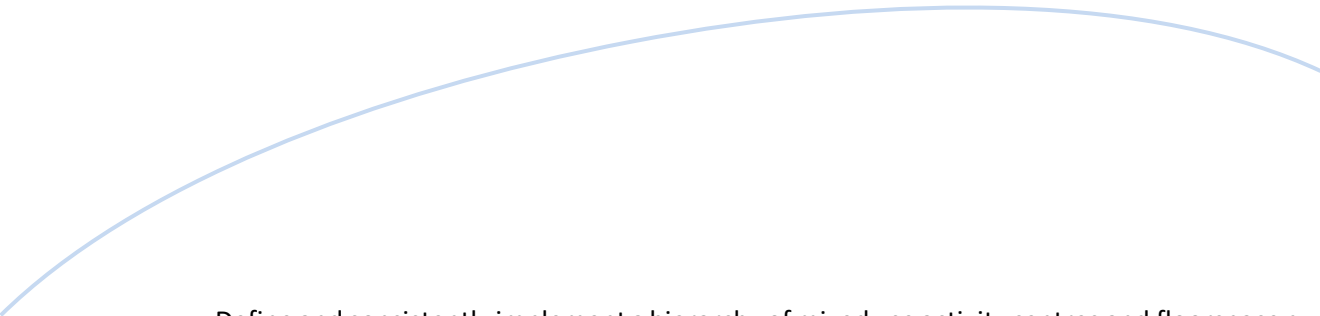
	<i>Strategic Metropolitan Centres (e.g. Rockingham)</i>	<i>Secondary Centres (e.g. Kwinana, Cockburn)</i>
Main role/function	<i>Strategic metropolitan centres are the main regional activity centres. They are multipurpose centres that provide a diversity of uses. These centres provide the full range of economic and community services necessary for the communities in their catchments.</i>	<i>Secondary centres share similar characteristics with strategic metropolitan centres but serve smaller catchments and offer a more limited range of services, facilities and employment opportunities. They perform an important role in the city's economy, and provide essential services to their catchments.</i>
Transport connectivity and accessibility	<i>Important focus for passenger rail and high frequency bus networks.</i>	<i>Important focus for passenger rail and/or high frequency bus network.</i>
Typical retail types	<ul style="list-style-type: none"> • Department store/s • Discount department stores • Supermarkets • Full range of speciality shops 	<ul style="list-style-type: none"> • Department store/s • Discount department store/s • Supermarkets • Speciality shops
Typical Office development	<ul style="list-style-type: none"> • Major offices • State government agencies 	<ul style="list-style-type: none"> • Major offices • Professional and service businesses

2.5. City of Kwinana Local Commercial Activity Centres Strategy 2014

The City of Kwinana Local Commercial and Activity Centre Strategy is intended to assist in the identification and/ or confirmation of sufficient sites for activity centres in appropriate locations throughout the City, so that the shopping and other commercial/ community needs of the population can be conveniently satisfied to the maximum practicable extent. The retail needs and floorspace figures estimated through the Strategy are not intended as rigid “caps” on each centre to be implemented through development control and policy. Rather, they are intended as an indicator of market potential over time and a guide for the strategic planning of the City’s activity centres.

The Strategy proposes a series of strategies proposed to realise the adopted strategic intentions, including inter alia:

- Pro-actively maintain the Kwinana city centre as the largest and most complex activity centre in the Kwinana hierarchy of centres by ensuring that all higher-level commercial, civic and cultural activities that should be there are permitted there (and preferably nowhere else); and by ensuring that the other centres in the hierarchy remain appropriately matched to their designated roles.

- 
- Define and consistently implement a hierarchy of mixed use activity centres and floorspace quantity controls aimed at ensuring that the centres hierarchy is maintained, while nevertheless allowing a significant degree of flexibility for the commercial operation of the market within the defined activity centres.
 - Assess the future retail needs of the population and provide guidance to the market in relation to the estimated future trade potential of all existing and planned activity centres .
 - Within reason, be willing to allow virtually any development or change of use proposal that would improve the condition and/ or performance of an existing local activity centre.
 - Where appropriate, take a proactive role in encouraging and facilitating improvements to existing activity centres. In the first instance, prioritise energetic continuation of current initiatives aimed at the improvement of local centres.
 - Ensure that developers allocate enough land for the long term floorspace potential of planned mixed use activity centres.
 - Enforce SPP 4.2 “mix of land use” provisions in district centres and higher.
 - Encourage “mix of land use” provisions in neighbourhood and local activity centres, where practicable.
 - Zone land for medium and high density residential development in the immediate vicinity of activity centres.

3. Key demographic drivers:

3.1 Population

3.1.1 Historic Growth

In common with all of the municipalities in the Perth South Metropolitan and Peel regions, Kwinana is experiencing substantial population growth. It has large areas of undeveloped greenfields land to accommodate population growth and also substantial infill potential. The population of the City of Kwinana is in the middle of a strong growth phase. It grew from 23,986 in 2006 to 30,697 in 2011 and to 40,058 in 2016. The average annual growth rate in both the 2006 – 2011 and 2011 – 2016 periods was higher than the average for metropolitan Perth overall, as shown in Table 3.1.

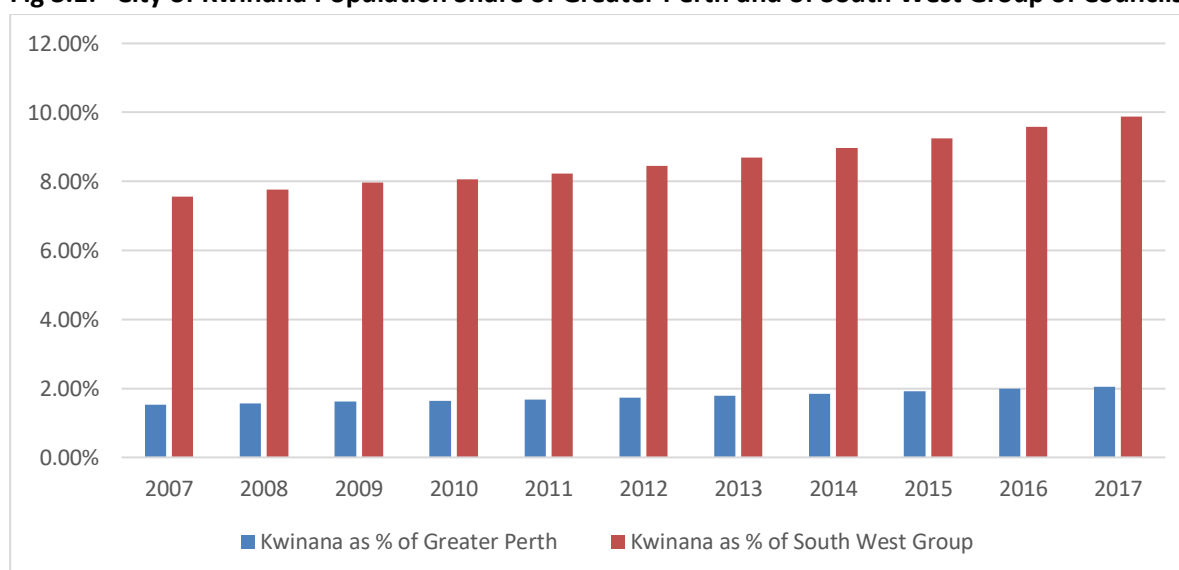
Table 3.1: Historic Population Growth, City of Kwinana and Metropolitan Perth

	Population			Ave Annual Growth Rate	
	2006	2011	2016	2006 - 2011	2011 - 2016
City of Kwinana	23,986	30,697	40,058	5.1%	5.5%
Perth (Metropolitan)	1,533,413	1,772,899	1,925,794	3.1%	1.7%

Source: ABS Regional Population Growth, Cat. 3218.0

Kwinana's growth has meant that it has slightly increased its share of the Perth population overall and of the South West Group¹ of local governments. This will continue given the current population forecast (see below).

Fig 3.1: City of Kwinana Population Share of Greater Perth and of South West Group of Councils



Source: ABS Regional Population Growth, Cat. 3218.0

¹ The South West Group is a voluntary regional organisation of councils including City of Cockburn, Town of East Fremantle, City of Fremantle, City of Kwinana, City of Melville and City of Rockingham.

3.1.2 Projected Growth – The City

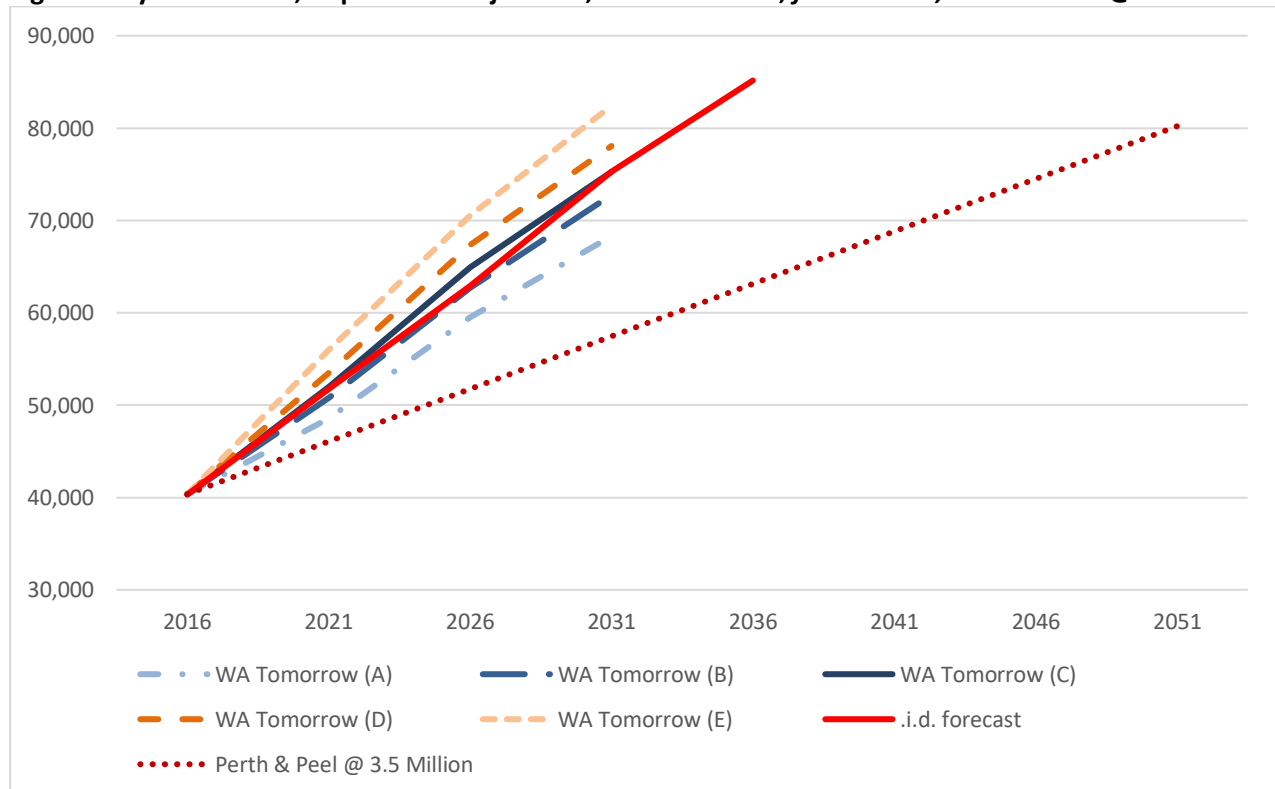
Population growth analysis is primarily based on the City of Kwinana *forecast i.d.* dataset. This is checked against WAPC WA Tomorrow forecasts.

The City's population is projected by *forecast i.d.* (latest update December 2017) to grow from 40,305 (2016) to 85,158 (2036). This is generally consistent with WAPC WA Tomorrow² projections, which show population increasing to between 68,290 and 75,270 by 2031, with a mid-range (Band C) almost identical to the *forecast id* projection at 75,260 in 2031.

The differences are illustrated in Figure 3.2.

It should be noted that the draft WAPC South Metropolitan Peel Sub-regional Planning Framework³ shows the population of the City being at 80,000 in 2050. This either implies slower growth than the current trajectory of the *.id forecast* series or no growth after 2036.

Fig 3.2: City of Kwinana, Population Projections, WA Tomorrow, *forecast i.d.*, Perth & Peel @ 3.5 Million



Source: WA Tomorrow (2018; *i.d. forecast* (2017); Perth @ Peel @ 3.5 Million (WAPC 2018)

² Western Australia Tomorrow, Population Report No. 11 - sub-State ASGS (SA2), Medium-Term Population Forecasts 2016 to 2031

³ WAPC, Perth & Peel @ 3.5 Million, South Metropolitan Peel Sub-regional Planning Framework, March 2018

The City's population is projected to more than double to 85,158 by 2036. This has several direct implications:

- An increased resident workforce, with the consequent demand for increased employment opportunities;
- An approximate doubling of population related employment, capacity and planning permitting.
- Increased demand for activity centre floorspace (retail, commercial, services) – this will primarily affect existing activity centres in the City.
- An increase in the aged population, with the consequent need for 2 - 3 additional aged care facilities plus in-home services. These are large employers.

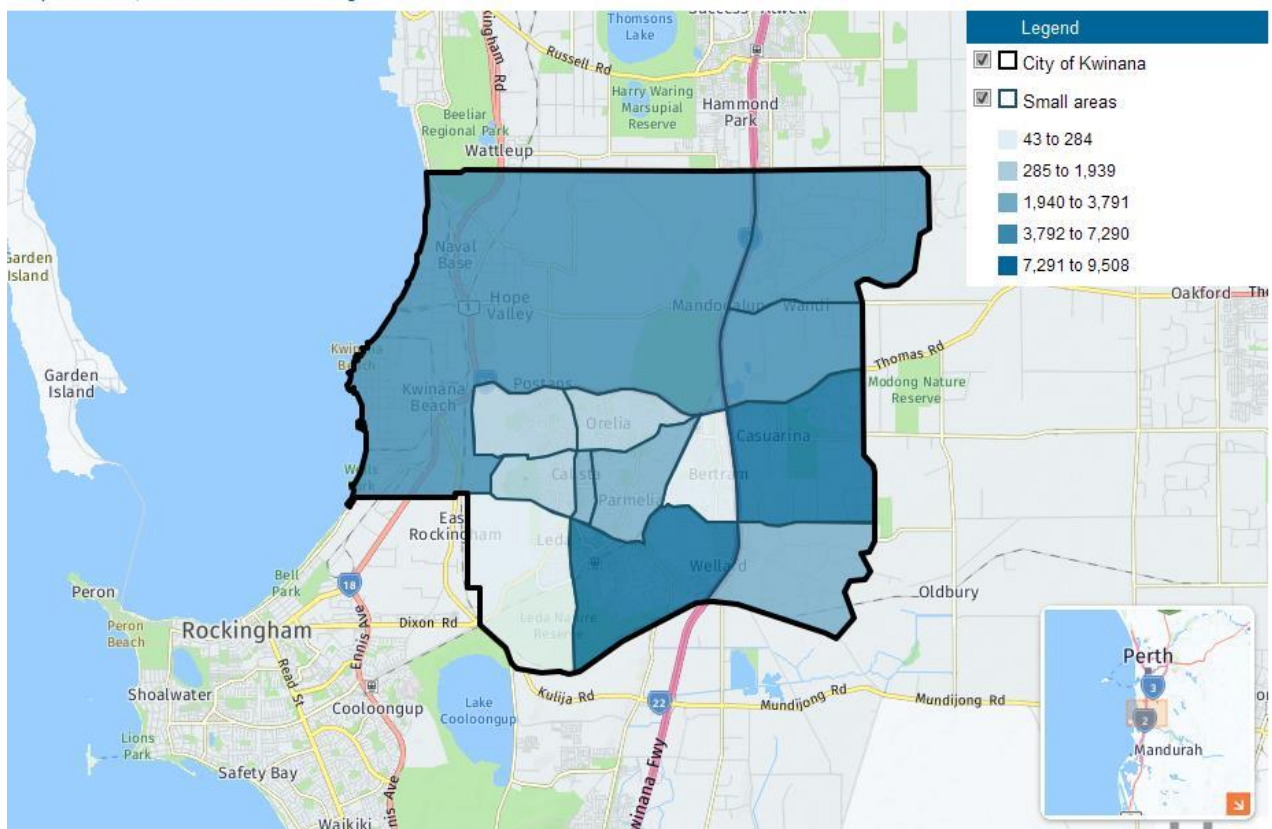
3.1.3 Location of Population Growth

Map 3.1 shows the location of the forecast population growth. It is mostly in Casuarina and Wellard. These are close to public transport but generally away from employment centres.

Map 3.1: City of Kwinana: Location of Population Growth

Population and age structure map - 0 to 85

City of Kwinana, 2016 to 2036 number change

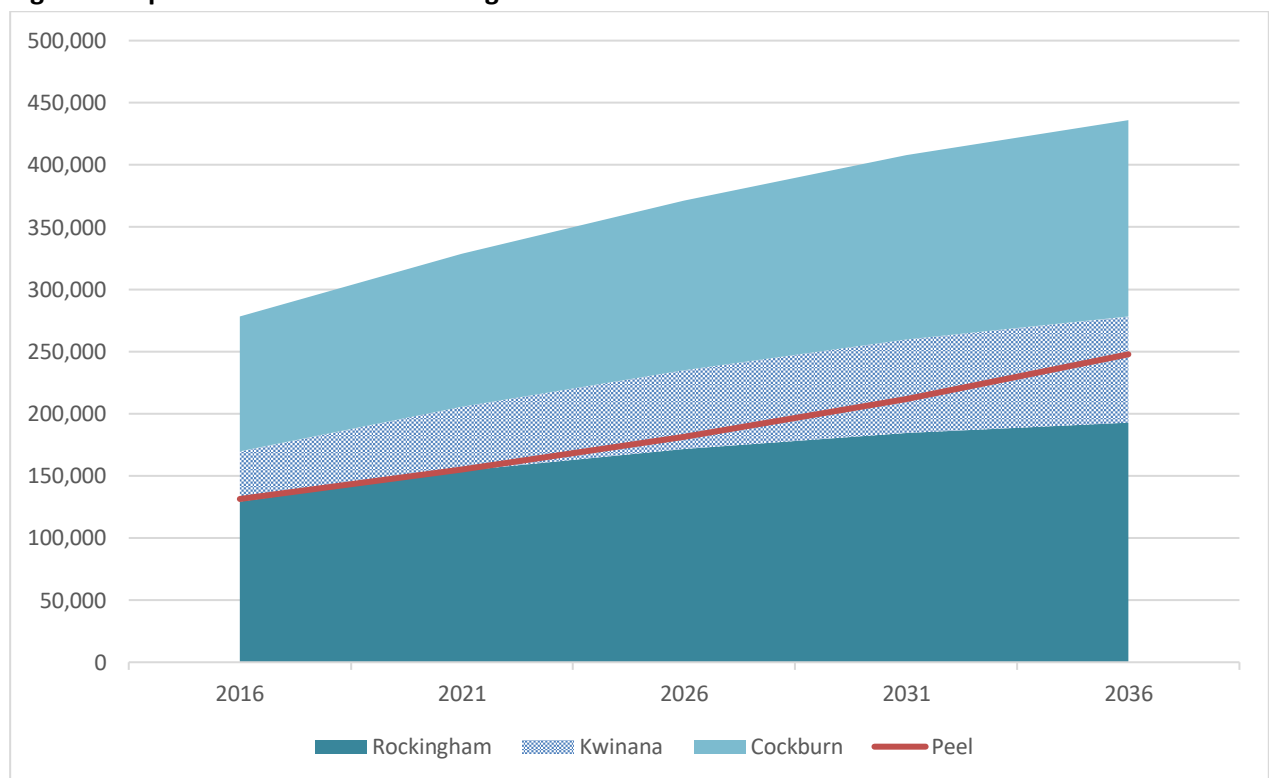


3.1.4 Regional Context

The City is bounded to the north and south by the much larger Cities of Cockburn and Rockingham respectively. This constitutes its immediate local region. Together they contain the main local and regional employment centres: The Western Trade Coast (the Kwinana / Rockingham Industrial Complex and Henderson), the Rockingham Strategic Metropolitan Centre and Stirling base. This local region is the employment location for 43.4% of the City of Kwinana resident workforce.

The region is growing quickly: between 2016 and 2036 the population of the three cities combined will almost double to 436,000. Kwinana is somewhat smaller in population than the other two, constituting around 20% of the total by 2036. To the south the Peel region is also growing strongly and its population will almost double to 248,000 by 2036.

Fig 3.3: Population Growth in Local Region



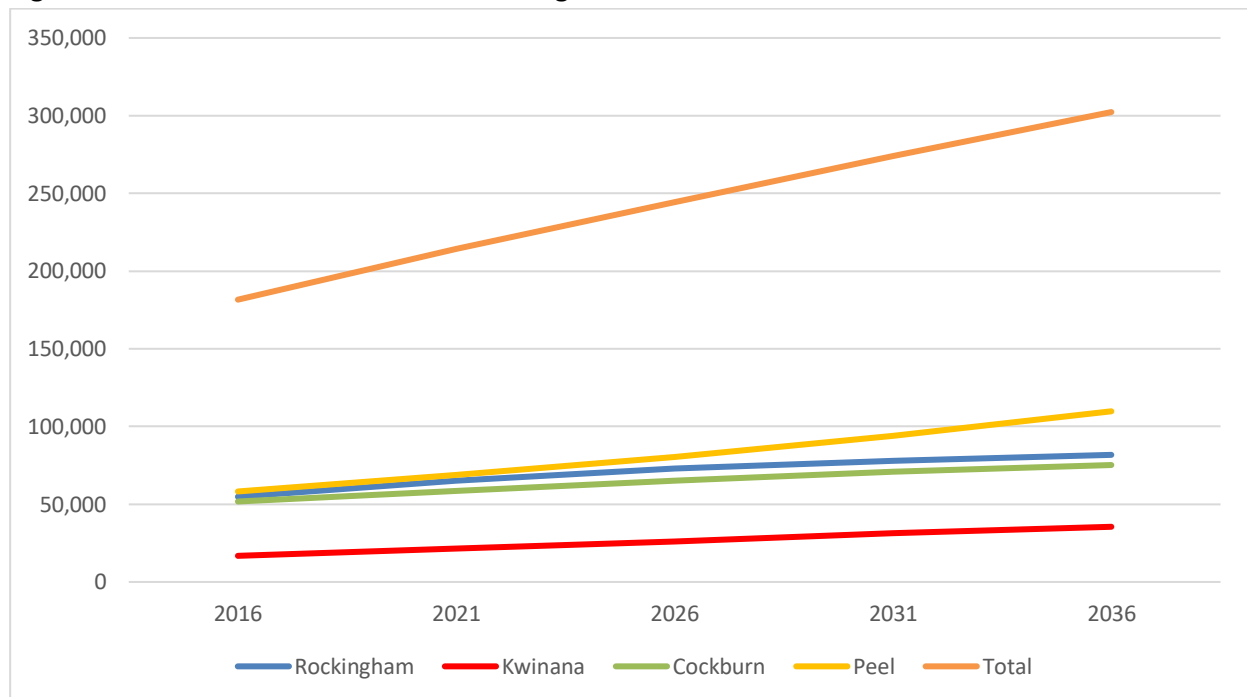
Source: WA Tomorrow (2018; i.d. forecast (2017);

With population growth will come a substantial increase in the resident workforce across the three cities, increasing by 69,100 in the local region. Local population-driven services (e.g. retail, education, health) will provide employment opportunities for around one-third of this number, leaving 46,000 new strategic jobs to be found in the local region if local employment to match workforce growth.

The City and its local region currently have quite high jobs capacity, expressed as employment self-sufficiency (i.e. the ratio of total jobs to the resident workforce): around 78% for the City of Kwinana and

73% for the local region overall. If these ratios were to be maintained, then another 14,600 jobs need to become available in the City of Kwinana, and 50,400 jobs in the local region overall between 2016 and 2036. This is a very big task.

Fig 3.4: Resident Workers Growth in Local Region



Source: i.d. forecast (2017);

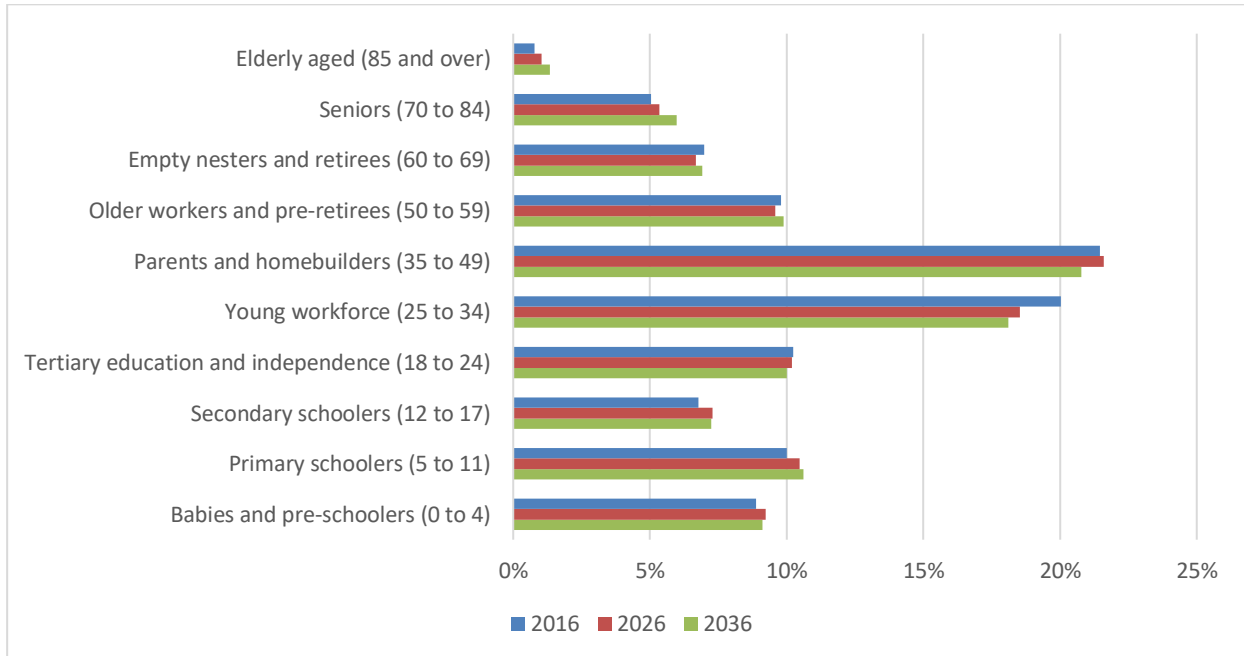
Provision of places to provide employment for Kwinana residents is thus an important objective for City land use planning. These jobs also need to match the skill levels of resident workers. Employment self-containment (i.e. the proportion of resident workers who are employed within the boundaries of the Local Government Area or region) for the City of Kwinana is quite low (18.5%), although a further 25% of resident workers are employed in the adjacent Cities of Rockingham and Cockburn. The Kwinana employment self-containment figures are much lower than its neighbours: for Cockburn it is 28% and for Rockingham 39%. In 2016 there were 123,164 resident workers in the combined three Cities, with 53,668, or 44%, working there.

3.1.5 Age Profile

The age structure of the Kwinana population is similar to the wider region. Recent growth has been strongest for young workforce (25 to 34) parents and homebuilders (35 to 49).

Growth projections indicate little change in overall population composition (Fig 3.5)

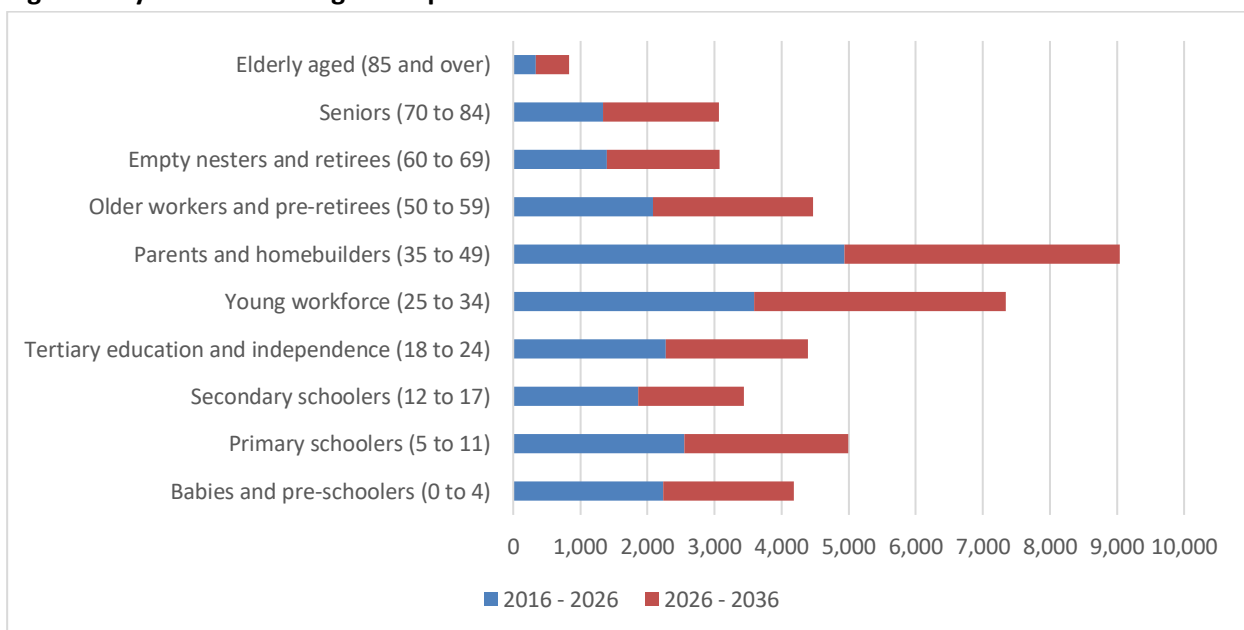
Fig 3.5: City of Kwinana - Age Group Population Proportion



Source: WA Tomorrow (2018; i.d. forecast (2017);

Between 2016 and 2036, the City's population in the 70 – 84 age group will increase by around 3,100 and by around 835 persons in the 85 and above age group. This increase in the aged population, will generate the need for at least 2 - 3 additional aged care facilities plus in-home services. These are large employers.

Fig 3.5: City of Kwinana - Age Group Growth 2016 - 2036



Source: WA Tomorrow (2018; i.d. forecast (2017);

Persons over 85 form a high proportion of people in aged care accommodation. At 30 June 2014 Australia-wide the majority (77%) of people in care were aged 80 or over and the average age for people in permanent residential aged care was 84.5⁴.

There are two nursing homes in the City of Kwinana, offering around 138 places, a ratio of one per 2.3 people aged over 85. This is somewhat below WA average care and staffing ratios⁵, which would indicate the need for around 178 places. At current ratios, there will be a need for a total of around 475 aged care beds by 2036, an increase of around 340 on present numbers and to make up for a current shortfall. This is equivalent to three large nursing homes and the City should make accommodation in its planning for this number.

There will also be significant demand for in-home services and significant demand for additional care facilities by 2036. The ratios indicate an additional 140 home care places in Kwinana between 2011 and 2036 as shown in Table 3.2. This may prove to be an underestimate, given a shift in policy towards more in-home care provision.

Table 3.2: Kwinana, Operational Aged Care Places (modelled on WA Average ratios)

	2016	2026	2036	Change 2016 - 2036
Residential care	178	305	475	297
Home care	84	143	223	139

Aged care is a substantial employer. The aged care workforce could almost double to over 700 in the City by 2036, with around 340 working in residential aged care. This is contingent upon the number of aged care beds in the City increasing from its current to around 500 beds by 2036.

This is shown in Table 3.3.

Table 3.3: Kalamunda, Aged Care Workforce to 2036

	2016	2026	2036	Change 2016 - 2036
Residential care workforce	206	353	550	343
Community care workforce	232	398	619	387
Total	438	751	1169	730

⁴ <http://www.aihw.gov.au/aged-care/residential-and-home-care-2013-14/characteristics/>

⁵ Ref: Australian Government, Department of Social Services, 2013–14 Concise Facts & Figures in Aged Care. Note that WA has a similar overall operational aged care ratio as Australia, but a lower proportion of residential care places and a higher proportion of home care places per person aged over 70.


3.2 Socio-Economic Characteristics

Table 3.4 shows summary socio-economic data for the City of Kwinana. Compared with the Greater Perth metropolitan area, Kwinana has:

- Lower individual and household incomes;
- A lower median age
- A higher proportion of one-parent families;
- A much higher proportion of separate (single residential) housing and a much lower proportion of medium and higher density housing;
- A high proportion of mortgage holders;
- A lower proportion of higher and post-secondary qualifications;
- A lower proportion of managers & professionals and a higher proportion of technical and trades workers.

Table 3.4: City of Kwinana – Selected Socio-economic Characteristics

	City of Kwinana	Greater Perth
Income		
Median individual income (annual)	\$684	\$728
Median household income (weekly)	\$1,467	\$1,636
Median Age (years)	32	36
Country of Birth		
Australia	58.0%	57.3%
Other Major English Speaking Countries	14.0%	13.6%
Other Overseas Born	28.0%	29.1%
% speak English only at home	71.4%	73.5%
Aboriginal and Torres Strait Islander population	3.6%	1.6%
Family Composition		
Couple family – Total	79.8%	83.8%
One parent family – Total	18.4%	14.5%
Dwelling Structure (Occupied Private Dwellings)		
Separate house	90.4%	76.9%
Semi-detached, row or terrace house, townhouse etc.	5.3%	16.0%
Flat, unit or apartment	3.4%	6.6%
Other dwelling	0.5%	0.3%
Occupancy rate		
Average household size	2.7	2.6
Tenure Type (Occupied Private Dwellings)		
Owned outright	16.2%	28.1%
Owned with a mortgage	54.2%	41.9%
Rented	26.7%	26.7%
Other tenure type	0.5%	2.3%



	City of Kwinana	Greater Perth
Car Ownership per Dwelling		
None	4.9%	4.9%
One	32.6%	32.2%
Two	39.3%	39.4%
Three of more	20.3%	20.8%
Highest Year of School Completed (% of population aged 15 years and over)		
Bachelor/ Diploma and above	22.0%	32.2%
Certificate iii - iv	19.4%	16.3%
Year 12 or equivalent	15.5%	16.7%
Year 10-11 or equivalent	20.1%	15.9%
Year 9 or below	6.0%	5.5%
Did not go to school	0.4%	0.6%
Highest year of school not stated	14.0%	9.9%
Occupation		
Managers & professionals	22.9%	33.7%
Clerical, admin & sales workers	22.7%	22.8%
Technicians & trades workers	18.5%	15.6%
Machinery operators & drivers	11.0%	6.5%
Labourers & related workers	12.4%	9.0%

Source: ABS Census 2016

4. Employment

4.1. Employment

4.1.1. Employment by Industry

At the 2016 Census there were 12,650 working in Kwinana. Although employed in Kwinana, they may or may not be local residents. Employment is heavily concentrated in two employment sectors – manufacturing (23.9%) and construction (11.6%). In large part this reflects the history of Kwinana, especially its role as the primary heavy industry area in the State.

In contrast, across the Greater Perth area the focus is Health Care and Social Assistance (13%), Retail Trade (10.4%), Education and Training (9.4%) and Construction (8.3%). Manufacturing accounts for just 5.9% of total employment.

Table 4.1: City of Kwinana – Employment by Industry

Industry	Number	Kwinana %	Greater Perth %
Agriculture, Forestry and Fishing	314	2.5	0.7
Mining	506	4.0	3.1
Manufacturing	3,021	23.9	5.9
Electricity, Gas, Water and Waste Services	388	3.1	1.2
Construction	1,463	11.6	8.3
Wholesale Trade	381	3.0	2.8
Retail Trade	800	6.3	10.4
Accommodation and Food Services	424	3.4	6.8
Transport, Postal and Warehousing	660	5.2	4.6
Information Media and Telecommunications	42	0.3	1.1
Financial and Insurance Services	318	2.5	2.9
Rental, Hiring and Real Estate Services	214	1.7	1.9
Professional, Scientific and Technical Services	339	2.7	7.5
Administrative and Support Services	317	2.5	3.0
Public Administration and Safety	788	6.2	6.8
Education and Training	826	6.5	9.4
Health Care and Social Assistance	744	5.9	13.0
Arts and Recreation Services	138	1.1	1.8
Other Services	325	2.6	4.1
Industry not classified	642	5.1	4.7
Total	12,650	100.0	100.0

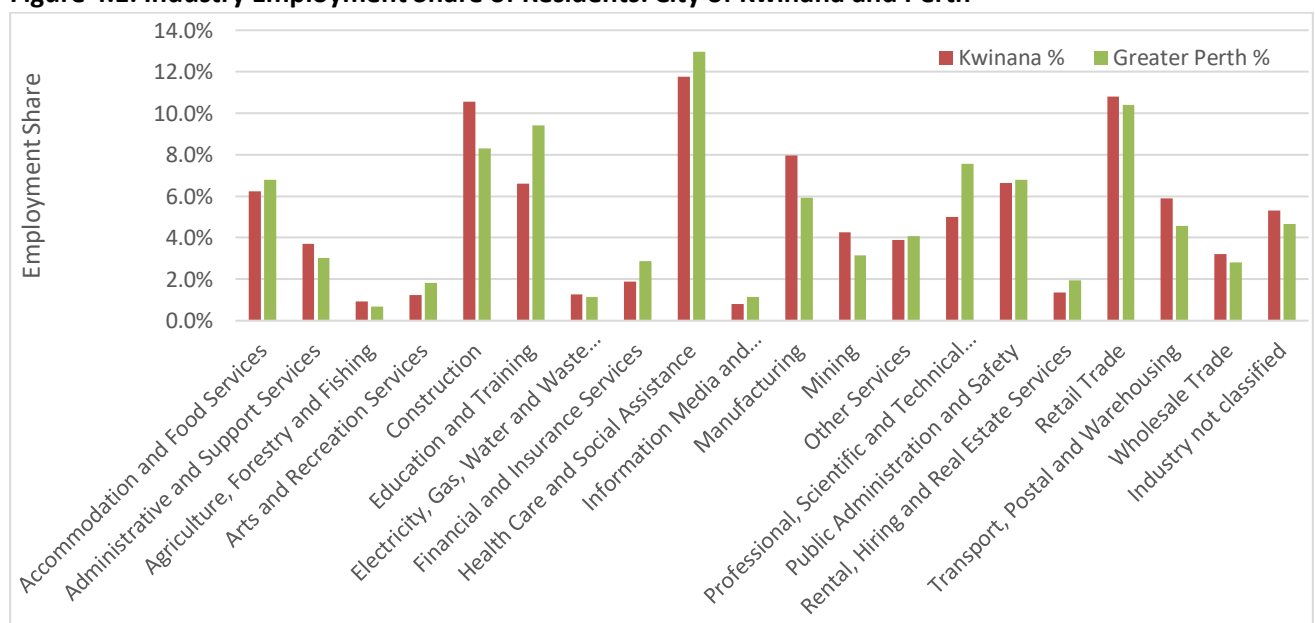
Source: ABS Census 2016

Some 3,092 residents of Kwinana work locally within the City of Kwinana. There are two broad ways to interpret this number. It represents 24.5% of the 12,650 local jobs. This is referred to as a self-sufficiency measure. It indicates that local residents are not dominant in filling local jobs and, by definition travel outside of the city for work. The 3,092 residents who work locally is 18.5% of the 16,802 Kwinana residents who are employed. This is sometimes referred to as a self-containment index. It effectively shows the proportion of resident workers who are employed within the City. The balance of around 13,500 find work outside of the City.

One difficulty with these measures is that they need to be carefully interpreted in terms of (a) the planning and development history, (b) area specialisation, (c) City size (d) wider trends in industry and economic development and (e) closely available regional employment. This is particularly relevant for Kwinana. As noted in Section 3.1.4, around 25% of Kwinana residents who are employed work in the adjacent municipalities of Rockingham and Cockburn, and the local region (i.e. the combined Cities of Kwinana, Rockingham and Cockburn) has a self-containment figure of 44%.

Of particular interest for Kwinana is manufacturing, which as noted above, dominates employment in the City. The manufacturing share of total employment in the City is 23.9%, with around 3,000 employed. Of these around 300 live in the City, an industry self-sufficiency index of 10%. Interestingly of the 16,727 employed Kwinana residents only 1,358, or 8%, work in manufacturing (i.e. in all locations – see Table 4.3). Manufacturing has a greater representation in City located employment than it does in resident employment. The distribution of employment by industry for Kwinana residents is in fact very close to that of residents as a whole across Perth. This is shown in Figure 4.1 and Table 4.2.

Figure 4.1: Industry Employment Share of Residents: City of Kwinana and Perth



Source: ABS Census 2016

Table 4.2: City of Kwinana – Resident Workforce – Industry of Employment

Industry	Number	Kwinana %	Western Australia %
Agriculture, Forestry and Fishing	167	1.0	2.5
Mining	718	4.3	6.3
Manufacturing	1,358	8.1	5.6
Electricity, Gas, Water and Waste Services	227	1.4	1.2
Construction	1,780	10.6	9.8
Wholesale Trade	530	3.2	2.5
Retail Trade	1,808	10.8	9.5
Accommodation and Food Services	1,045	6.2	6.4
Transport, Postal and Warehousing	993	5.9	4.6
Information Media and Telecommunications	152	0.9	1.0
Financial and Insurance Services	329	2.0	2.4
Rental, Hiring and Real Estate Services	233	1.4	1.7
Professional, Scientific and Technical Services	850	5.1	6.4
Administrative and Support Services	635	3.8	3.3
Public Administration and Safety	1,123	6.7	6.2
Education and Training	1,103	6.6	8.7
Health Care and Social Assistance	1,973	11.7	11.7
Arts and Recreation Services	211	1.3	1.6
Other Services	672	4.0	4.0
Industry not classified	895	5.3	4.6
Total	16,802	100.0	100.0

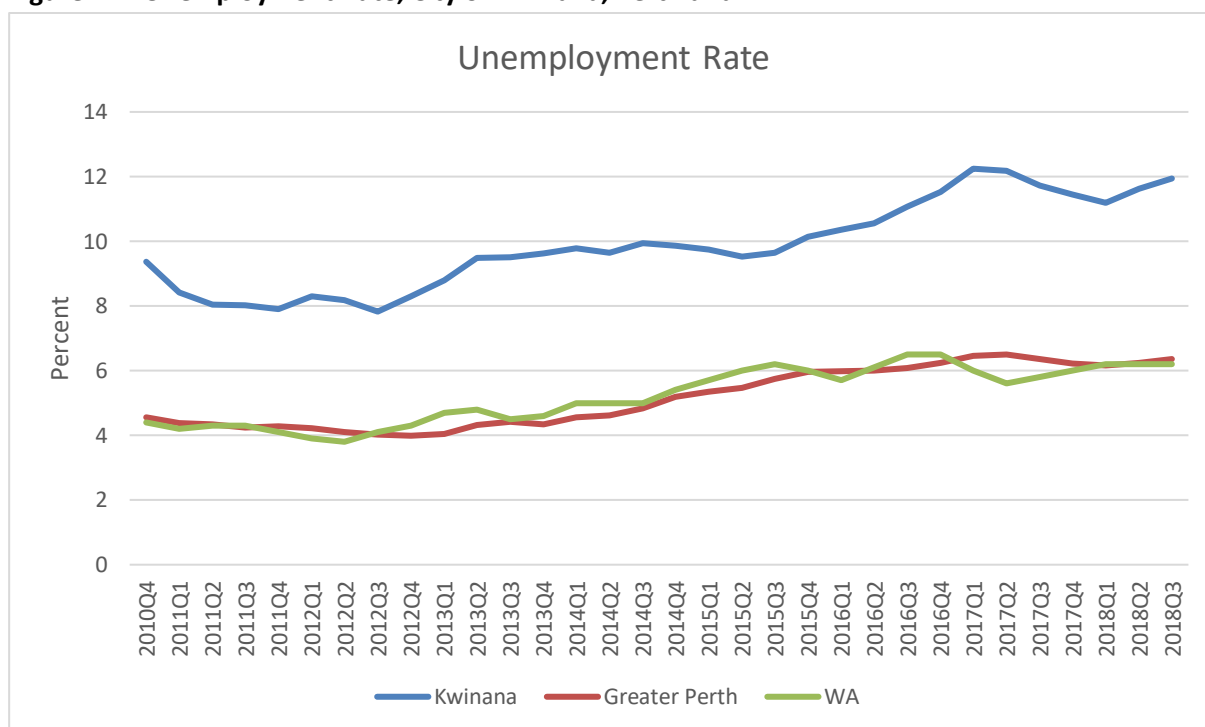
Source: ABS Census 2016

The significance of this is simply that the manufacturing employment in Kwinana is very important to many employees from outside of the City whereas employment elsewhere in key employment sectors like retail and services is very important to the employment of prospects for Kwinana residents. This goes to two key issues considered later in the report, namely (a) the need to protect key industrial lands in Kwinana in the interest of the region and the State and (b) the need to adjust land use planning in Kwinana to facilitate employment developments in sectors where Kwinana residents will be most likely to work going forward as population grows.

4.1.2. Unemployment

One aspect of employment for Kwinana residents that has proved particularly problematic is the unemployment rate. This is currently (and consistently) nearly twice that of Greater Perth and Western Australia as a whole.

Figure 4.2: Unemployment Rate, City of Kwinana, Perth and WA

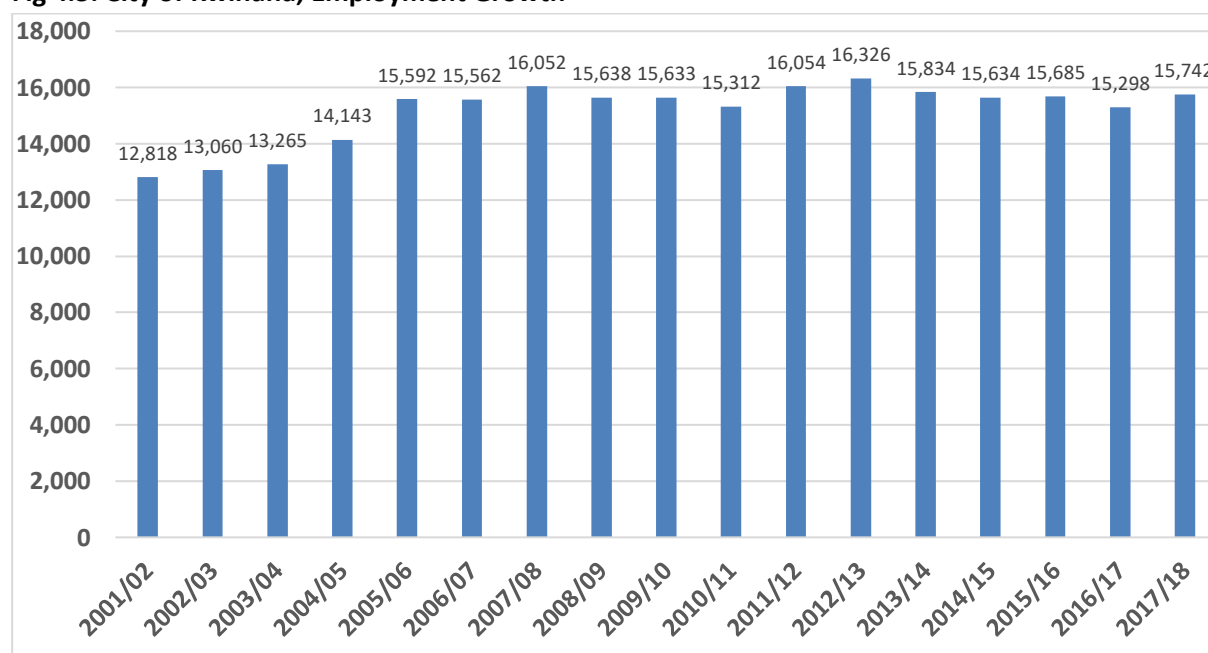


Source: i.d. forecast (2017)

4.1.3. Employment Growth

Recent employment growth in Kwinana is shown below.

Fig 4.3: City of Kwinana, Employment Growth



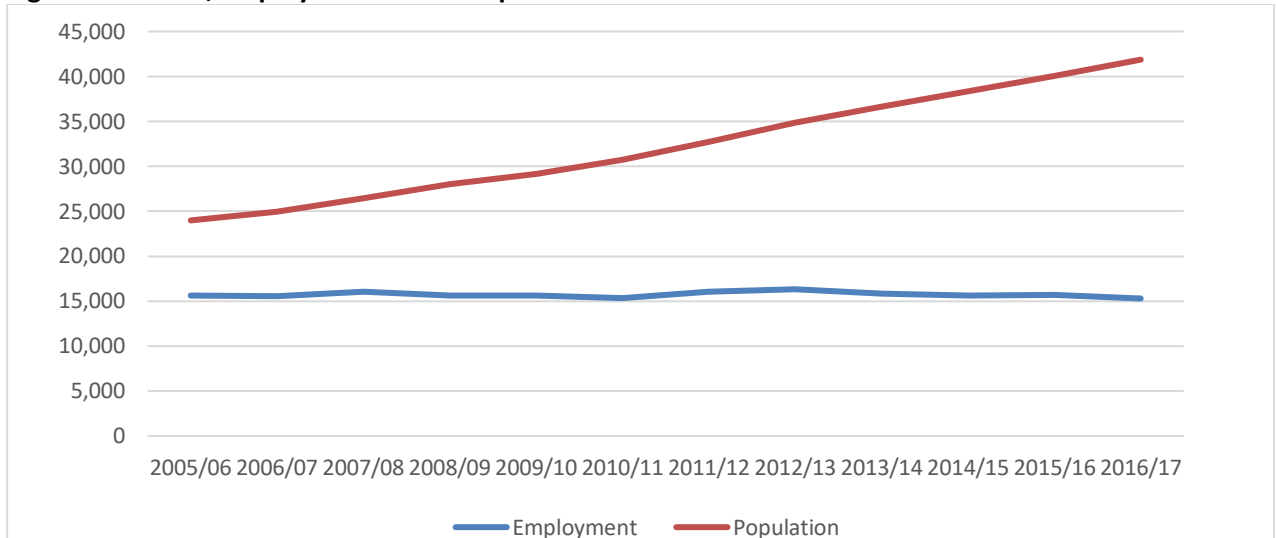
Source: i.d. forecast (2017)

While there has been some recent growth in employment the salient feature is that employment in Kwinana is not keeping up with population growth. Since 2005/06 employment in Kwinana has remained steady at around 15,500 jobs, while the population has increased from 24,000 to over 42,000 in 2018.

Employment growth has not matched the employment growth in the broader South West Group area nor the employment growth in Greater Perth.

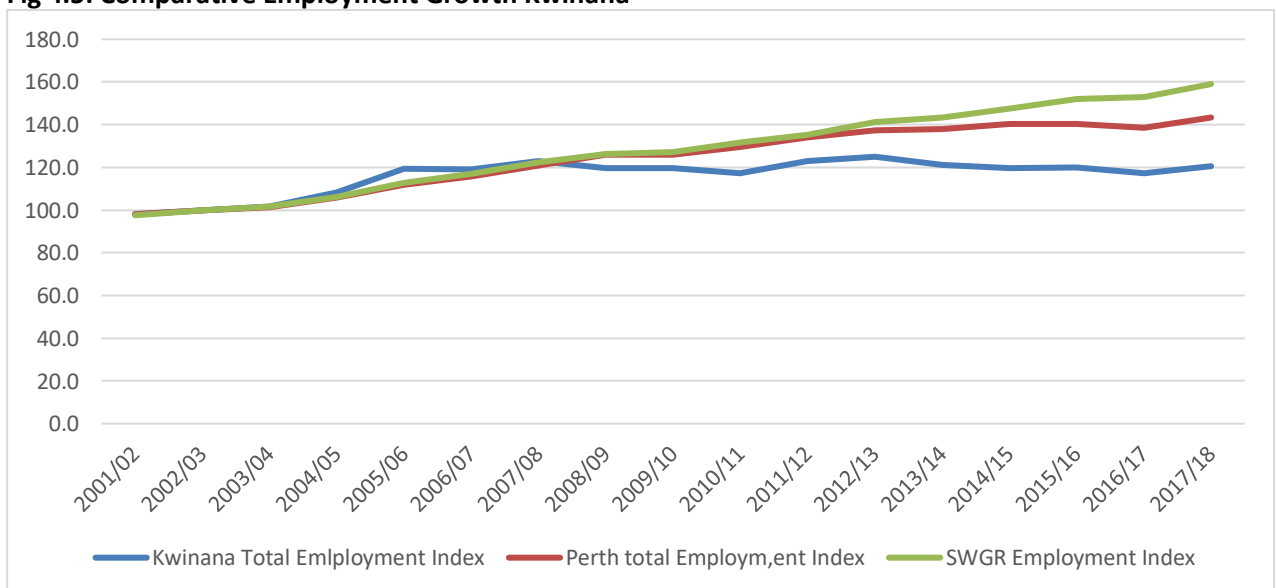
Figure 4.4 shows that employment has been flat since 2005/06. The Kwinana share of employment has fallen compared to both Perth and the South West Group, as shown in Figure 4.5. These trends in employment growth show the challenge associated with having job growth in Kwinana keep pace with projected population growth.

Fig 4.4: Kwinana, Employment versus Population Growth



Source: i.d. forecast (2017)

Fig 4.5: Comparative Employment Growth Kwinana



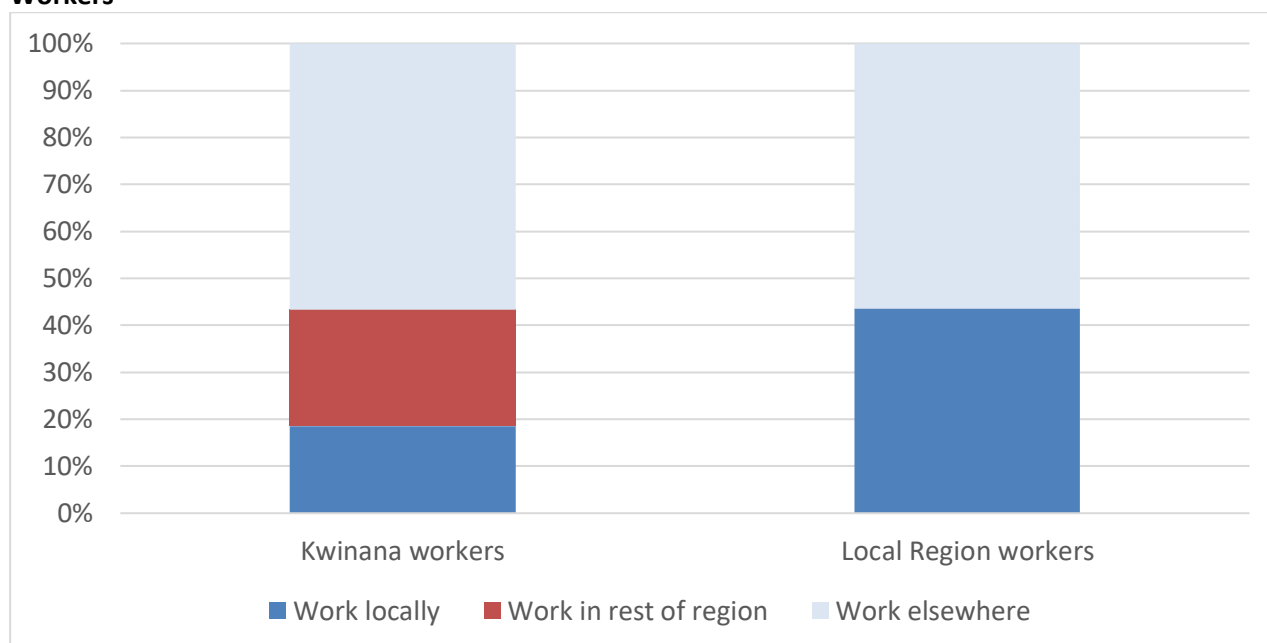
Source: i.d. forecast (2017)

4.2 Employment Locations

Regional Employment is very important to Kwinana resident workers. Around 18.5% of Kwinana the resident workforce works in the City, with the majority increasingly needing to find work outside of the City. While much of this (around 25% of the total) is in the adjacent Cities of Cockburn and Rockingham, high proportions of Kwinana working residents work further afield in the Cities of Perth, Melville (Murdoch) and Canning.

Overall, 44% of workers living in the local region (Kwinana, Rockingham, Cockburn) work in the region; This puts pressure on local employment provision as the workforce grows.

Fig 4.6: Employment Location of Kwinana and Local Region (Kwinana, Rockingham, Cockburn) Resident Workers



Source. ABS Census, 2016

Employment Capacity (sometimes known as employment self-sufficiency) is the ratio of total jobs in a location to the resident workforce. It is a useful measure of whether the local economy is providing sufficient jobs for its workforce. The job capacity for Kwinana is currently quite high: in 2017/18 there were 15,764 local jobs and 20,156 resident workers⁶, giving a job capacity ratio of 78%.

The situation is similar for the local region overall: in 2017/18 there were 106,451 local region jobs and 145,810 resident workers⁷, giving a regional job capacity ratio of 73%. If these ratios were to be maintained as the population grows, then another 12,000 jobs need to become available in the City of Kwinana, and 34,100 jobs in the local region overall between 2018 and 2036. This is an enormous task.

A proportion of these jobs (around one-third) will be population-driven, namely jobs that arise to directly service the local population. They include local retail and business services, health services, education services (particularly primary and secondary education) and personal services. However, this leaves 6,900 jobs in Kwinana and 18,500 jobs in the local region that must be found in strategic and externally oriented jobs. These jobs are typically found in the Western Trade Coast and major city centres, such as Rockingham.

⁶ Source: National Institute of Economic and Industry Research (NIEIR); economy.id

⁷ Source: National Institute of Economic and Industry Research (NIEIR); economy.id

Fig 4.7: Job Requirements to Maintain Current Job to Workers Ratio

Fig 4.7a: Kwinana

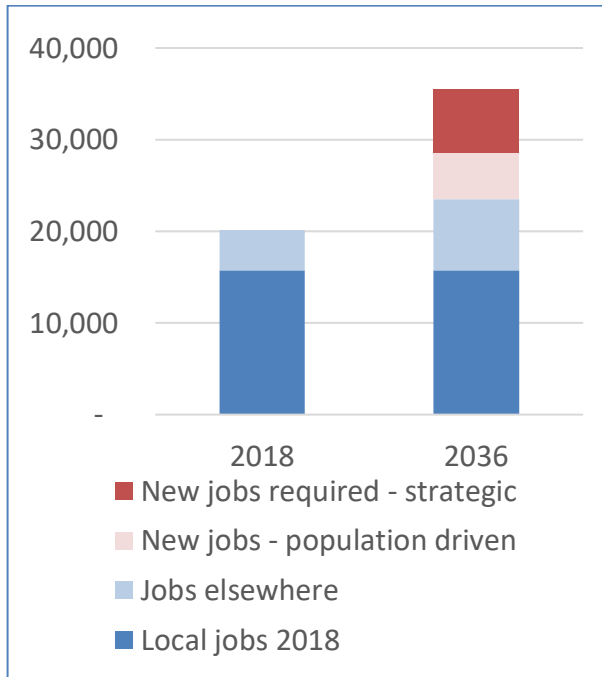
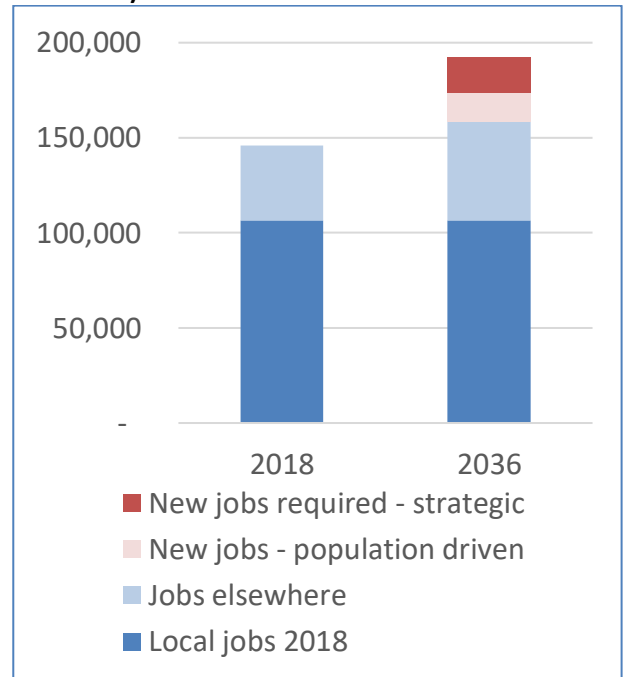


Fig 4.7b: Local Region (Kwinana, Rockingham, Cockburn)



3.3. Industry Base

Understanding the industry base in Kwinana is made slightly more complex because it is the State's premier heavy industry area. As such, it fills a particular economic role that other LGAs do not.

This role influences the mix of industry in Kwinana and its relative position within the broader economy. In particular, manufacturing is represented disproportionately in its economy, even though, as discussed above, it is not a dominant employer of Kwinana residents.

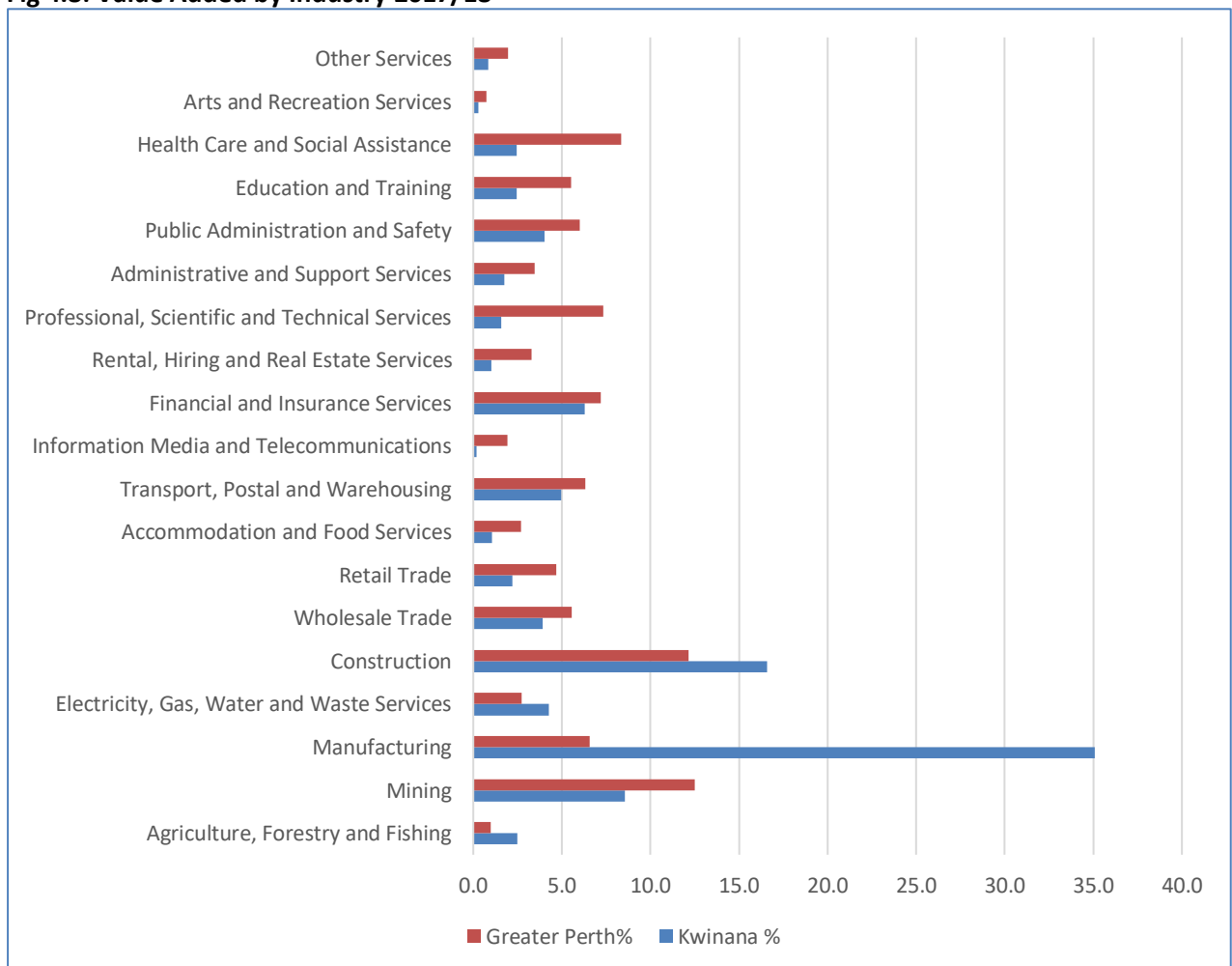
Figure 4.8 shows value added by industry. The three dominant industries are: Manufacturing (\$1,020 million or 35.1%), Construction (\$482 million or 16.6%), Mining (\$249 million or 8.6%). Clearly in terms of value added, Kwinana has a strong manufacturing orientation.

This is further illustrated by reference to the location quotients (LQ) for Kwinana compared to Greater Perth. Location quotient shows the percentage of the local economy characteristic (e.g. employment, value added) in a particular industry divided by the percentage of the wider area (region, state, nation) that this industry makes up. These are shown in Figure 4.9. They indicate that the three strongest industries in Kwinana compared to the Greater Perth area are Manufacturing (4.1), Agriculture, Forestry and Fishing (3.7), Electricity, Gas, Water and Waste Services (2.5) and Construction (1.4). For most other industries Kwinana is either about on par or under-represented compared to the Greater Perth region.

Most notably it is under-represented in Retail Trades (0.64) and Health Care and Social Assistance (0.44) which are the two biggest employment sectors for Kwinana residents (see Table 4.2).

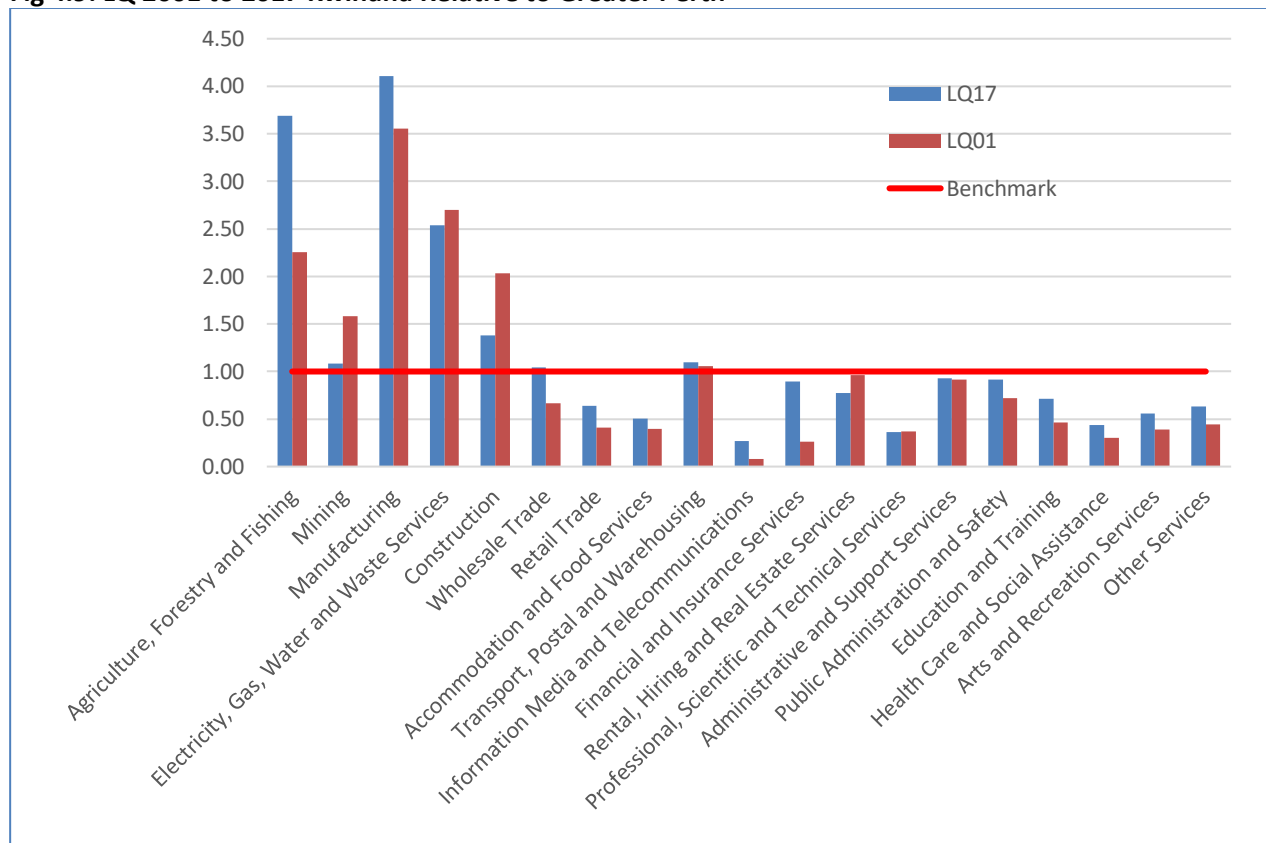
A further perspective can be obtained if we focus just on manufacturing. This is shown in Table 4.3. It shows that Kwinana accounts for 6% of manufacturing employment in Perth but 22% of its international exports. It accounts for 5% of WA's manufacturing employment but 16% of its international exports. Manufacturing in Kwinana has a significantly higher worker productivity at \$272,118 per worker compared to \$155,804 for Perth. Across all industries worker productivity is \$137,680 for Greater Perth and the wider South West Metropolitan region. This difference reflects the high capital intensity of the heavy industry sector in Kwinana. Of 3,000 manufacturing workers in Kwinana, around 300 live locally.

Fig 4.8: Value Added by Industry 2017/18



Source: i.d. forecast (2017)

Fig 4.9: LQ 2001 to 2017 Kwinana Relative to Greater Perth

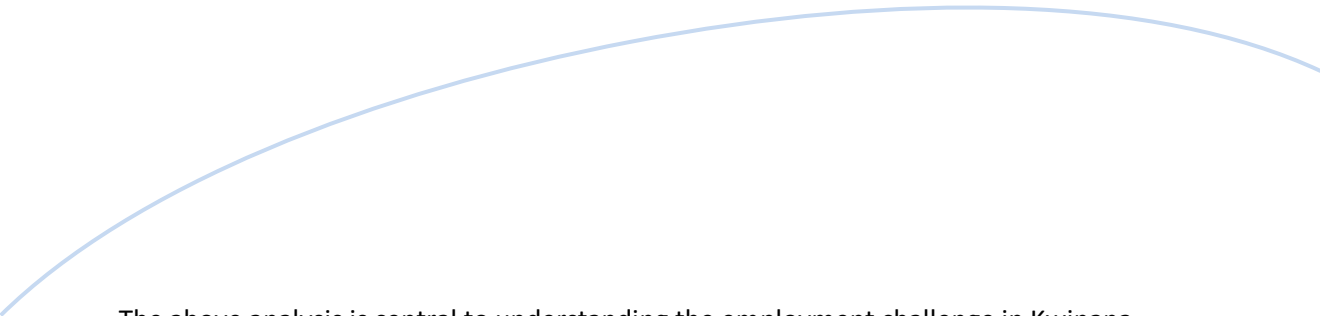


Source: i.d. forecast (2017)

Table 4.3: Manufacturing in Kwinana, Perth and WA

Economic measure	City of Kwinana	Greater Perth	City of Kwinana as a % of Greater Perth	Western Australia	City of Kwinana as a % of Western Australia
Employment (total)	3,750	61,387	6	77,380	5
Employment (FTE)	3,975	62,906	6	78,413	5
FTE to total employment ratio	1	1		1	
Output/Total Sales (\$m)	4,742	36,372	13	48,157	10
Value add (\$m)	1,020	9,564	11	12,163	8
Exports (\$m)	4,175	23,942	17	32,756	13
Exports (domestic) (\$m)	895	8,924	10	11,903	8
Exports (international) (\$m)	3,280	15,018	22	20,853	16
Imports(\$m)	1,407	40,486	3	57,987	2
Imports (domestic) (\$m)	391	11,043	4	16,700	2
Imports (international) (\$m)	1,016	29,443	3	41,287	2
Local Sales (\$m)	567	12,448	5	15,420	4
Worker productivity (\$ per worker)	272,118	155,804		157,189	

Source: i.d. forecast (2017)



The above analysis is central to understanding the employment challenge in Kwinana.

Kwinana is highly specialised. However, that specialisation is in areas like heavy industry manufacturing. These industries:

- Are project driven;
- Need “project ready” industrial land to facilitate new investment;
- Cannot be greatly influenced by local planning;
- Are relatively more important to Greater Perth and WA economies than to Kwinana narrowly defined.

Kwinana is under-weight in some key areas critical to expanding local employment as population grows within Kwinana and the broader South West metropolitan region. In particular it is currently under-represented in:

- Retail
- Education
- Health Care
- Professional and scientific

In recent years employment has grown in these sectors largely as a consequence of Kwinana’s growth which has increased as a share of SWGR and Greater Perth population.

One area that stands out in the heavy industry group is waste services. This is an area of specialisation for Kwinana as shown by the location quotient data in Figure 4.9 and is an area where, although small in absolute terms, has experience significant employment growth in recent years. Waste services will continue to grow as an economic opportunity as industry pursues options relating to (a) waste to energy and (b) recycling of household wastes as an alternative to landfill and (c) recycling of wastewater treatment plant waste as an alternative to landfill.

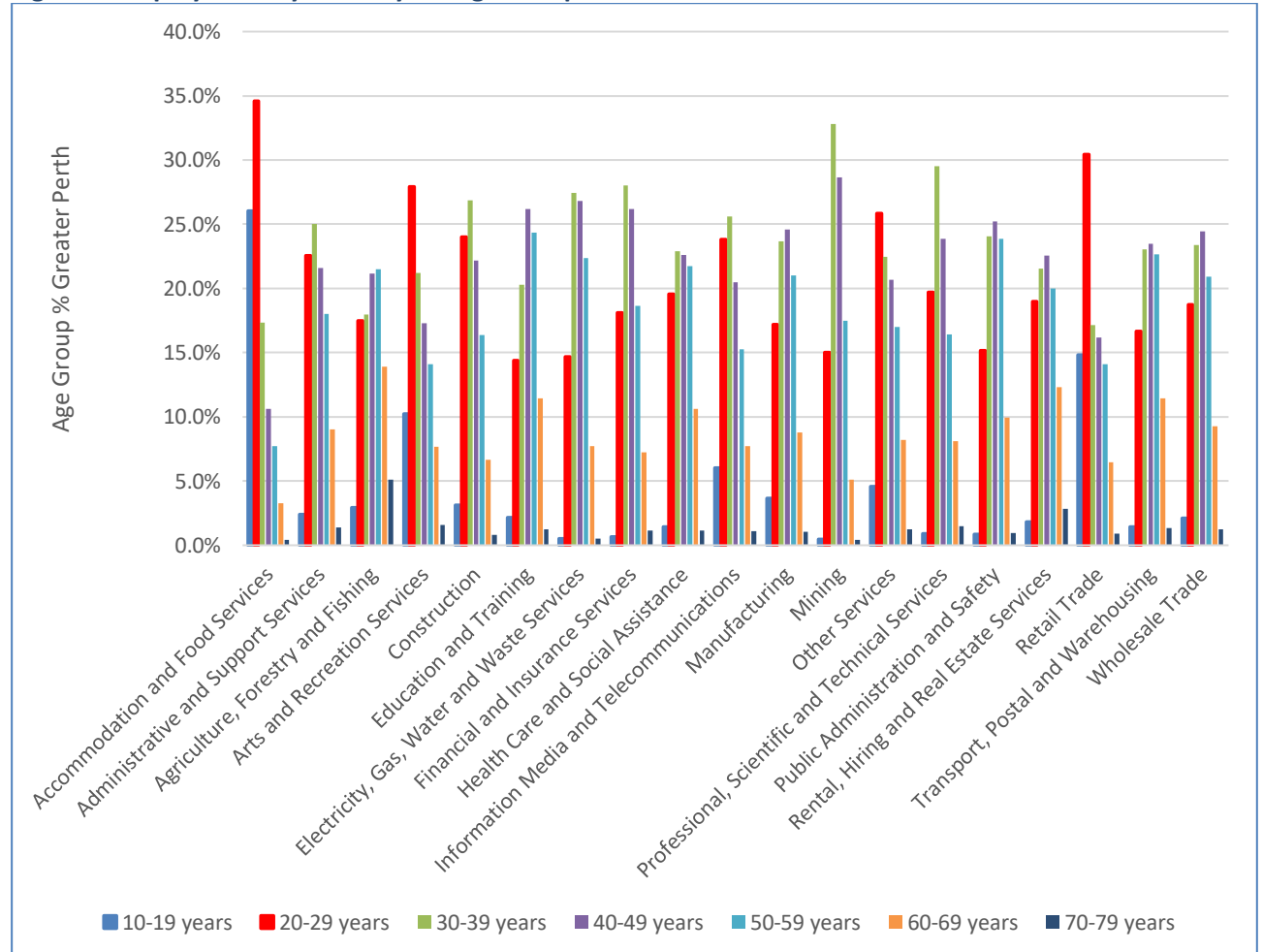
Land options need to be available that can facilitate investment in heavy industry as projects arise. The recent lithium project illustrates this perfectly. The lithium plants locate in Kwinana due to its competitive advantages, but also because land is available here. Land options also need to be planned and developed that can facilitate employment growth in retail and health services.

4.4 Employment and Age Groups

As already noted in Table 4.2, Kwinana residents are heavily weighted to retail, health care and construction in terms of the sectors in which they are employed. As population grows these will be important areas to grow if Kwinana is to provide jobs locally. A particularly important aspect is the provision of jobs for young employees. Youth unemployment is very high in Kwinana. More generally the dominant areas of work for younger employees are in areas like retail, accommodation and food services and recreation services. Manufacturing, waste services and mining are oriented to older employees. This is illustrated in Figure 4.10

which shows employment share by age group for industries across Greater Perth. Local planning, to the greatest extent possible, will need to facilitate employment in these service related industries to offer local job opportunities for younger employees.

Fig 4.10: Employment by Industry for Age Groups



Source. ABS Census, 2016

5. Major Employment Centres – The Western Trade Coast

5.1. Historic Growth

The Western Trade Coast (WTC) includes the Kwinana Industrial Complex - the southern portion of which is in the City of Rockingham – and Henderson in the City of Cockburn. The southern part of the WTC comprises the Kwinana Industrial Area, which is based on heavy industry, including petroleum and minerals refineries, power stations, chemical plants, cement works and a range of supporting industries.

On the fringes of the heavy industrial complex, the Rockingham Industrial Zone and East Naval Base factory area house well established fabrication facilities, depots for transport, warehousing and a range of construction supply activities. To the east, the Latitude 32 Industry Zone provides space for transport, storage and laydown areas as well as new industrial land for supporting industries. In the northern part of the WTC is the Australian Marine Complex, which is an area for shipbuilding, marine engineering, manufacturing, fabrication, defence services, technology and general engineering.

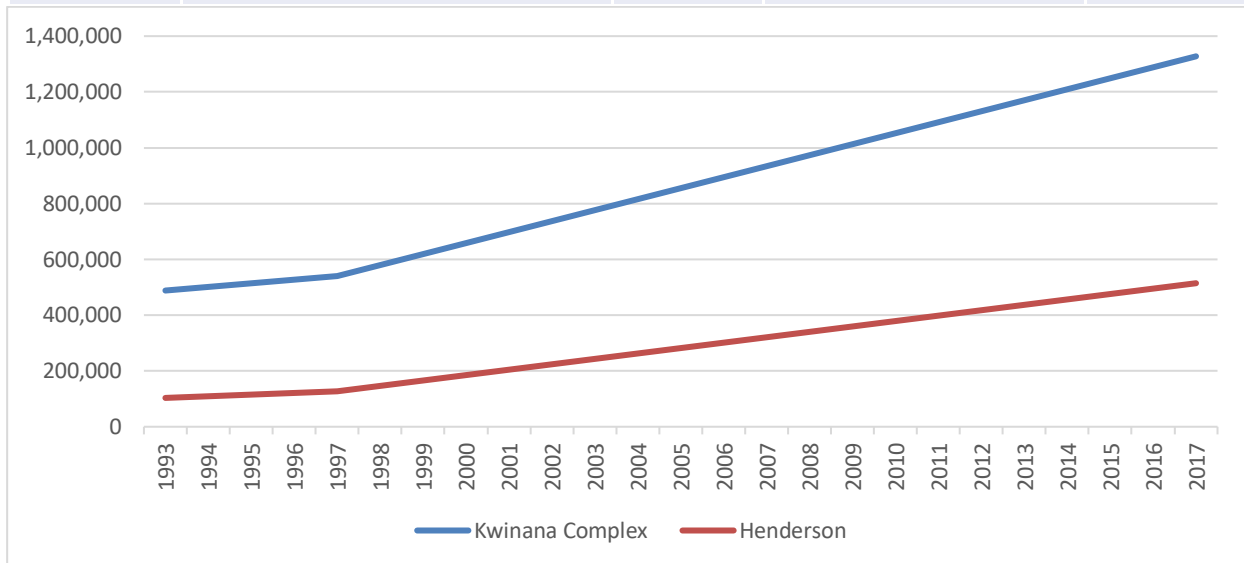
WTC employment has grown from 9,000 in 1997 to 14,350 in 2017, a 59% increase. Over the same period, floorspace has increased from 0.67 million m² to 1.84 million m², a 176% increase, indicating a sharp reduction in employment intensity. Each of the Kwinana Industrial Complex and Henderson has grown over the period, with floorspace increasing by 146% and 302% respectively and employment by 49% and 87% respectively. In each these locations employment density has reduced, with floorspace growing more than employment by some margin.

Tables and Figures 5.1 and 5.2 show the floorspace and employment changes in the Kwinana Complex and Henderson from 1993 to 2017.



Table 5.1 and Fig 5.2: Floorspace (m2)

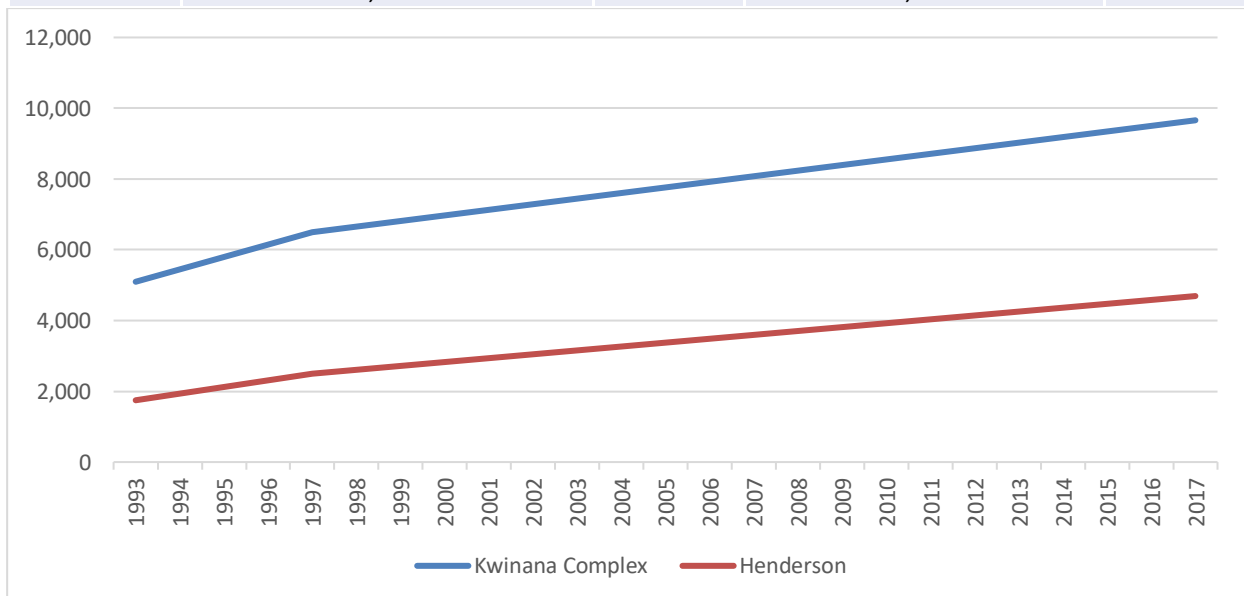
	Kwinana Complex	Increase	Henderson	Increase
2017	1,327,570	146%	514,398	302%
1997	540,262		127,996	



Source: WAPC Land Use and Employment Surveys, 1993, 1997, 2017.

Table 5.2 & Fig 5.2: Employment

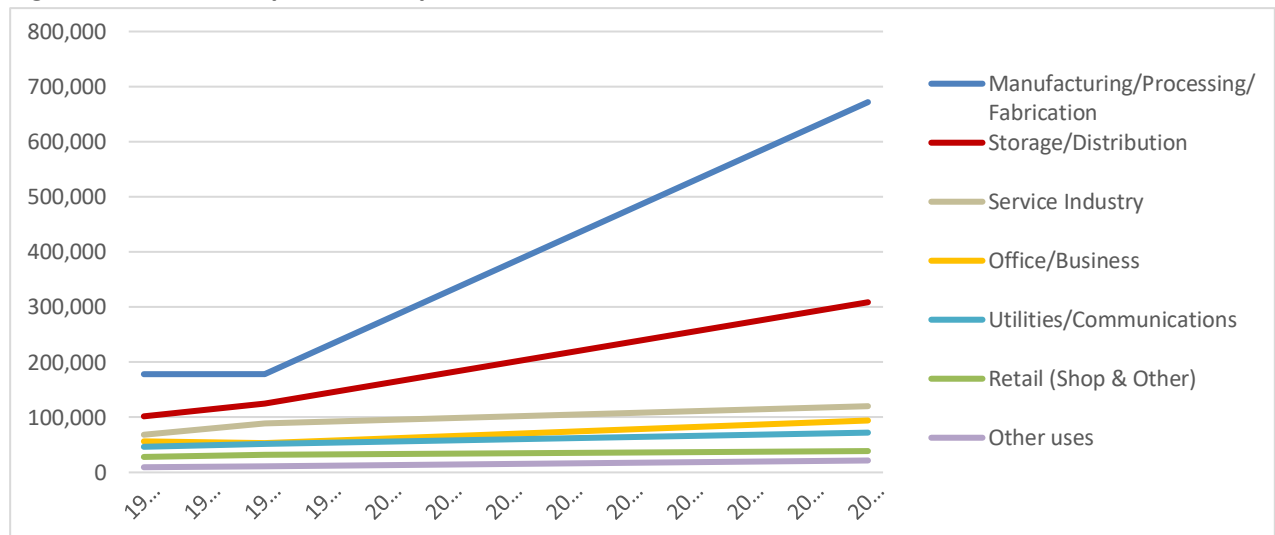
	Kwinana Complex	Increase	Henderson	Increase
2017	9,659	49%	4,692	87%
1997	6,502		2,504	



Source: WAPC Land Use and Employment Surveys, 1993, 1997, 2017.

In the Kwinana Complex the major land uses of Manufacturing and Storage/Distribution have shown the strongest floorspace growth.

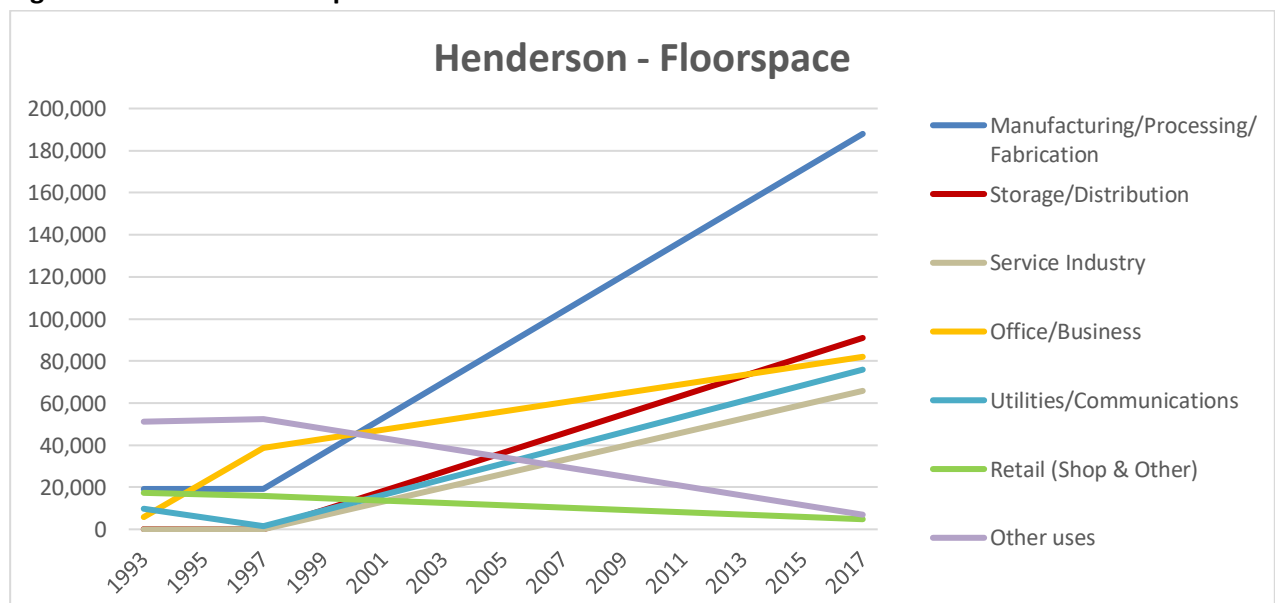
Fig 5.3: Kwinana Complex - Floorspace



Source: WAPC Land Use and Employment Surveys, 1993, 1997, 2017.

In Henderson, in addition to substantial growth in Manufacturing and Storage/Distribution floorspace, there has also been strong growth in Office / business, Service industry and Utilities/communications floorspace.

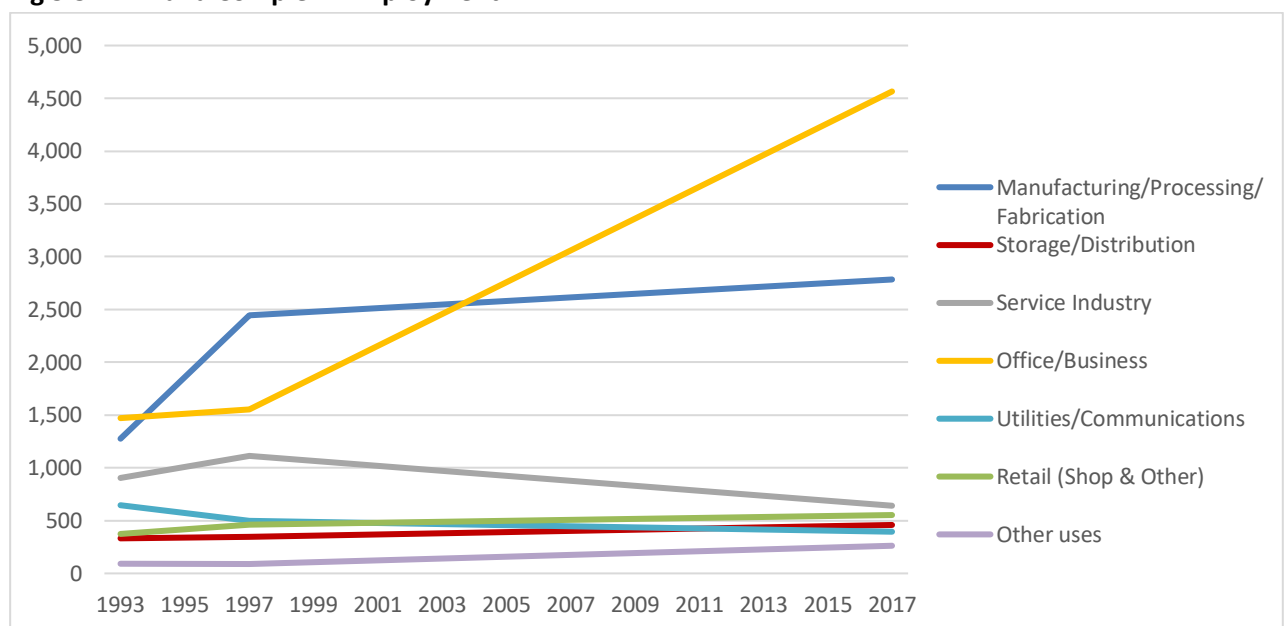
Fig 5.4: Henderson - Floorspace



Source: WAPC Land Use and Employment Surveys, 1993, 1997, 2017.

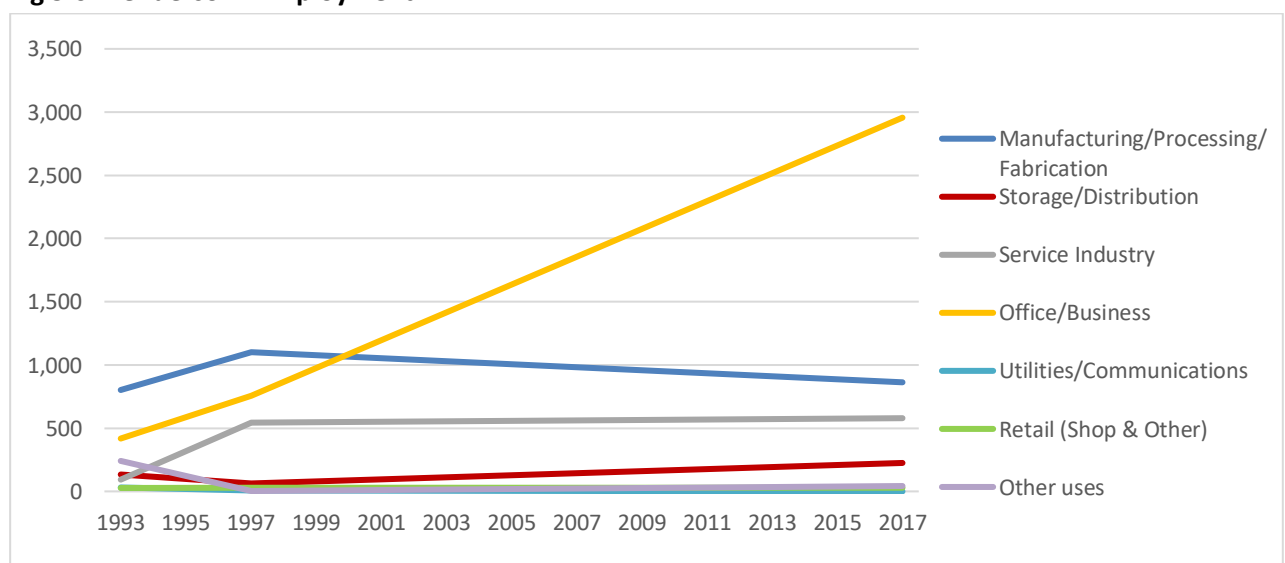
However, the employment picture is quite different: for both the Kwinana Complex and for Henderson, all industry sectors have shown either minimal growth or a decline. The exception is Office/business uses, which has grown strongly in employment numbers and proportion. Office/business uses now account for over 50% of all employment in the Western Trade Coast (Figure 5.7). While some of this employment is directly related to the on-site industrial activity, much of it is not specific to the land uses on the sites on which the offices are located.

Fig 5.5: Kwinana Complex - Employment



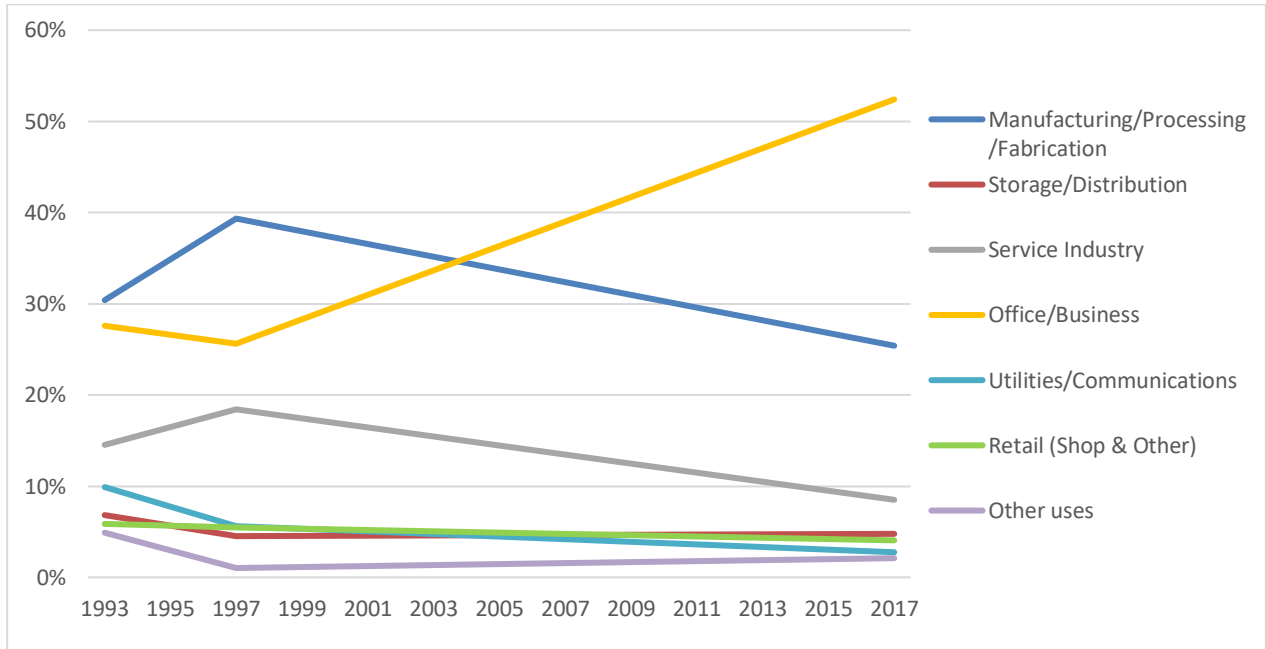
Source: WAPC Land Use and Employment Surveys, 1993, 1997, 2017.

Fig 5.6: Henderson - Employment



Source: WAPC Land Use and Employment Surveys, 1993, 1997, 2017.

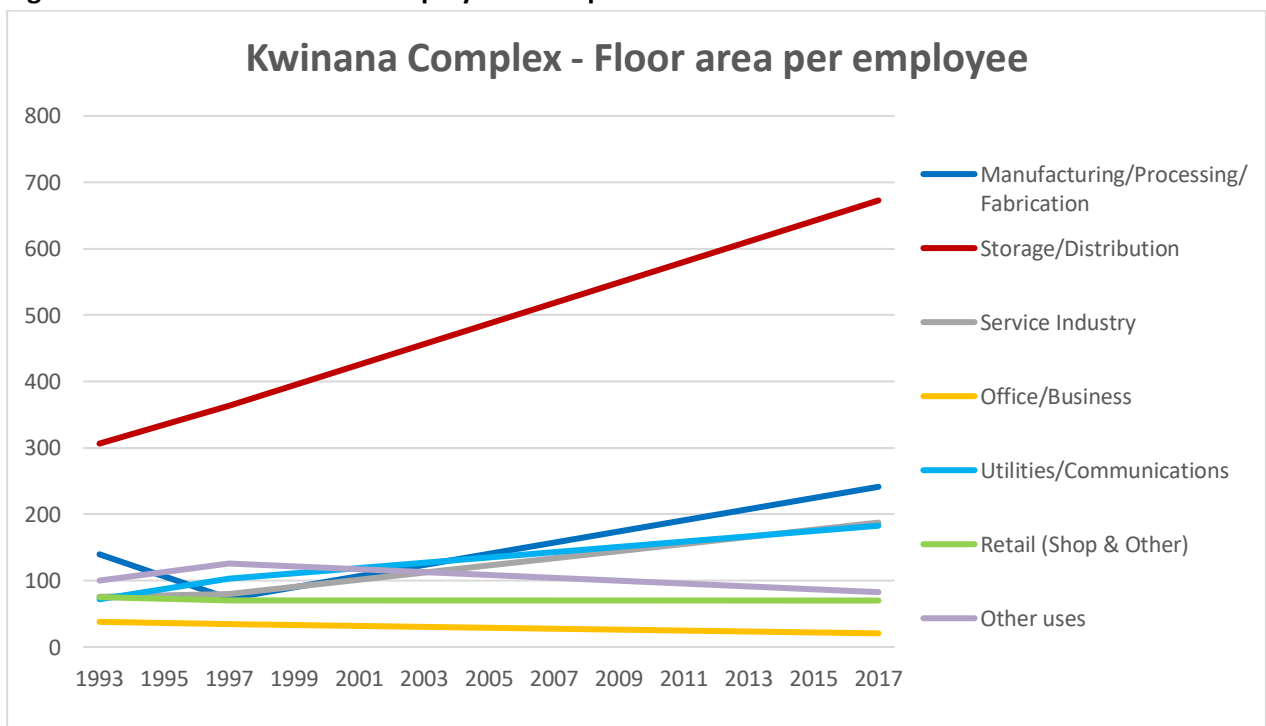
Fig 5.7: Western Trade Coast – Employment Proportion



Source: WAPC Land Use and Employment Surveys, 1993, 1997, 2017.

The most marked decrease in employment density has been in Storage/distribution uses

Fig 5.7: Western Trade Coast – Employment Proportion



Source: WAPC Land Use and Employment Surveys, 1993, 1997, 2017.



5.2 Strategic Position

As a large well established and complex port-related heavy industry zone with access to a highly skilled labour pool, the Western Trade Coast is unique in Western Australia and unusual, even in international terms. Its core industries are minerals and chemicals processing and production, with associated bulk transport and distribution. These are all highly integrated and have grown over time.

It has strong competitive advantages, in particular its highly sophisticated inter-organisational relationships and networks. By one count there are over 158 interconnecting pipes and conveyors between organisations in the Kwinana complex, with off-take from one organisation forming the intake for another. New entrants add to the network. For example, chemical companies will provide inputs to lithium processing and processing waste is used as feedstock to concrete production. Its heavy industry uses are protected by a buffer zone. This allows the heavy industry operations to continue and is a key element of its competitive advantage.

Figure 5.8 shows the companies and their connections and interactions in 1990. At that time there were 13 established operations with 27 interactions. Figure 5.9 shows the situation in 2013. It shows 27 established operations with 158 interactions, and a further 13 not mapped and another 4 in prospect. As an indication of the importance of this network, for example, the Kalunborg Eco-industrial Estate in Denmark, often held as a good example of industrial symbiosis, has just 30 reported synergies.

The number of synergies that have evolved in the WTC provide a unique eco-system for industrial development.

Although there are potential areas for expansion of the core industries in the buffer zone, principally at Latitude 32, these are undeveloped, with no time frame for critical land assembly and land servicing tasks to be undertaken. There is a current general shortage of suitable land for core industries. The Rockingham Industrial Zone (RIZ) is fully allocated. New entrants are increasingly seeking very large sites, with lithium processors requiring sites of 35 – 70 ha and these are practically non-existent.

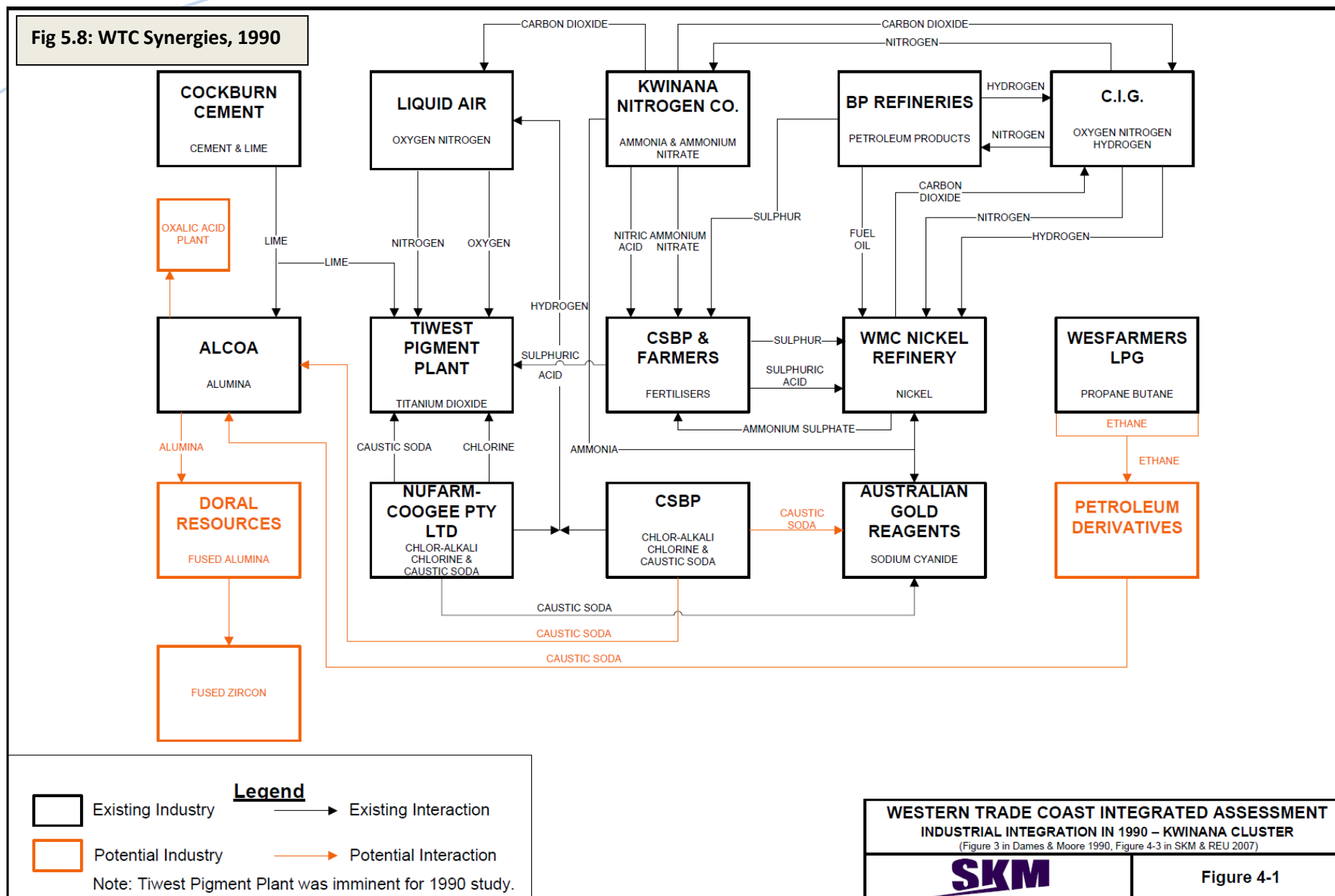
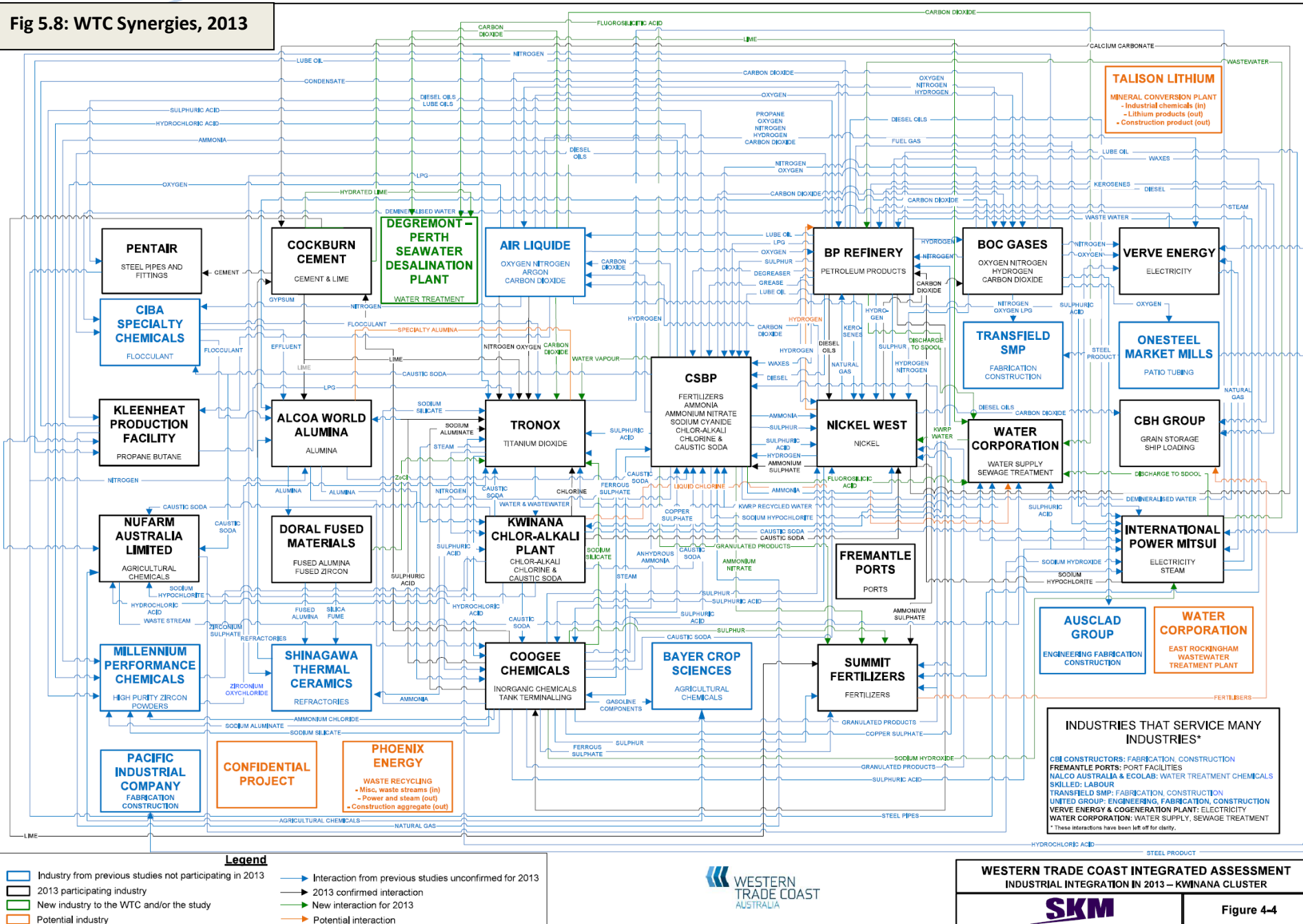


Fig 5.8: WTC Synergies, 2013



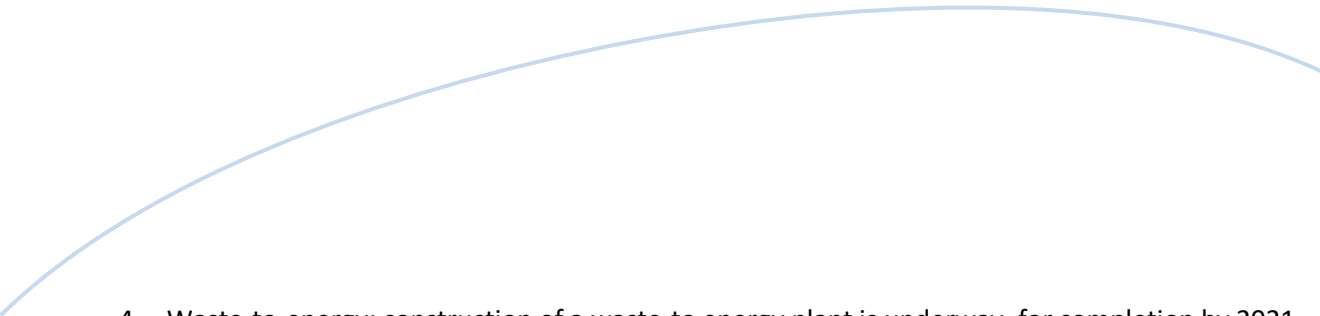


5.3 Drivers and Prospects

❖ Drivers

There are several drivers of new and expanded projects in the Western Trade Coast:

- 1 Defence industries. These are mostly concentrated in and around the Henderson Australian Marine Complex. The vision is for Western Australia to be the principal location for delivery of all maintenance and sustainment requirements for Australia's submarines and frigates. Some points to note:
 - Time frames are long: the main defence industries projects will not be fully operational until the early 2030s.
 - Defence has committed \$120 million into the AMC. However, while this represents a significant potential boost, and will lead to increased activity in the AMC, available information indicates that the AMC is near capacity and is congested. Some proactive management is needed to ensure land is available in the area to ensure that the defence opportunities can be fulfilled. LandCorp has some adjacent land which it is planning to develop by 2021 and this will provide some expansion capacity to activities in the AMC.
 - Defence is looking to establish an office/training facility easily accessible to the AMC. Defence will require significant parcels of appropriately located land in the medium and longer term to meet all of its requirements in the defence assets maintenance phase. In discussions there was some suggestion that this could be up to 300 ha of land although this needs to be scoped and confirmed. If confirmed it would put considerable pressure on land availability in the WTC.
 - In the main defence assets maintenance phase (i.e. after 2030) approximately 1,000 personnel (many on a long term rotation) are to be located in areas easily accessible to Henderson, requiring facilities including housing, social services, cafes etc. This is an opportunity for Kwinana as a nearby, attractive and well-serviced residential location.
 - There is a need for skills development around defence. The Henderson campus of South Metropolitan TAFE provides specialist engineering, fabrication and shipbuilding courses and both this campus and the Kwinana TAFE campus would be good locations to expand to provide semi-professional and trade training for the defence industry.
- 2 New energy materials – one project lithium processing plant (Tianqui Lithium) now in construction with another (Kidman) in prospect. There is a considerable interest in taking new energy metals (lithium, nickel and cobalt) processing as far down the value chain as possible (e.g. refined lithium chemicals, anodes and cathodes, separators and energy storage batteries). There is potential for this to be a main activity in the WTC in the future. This will only occur if land is available.
- 3 Oil & gas (processing and new projects): the Henderson area of the WTC has had fabrication and assembly business in the past for the construction phase of oil and gas projects the north-west. This phase is now largely complete. However, there are several substantial NW gas expansion projects in prospect and this might be an opportunity for the AMC and the Henderson common user facility (CUF).



4 Waste-to-energy: construction of a waste-to energy plant is underway, for completion by 2021.

Other drivers for WTC development include extension and expansion of existing activities, for example:

- Grain exports
- Petroleum products processing and handling

Some existing industries would benefit from the proximity of a container port at Outer Harbour. For example, some specialist grain is containerised, as are lithium chemicals. However, the bulk ports are also vital to the well-being of the WTC overall and there is some evidence that they require upgrading.

❖ **Prospects - Westport**

The future of the three main port facilities in Perth and the south-west (Fremantle Ports Inner Harbour, Fremantle Ports Outer Harbour and Bunbury) is currently the subject of a study by the Westport Taskforce. The Taskforce has completed and publicly released its Stage One report which identifies eight options for the ports. Three of these include container facilities at Outer harbour (Kwinana). There are strong reasons for its inclusion and there are reasonably high prospects that container facilities at outer harbour will form part of a long term strategy. However, it will be some time before a definite decision will be available. At best, the program is :

- Stage 2 - Identification of the preferred option: aiming for completion by the end of 2019;
- Stage 3 - A more intensive study of the preferred option to a bankable stage: aiming for completion by end of 2021.

There are many aspects of the future of Outer Harbour which are still to be decided, but which will have considerable bearing on its role, in the general economy of Kwinana. For example:

- Whether a transition of container traffic from Fremantle is in whole or in part – this is clearly a question of scale.
- Whether any transition occurs gradually or quickly: the more a new port is executed as a large, new facility, the greater its long term operational efficiency and thus competitiveness. This would imply a high degree of automation in its operations.
- The amount and format of land-side facilities. There is an option for an intermodal facility at Latitude 32. However, intermodal facilities are relatively large land users and relatively small employers. Moreover, intermodal facilities do not require the air quality buffer that protects many of the uses in the Kwinana industrial complex and an intermodal facility at Latitude 32 would thus have considerable opportunity costs, effectively reducing the amount of buffer-protected land suitable for high value processing facilities at Kwinana.

The possible economic benefit to Kwinana from an expanded port at Outer Harbour is thus dependent on the ultimate form that the port and its associated transport and logistics infrastructure takes. While the proximity of a container port will be beneficial to many current and prospective industries in Kwinana – for example, processed lithium and specialist grains are transported in containers. However, an open

question is the extent to which the transport, storage and logistics aspects associated with outer harbour operations will assist the Kwinana economy beyond the employment of a relatively small, and diminishing in relative terms, number of transport workers. Automation is essential for a world class intermodal. This reduces the potential direct employment impact.

For context, a possible form of an intermodal facility is shown in Figure 5.11. This is based on a previous detailed study (undertaken in 2008), but is likely to be indicative of a possible intermodal solution for a new container port at Outer Harbour. It illustrates that intermodal facilities typically require large land areas for container handling, container parks and warehousing. These are all very low labour uses and would be highly automated in any new facility that was built.

The map in Figure 5.10 shows the extent of the land requirement for this intermodal facility and the extent to which it excludes large parts of Kwinana from other uses. As a reference point, the land shown for the container park is large enough to accommodate three large lithium processing plants. It is also worth noting that once this core area of Latitude 32 is developed, there are only limited opportunities for development of other large land parcels that are practically available⁸ in the WTC.

Other forms of an intermodal facility are possible. The map opposite shows the development zones for Latitude 32. The parcel marked '5' has been earmarked as a possible location for an intermodal terminal. It would seem that this would be the minimum land requirement for an effective and efficient facility.

Fig 5.9: Latitude 32 Development Zones

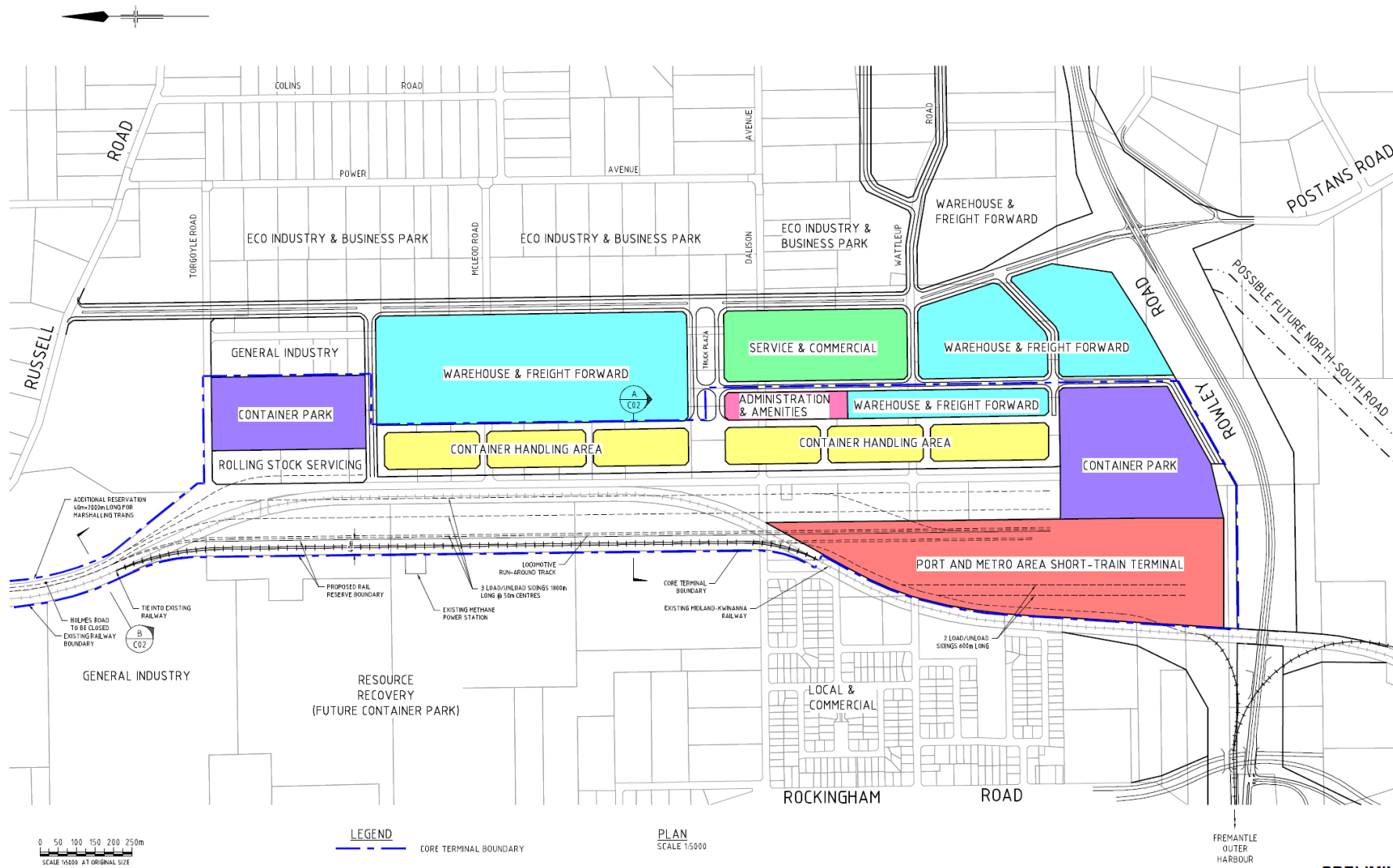


Ref: latitude32.com.au

⁸ E.g. not constrained by land ownership, topography, existing major trunk services, on-going mining leases etc.

WTC - Latitude 32:
Potential Intermodal Location

Fig 5.11: Latitude 32: Intermodal Concept (GHD / Meyrick 2007)



PRELIMINARY

Ref: GHD and Meyrick and Assoc., Report for Kwinana Intermodal Terminal, Site Evaluation & Planning Study, DPI, December 2007

6. Industrial Land In the Metropolitan South West

Key Points:

- There is an overall under-provision of future industrial land in the Perth metropolitan area and Peel region in the sub-regional planning framework.
- The shortage is most acute in the South West and Peel sectors, with some over-provision in the metropolitan North West and North East sub-regions.
- There is undeveloped land available in the South West sector to increase the amount of industrial and employment land in the sector.

There is a limited supply of light and general industrial land in the South Metro and Peel region generally. A large proportion of the land identified as future industrial land supply in the Regional Framework is in Latitude 32. This would be better regarded as future supply for strategic and heavy uses and not available for light and general uses. As such it cannot be counted as potential land for light and general industrial land supply.

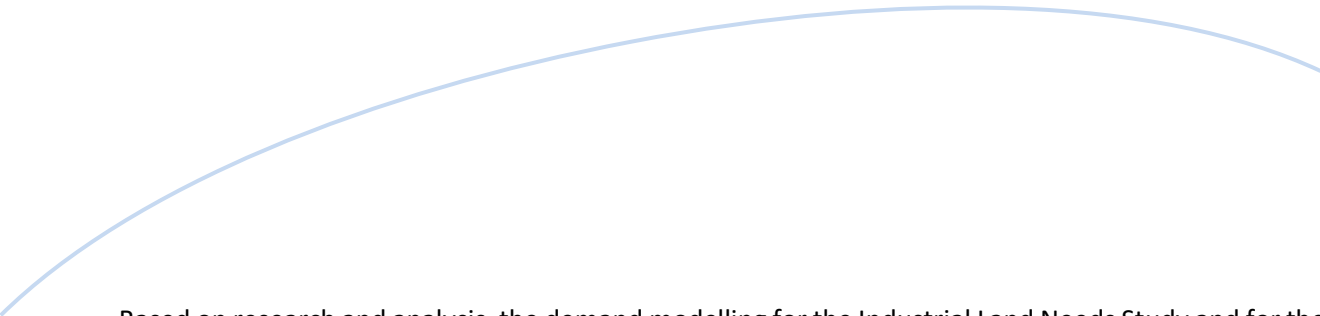
In the south-west metropolitan and Peel, the Port Kennedy industrial estate has only a small amount of land still to be developed and in the City of Mandurah, the Gordon Road / Park Road complex is essentially fully developed, with limited capacity for further expansion. The proposed Nambeelup Industrial Area (NIA) will be an estate of approximately 1,000 ha of industrial land, which, when fully developed, has the capacity for employment of 10,000 – 15,000 workers. While this is substantial, it should be seen in the context of regional population growth. The current (2018) population of the City of Mandurah and the Shire of Murray combined is 105,900. This is expected to be 312,300 by 2050, creating considerable local employment demand. Nambeelup will also be an important employment location for City of Rockingham resident workers.

6.1 Demand Analysis

Base planning and demand analysis for light and general industrial land in Perth and Peel was completed in 2008⁹ and the subsequent key WAPC policy document, the *Economic and Employment Lands Strategy* (EELS)¹⁰, supported by demand modelling, planned in detail only to 2031. The EELS analysis indicates shortfall of industrial land in 2031 in the Metropolitan South West sub-region of 278 ha and in the Peel region of 544 ha. This accounts for known industrial land developments such as Nambeelup and the Port Kennedy extension.

⁹ Syme Marmion & Co, Industrial Land Needs Study, LandCorp and DPI, 2008

¹⁰ WAPC, Economic and Employment Lands Strategy: non-heavy industrial, Perth metropolitan and Peel regions, April 2012



Based on research and analysis, the demand modelling for the Industrial Land Needs Study and for the EELS used regional workforce size as the best predictor for non-heavy industrial land demand. However, this relationship between industrial land and workforce is almost certainly changing. With the rapid incorporation of automated systems for some categories of industrial land use, particularly freight and logistics and some categories of manufacturing, it is apparent the nexus between industrial land and workforce size is now weaker and more complex. Although there are few research studies of the demand for industrial land, this idea is being more generally recognized. For example, a recent study of industrial land demand in the Netherlands has found that the relationship between employment and industrial land demand is non-linear but that overall, employment is not a reliable indicator for forecasting long term industrial land demand.¹¹

However, it is likely that the nexus between total population and industrial land demand endures. While employment densities in industrial estates generally, and particularly those that contain a high proportion of freight and logistics and manufacturing, are declining, the economic activity being undertaken there is still essential to support the population and the land is required to accommodate that activity. Industrial land estates are thus becoming less a place for large scale employment (although they remain important employment locations) and more a location for economic activity to serve the wider economy. The underlying land demand and economic activity to accommodate the increase in floorspace remains. A recent review of industrial land forecasting models has concluded that incorporating economic output measures such as GVA will improve forecasts compared to linear extrapolation of land use (e.g. using take up rates). However, that data is not always readily available.¹²

Using a regional population-based predictor for industrial land demand is closely aligned to the workforce model that was previously used in the ILNS and EELS and it has some correlation with economic activity. It has the advantage over other predictive models (for example using growth projections based on historic take-up rates) in that it can better reflect the underlying general economic activity in a region or sub-region. Predictive models based on historical take-up rates assume the conditions in the future will be much like those in the past. However, in a region or sub-region where population growth departs from previous trends (either faster – as is currently the case in the South-West and Peel - or slower) industrial land demand is likely to not match past take-up rates.

Similarly, past-oriented predictive models cannot account for the effects of industrial land supply on local demand: sub-regional demand will appear to be high if local land availability and cost factors have led to a disproportionately large release of industrial land over an extended period. This has been the case in the north-east corridor over the past 10 – 15 years, with substantial development at Malaga and Hazelmere.

¹¹ Beckers, P. and Schuur, J. (2015) ‘The Future Demand for Industrial Sites in the Netherlands: Is Employment a Good Predictor?’, *Regional Studies*, 49(9), pp. 1535–1547. doi: 10.1080/00343404.2013.838320.

¹² Batista E Silva, F. et al. (2014) ‘Estimating demand for industrial and commercial land use given economic forecasts’, *PLoS ONE*, 9(3). doi: 10.1371/journal.pone.0091991.

Thus, linear demand modelling based on historic take-up rates risks confusing relatively recent local industrial land supply with underlying economic demand. Note that this applies only to light and general industrial land – demand for heavy and strategic land requires more specific project and capability analysis.

6.1.1 Sub-regional Industrial Land: Overall Demand Estimates

The EELS identified 8,929 ha of developed industrial land across the Perth metropolitan area and Peel in 2011. The population was 1.838 million. This means there was 49 m² of industrial land per person overall. It was distributed reasonably evenly by population, ranging from 38 m² per person in the Central sub-region to 70 m² per person in the North-East sub-region. (See table 3.1)

Table 6.1: Perth and Peel Industrial Land, 2011

	South West	South East	Peel	Total (SM/Peel)	North West	North East	Central	Overall
<i>Zoned Industrial</i>	<i>Ha.</i>	<i>Ha.</i>	<i>Ha.</i>	<i>Ha.</i>	<i>Ha.</i>	<i>Ha.</i>	<i>Ha.</i>	
Developed	1,346	1,212	304	2,862	1,596	1,458	3,013	8,929
short term	97	70	34	201	25	37	96	359
medium	50	120	18	188	117	100		405
long term	57			57	266	170		493
Zoned Industrial at 2011 /12	1,550	1,402	356	3,308	2,004	1,765	3,109	10,186
Population 2011	235,160	196,340	91,930	523,430	322,490	209,150	782,970	1,838,040
Ratio (Developed land area m² per person)	57	62	33	55	49	70	38	49

Ref: EELS, ABS Census

Industrial land demand and supply was remodelled for the *Perth and Peel @ 3.5 Million* Sub-regional Frameworks. Demand estimates are generally based on linear demand modelling based on historic take-up rates, with wide variations between the sub-regions. The combined Sub-regional Frameworks show an estimated 9,650 ha of additional industrial land demand across Perth and Peel between 2015 and 2050, to cater for an additional population of 1.869 million. This increase is at the rate of 51.6 m² per head of additional population across the period. However, the growth is spread unevenly, ranging from 42.4 m² per head of additional population in the metro North West to 116.4 m² per head of additional population in the metro North East.

6.1.2 Variations to Supply and Demand Estimates – Sub-Regional Framework Methodology

The Sub-regional Frameworks provide an estimate of potentially available industrial land (both zoned and undeveloped and not yet zoned industrial) for the 2015 – 2050 period. This is illustrated in table 6.2. The supply figures in the Frameworks have been modified in the Table 6.2 analysis as follows:

- Latitude 32 is excluded as potentially available light and general industrial land supply for the South metro / Peel sub-region. The buffer protected heavy and strategic land in the Western Trade Coast is in very short supply. It is an unusual and scarce resource – amongst the most crucial pieces of economic infrastructure in Western Australia – and cannot be easily replicated. The undeveloped

land at Latitude 32 allows a relatively straightforward extension of the integrated Kwinana Industrial Area heavy and strategic industrial complex and it must be preserved for that use.

- The Muchea Industrial Park is included as potential industrial land supply for the North East sub-region. With the imminent completion of the Northlink major road project, this will functionally become part of the Perth metropolitan area and can be assumed into potential industrial land supply.

The gross area of potential industrial land supply is reported in the Sub-regional Frameworks. The base (2011 and earlier) data and take-up projections are reported as the area of net developed land. To account an efficiency factor of 75% is assumed to allow for roads, utilities, environmental requirements and public open space.

Table 6.2: Perth and Peel Industrial Land, 2015 – 2050 (Sub-Regional Frameworks)

Sub-regional Framework	SM/P Western	SM/P Eastern	SM/P Peel	Sth Metro/Peel	North West	North East	Central	Overall
Additional Population 2011 - 2050	242,980	259,430	238,610	741,020	417,800	241,430	468,900	1,869,150
Assumed Demand 2015 - 2050	2,390	1,725	955	5,070	1,770	2,810	0	9,650
Rate (ha / pa)	164.5	164.5	164.5	164.5	49.2	78.2	0	
Rate (m2 pp)	98.4	66.5	40.0	68.4	42.4	116.4	0.0	51.6
Identified Supply*				3190	3260	4580	0	11,030
Adjustment (gross to net @ 75%)				2393	2445	3435	0	8,273
Net Supply (Shortfall) to meet demand				(2,677)	675	625	0	(1,377)

Ref: Perth and Peel @ 3.5 million Sub-regional Frameworks

The results show a comfortable surplus of potential industrial land supply identified in the North East and North West sub-regions, but a considerable under provision of future industrial land in the Metro South / Peel sub-region. Note that the Central area is assumed to have no capacity for additional industrial land supply.

6.1.3 Variations to Supply and Demand Estimates – Population-Based Methodology

An alternative analysis can be provided by considering population as the primary driver of light and general industrial land at the sub-regional level. Table 3.3 shows this analysis. Using the population multiplier of 49 m² of developed industrial land per person (that applied in 2011) to the forecast population growth between 2011 and 2050, a total of 9,080 ha of developed industrial land will be required across Perth and Peel over that period. This demand is adjusted for each sub-region to allow for the assumption that no new supply will be available in the Central area to cater for the implied demand of that population, distribution this demand on a per capita basis across the other regions. Potential supply is as identified in the EELS for zoned but undeveloped industrial land, adjusted for those areas that have since been developed plus those identified in the sub-regional frameworks as potentially available in the future. The supply analysis thus

includes Jandakot and Munster in the South West and Hazelmere South, Bullsbrook and Muchea in the North West in addition to the unzoned land identified in the respective sub-regional frameworks.

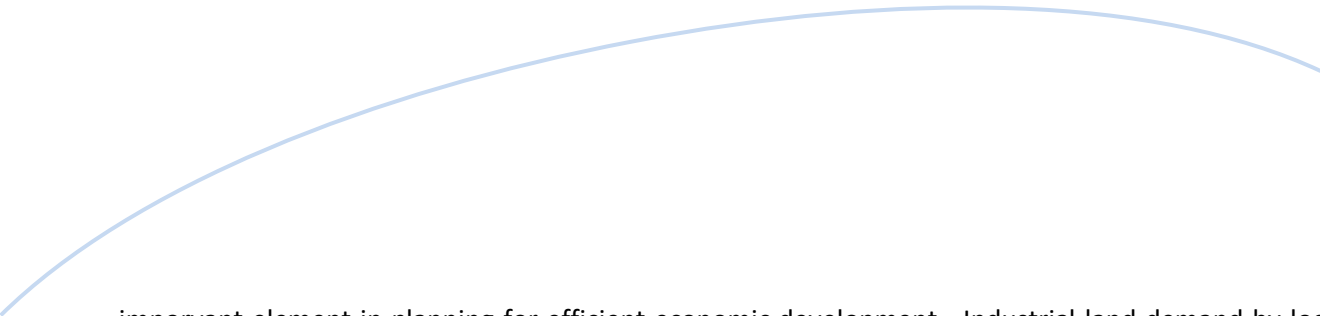
The results are broadly similar to the previous analysis, showing a surplus provision in the North West (in particular) and the North East – noting that some of those estates would be largely functionally interchangeable – and a substantial deficit in provision in the Metro South / Peel sub-region. This analysis allows us to pinpoint where that under-provision is mostly located – namely mostly in the South West and in Peel.

Table 6.3: Perth and Peel Industrial Land, 2011 – 2050 (Population-based Analysis)

	South West	South East	Peel	Total (SM/Peel)	North West	North East	Central	Overall
Total Demand 2050 at population ratio (2011/12 EELS ref)	2,323	2,214	1,606	6,143	2,189	3,596	6,081	18,009
Population Increase 2011 - 2050	242,980	259,430	238,610	741,020	128,090	531,140	468,900	1,869,150
Increased demand at population ratio	1,180	1,260	1,159	3,600	622	2,580	2,278	9,080
Adjustment (allow for no Central supply)	17%	19%	17%	53%	9%	38%		100%
Adjusted regional demand 2011 - 2050	1,576	1,682	1,547	4,805	831	3,444	0	9,080
<i>Of which, total in land yet to be zoned</i>	<i>1,372</i>	<i>1,492</i>	<i>1,495</i>	<i>4,359</i>	<i>423</i>	<i>3,137</i>		7,823
Supply								
Identified: Sub-regional Framework plus EELS - developed since 2011)	198	1,832	1395	3425	3260	5151	0	11836
Adjusted Supply (gross to net @75%)	149	1374	1046	2569	2445	3863	0	8877
Net Supply (Shortfall) to meet demand	(1,427)	(308)	(501)	(2,237)	1,614	419	0	(203)

6.1.4 Industrial Land: Location Factors

There is quite some logic to this demand analysis. While non heavy industrial land may be substitutable within a subregion (e.g. within the metropolitan North West), substitution is less likely between subregions (e.g. between the metro North West and metro South West). In part this reflects the population driven demand for local industrial land and in part the differential availability of crucial transport infrastructure between subregions. Understanding locational deficit in land supply relative to demand is therefore an



important element in planning for efficient economic development. Industrial land demand by location has many drivers. For a large metropolitan area, population is a dominant one. In Perth, a high proportion of land use in industrial estates overall is for regional and local services – for example, retail, including large format and large footprint retail (e.g. Bunnings stores), local construction, automotive and household services, entertainment (e.g. dance studios and churches), local and regional storage and distribution. This requires close access to customers and service users.

A substantial component is influenced by access to major transport routes, particularly for manufacturing, fabrication and large scale logistics. With Northlink and the future Hepburn Ave link to the North West sub-region industrial estates, Tonkin Highway becomes the main north-south structuring element for the Perth metro area. There will be significant advantage for businesses located in areas accessible to this main transport spine. This will be reinforced if Outer Harbour becomes a container and general cargo port. Access from the Outer Harbour to Tonkin Highway will become increasingly important, effectively shifting the locus of industrial activity in Perth to the south and west and away from the north and east. This will further increase demand for light and-general industrial land in areas accessible to the Outer Harbour – Tonkin Highway access routes.

As an example, if motor vehicle import unloading transfers from Fremantle to Outer Harbour, each major vehicle importer will consider relocating their wholesale new vehicle preparation, storage and warehousing and associated activities (e.g. parts processing, staff and dealer training and development) to be nearer the port. Each distributor would have a land requirement of around 12 – 15 ha for these purposes. These should be on light industrial (not heavy industrial) zoned land. This would create demand for industrial land at a location such as Mandogalup or North East Baldivis.

Given the large potential supply of industrial land in the Perth metro area overall, demand estimates for any part of it thus need to consider:

- Population factors:
 - Access to skilled labour;
 - Access to customers and end uses;
- Location factors – access to:
 - Import /export transport routes;
 - Local distribution and servicing transport routes;
 - Agglomeration economies i.e. access to goods and services in the value chain.

The metro South West scores highly on each of these factors. By not having employment land where it is most valuable, the current under-provision of industrial land in the sub-region reduces the economic efficiency of the city overall. There are high prospects that expanded uses arising from the on-line economy (for example dark supermarkets and dark kitchens catering solely for on-line purchases) will increase demand for well-located light and general industrial land. There are also high prospects that the large labour pool in the metropolitan south west and Peel and long commuting times to the inner Perth employment areas, exacerbated by expansion limits on the regional road and rail network, will provide conditions for the establishment of a substantial business park / service commercial park in the region.

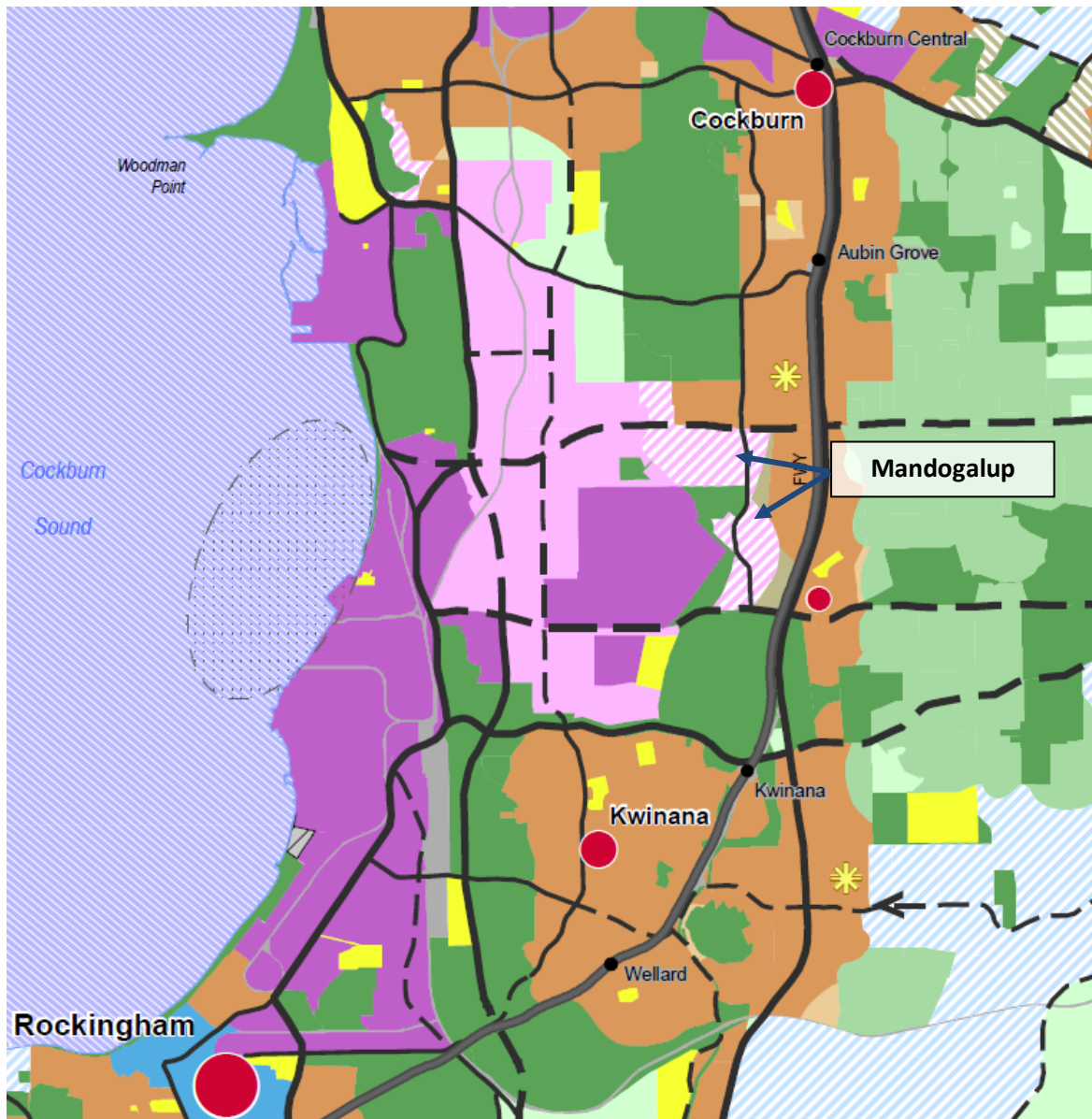


6.2 Potential Future Supply

There are several key sites that are easily identified as potential future light, general and business industrial sites in the metro South West sub-region. These are not assumed as potential future supply in the Sub-regional Framework and are thus not counted as potential future supply in the analysis summarised in Table 6.2 above.

Mandogalup

Improvement Plan 47: Mandogalup (IP47) affects approximately 330 hectares of land in the Mandogalup locality in the City of Kwinana. The IP47 land is zoned Rural and Urban Deferred under the Metropolitan Region Scheme (MRS). The IP47 land is bound by Rowley Road to the north and Anketell Road to the south. The Kwinana Freeway is to the east, and the Alcoa residue storage area and Kwinana Industrial Area (KIA) is to the west. It is identified as 'Industrial Investigation' in the South Metro Peel Sub-regional Framework. Preparation of an Improvement Scheme for the IP47 area is a current DPLH project. It is a very good location for Outer Harbour spin-off activities (e.g. motor vehicle wholesale preparation and storage) as well as for general light industrial purposes. If developed as industrial it would have a capacity for 5,000 -7,000 jobs

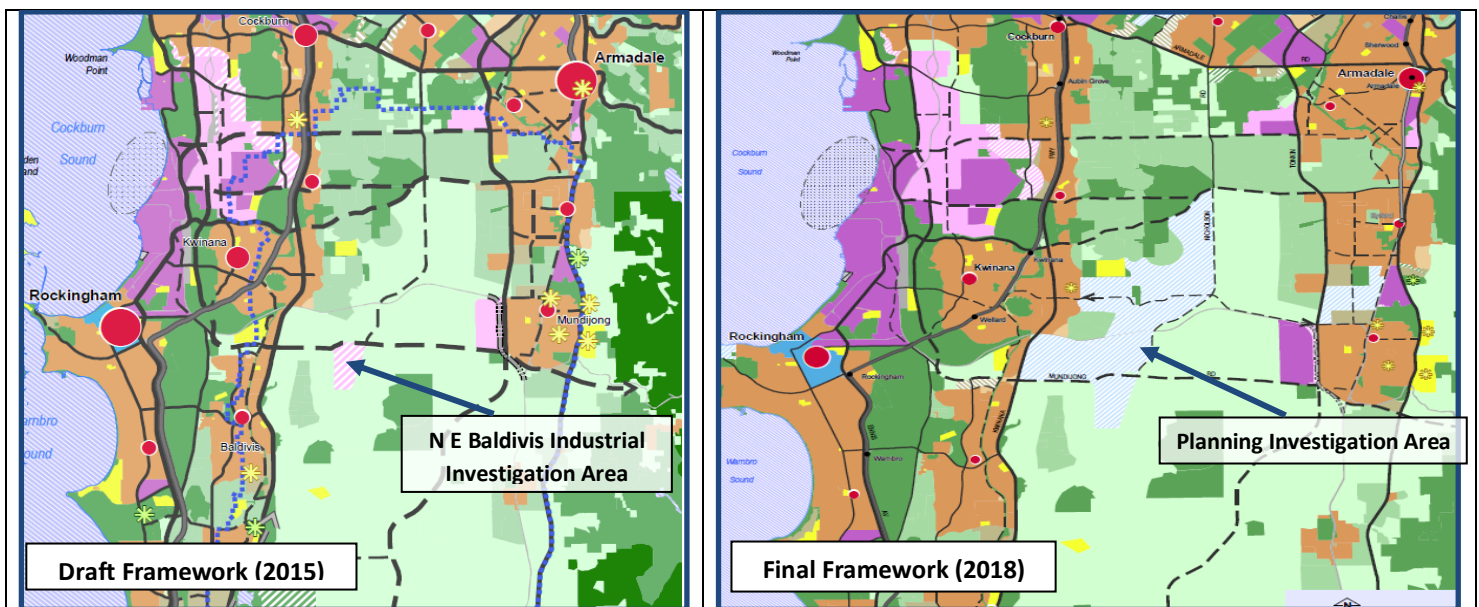


North East Baldvis

Some land that was identified in the EELS as a possible medium term industrial site at North East Baldvis is now not shown as future industrial in the final *South Metropolitan Peel Sub-regional Planning Framework (SMPSRF)*. This large site in North East Baldvis (354 ha) was identified as an Industrial Investigation area in the draft *South Metropolitan Peel Sub-regional Planning Framework* (2015) but is not so identified in the final (2018) version.

The Final Framework (2018) identifies this area as part of a much larger “Planning Investigation” area. While this retains the possibility of employment uses on the land it is no longer a priority. The “Planning Investigation” category expands considerably the range of potential uses on the land, including low density

residential development. There are a number of developer advocates for this use. There are few such advocates for employment uses, even though the community benefit for it might be much greater. As industrial land this would be a very important addition to the regional economy. The area has good access to the freight network route connections with road and rail opportunities that position the site as a strategic industrial location. It is a very large site, but it has some development constraints and it is possible that some of the more likely uses might not be very employment intensive. However, at a minimum it would be expected to have similar employment multipliers to East Rockingham, indicating an employment capacity of around 8,300, allowing for some environmental contingency. Detailed planning and inclusion of more employment-intensive land uses might increase that number.



Possible land uses for NE Baldvis are explored in Section 6.3.

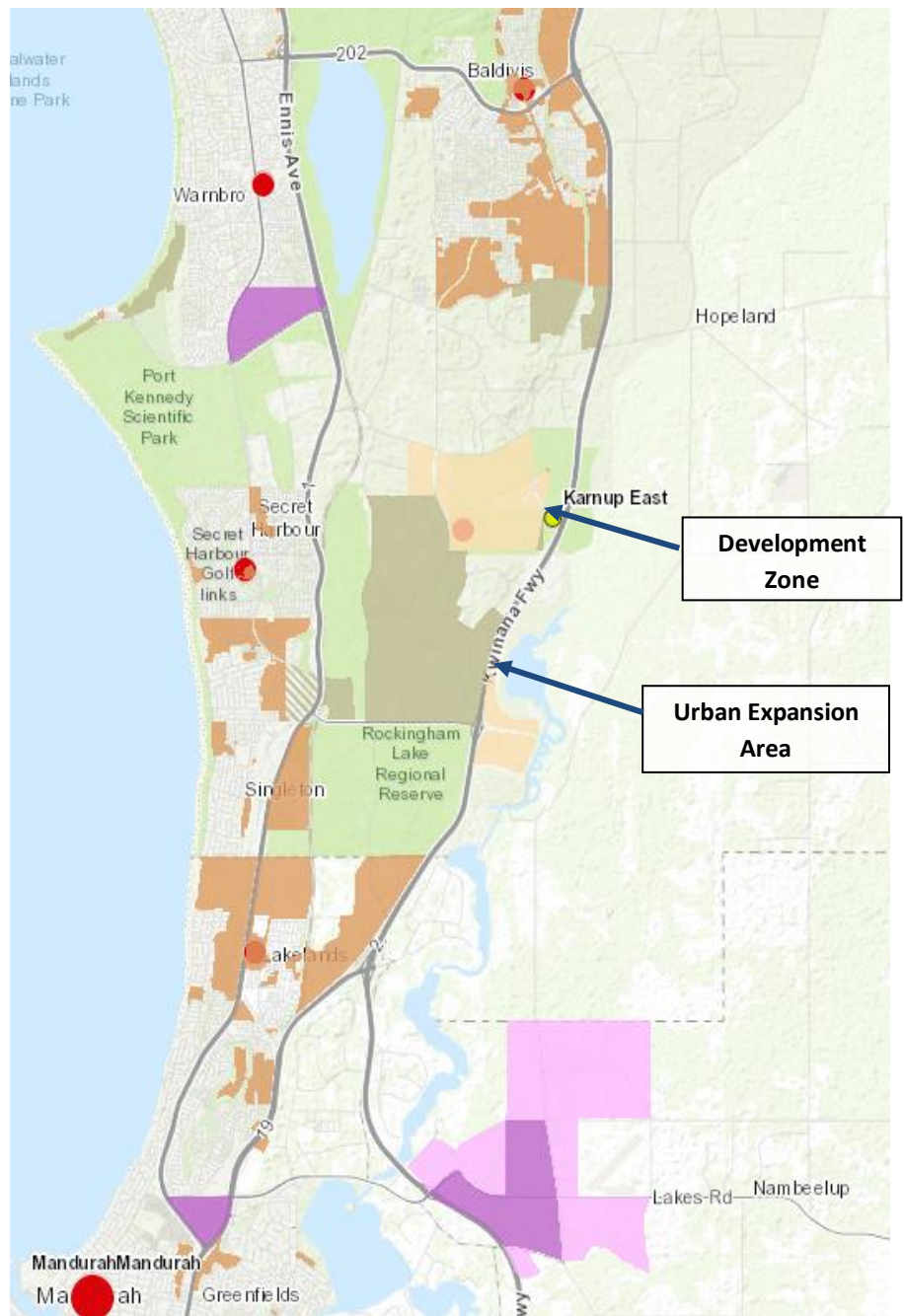
Karnup

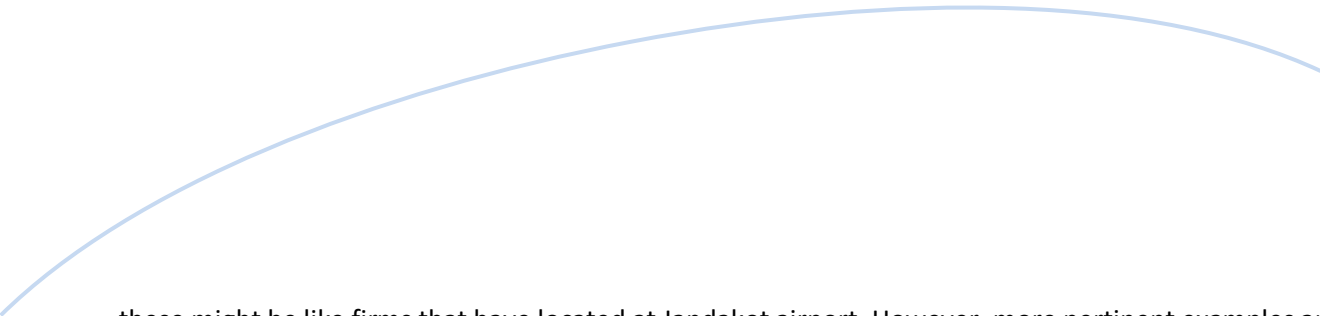
In the longer term there is a general need for additional employment land in the region and Karnup is very well located for this purpose. It has direct access to the freeway system and is the ideal location to meet a general long-term shortage of employment land in the lower metropolitan south-west and Peel. For example, immediately south of Stakehill Road there is approximately 430ha of undeveloped land which is zoned 'Development' in the City of Rockingham Town Planning Scheme No.2 (TPS No.2). Most of this land is controlled by LandCorp. If this land were developed with uses similar to those currently in the Port Kennedy Business Park, it would have an employment capacity of approximately 12,500 jobs.

A significant area of land south of this site (on the western side of the Kwinana Freeway) that is identified as 'Urban Expansion' in the Framework is a possible long-term location for employment land. Depending upon the extent of land allocated for employment, if it were all developed for business purposes it would have

an employment capacity of up to 12,400 jobs, giving Karnup a potential employment capacity of around 24,900 jobs. This is a very substantial addition to regional employment.

The location and transport access to these potential employment areas make possible land uses that could extend beyond traditional industrial uses, to encompass higher-level business activities. As a local example,





these might be like firms that have located at Jandakot airport. However, more pertinent examples are the business parks that are in similar locations in Sydney's north-west and Melbourne's south-east.

A Sydney example is the Norwest Business Park. This is in the Baulkham Hills area of north-west Sydney, around 36km from the Sydney CBD. It has direct access to Sydney's orbital motorway system providing easy access to the CBD, airport and Sydney's manufacturing and distribution heartland. The Business Park has grown to accommodate over 20,000 employees with expansion expected to increase capacity to over 35,000 employees. The Business Park accommodates companies such as Woolworths (head office), ResMed, BBraun, Inchcape (Subaru) and Capital Finance and many small and medium businesses. Other large-scale corporations in the Norwest Business Park include AAMI Insurance, Fitness First gym, and one of the Reserve Bank of Australia's data centres.

Perth is already a big city and, at a population in 2050 of 3.5 million, business parks of this type will be demanded and easily supported.

This will be a long term project, but with its location adjacent to the Freeway and with reasonable future connection to commuter public transport, the Karnup site is ideal for this use. It is a more appropriate and preferable use than, say, for a tertiary hospital. Although this location as a hospital site has previously been proposed, for reasons outlined elsewhere the hospital should remain in the Rockingham City Centre and, given current thinking in health planning, is almost certain to do so.

6.3 Mandogalup Industrial Area – Possible Uses

Key Points:

- In common with other industrial estates in the area, an industrial estate at Mandogalup is likely to contain a high proportion of storage / distribution uses
- Other main uses, by floor area, are likely to be manufacturing/processing/fabrication, office/business and service industry.

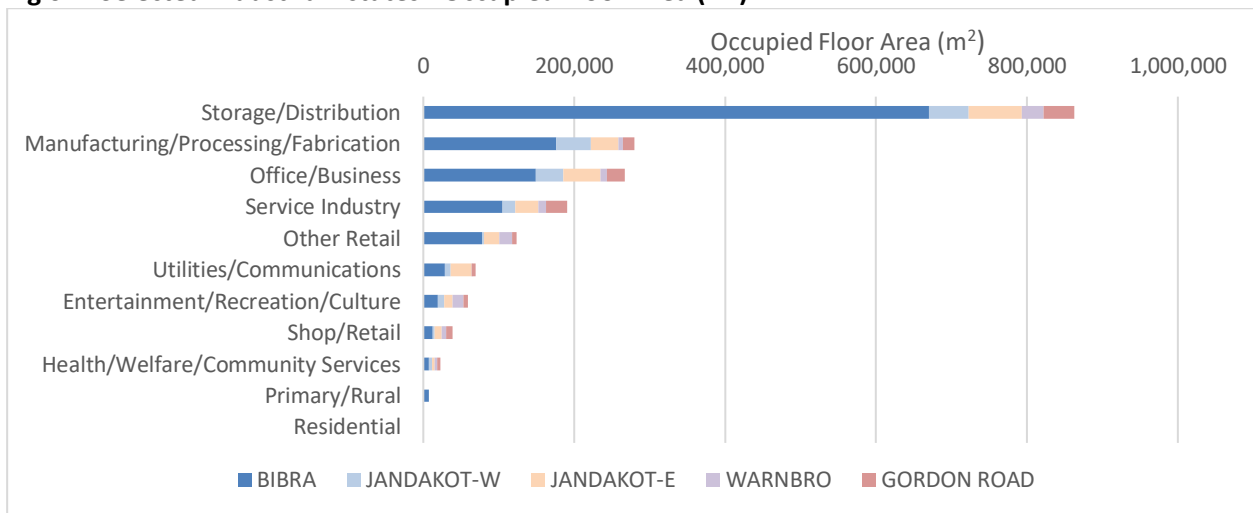
Development of Mandogalup for industry uses is likely to have aspects of the main light and general industrial estates in the area. Because of its proximity to the Western Trade Coast, it is likely to have a proportion of spin-off and complementary activities to port and industrial activities there.

The main reference estates that can provide an indication of future uses in NE Baldivis are identified in the WAPC Land Use and Employment Survey (LUES):

LUES Complex Number	Estate
59	Bibra
60	Jandakot-W
61	Jandakot-E
75	Warnbro (Port Kennedy)
1201	Gordon Road

There is a total of 1.92 million m² of occupied floor area across these estates, with Bibra being the largest by far. Around 45% of all floorspace is for storage / distribution uses, followed by manufacturing / processing (15%), office / business uses (14%) and service industry (10%).

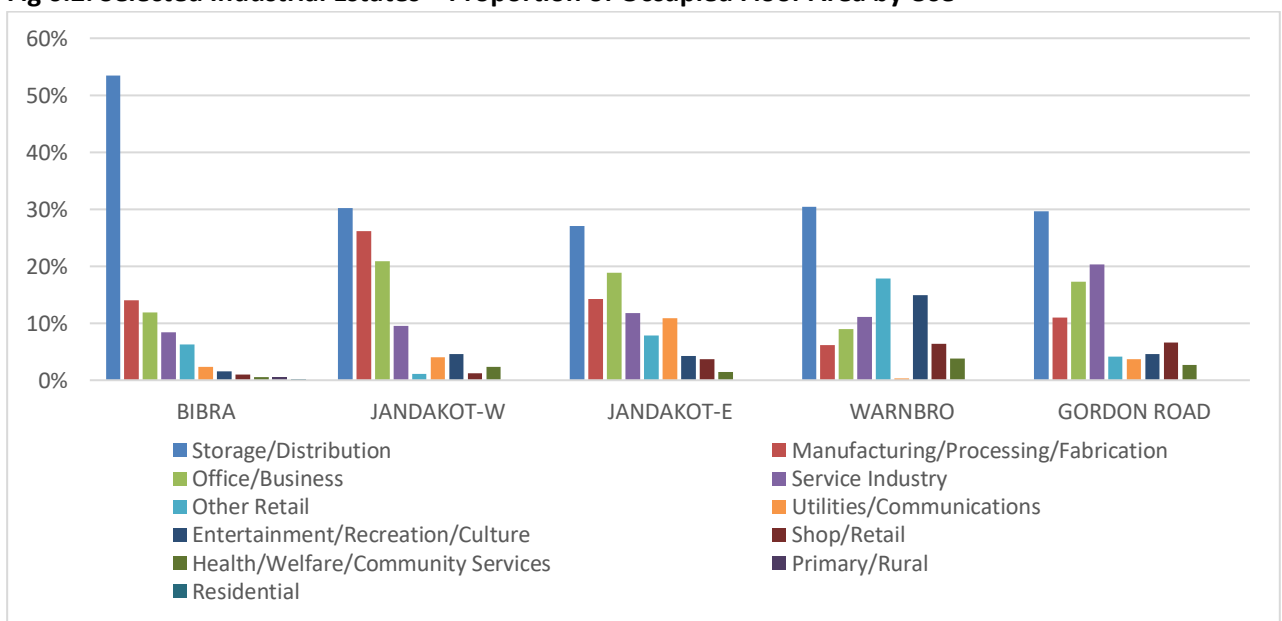
Fig 6.1: Selected Industrial Estates - Occupied Floor Area (m²)



Source: WAPC LUES 2015/17

While all estates have high proportions of storage / distribution uses, there is some diversity across these estates, with Port Kennedy and Gordon Road having higher proportions of other retail (e.g. hardware and big box retail), service industry and local services uses (e.g. entertainment /recreation – in the case of Port Kennedy there are a number of places of worship and dance studios). The diversity is shown in Figure 4.2.

Fig 6.2: Selected Industrial Estates – Proportion of Occupied Floor Area by Use



Source: WAPC LUES 2015/17

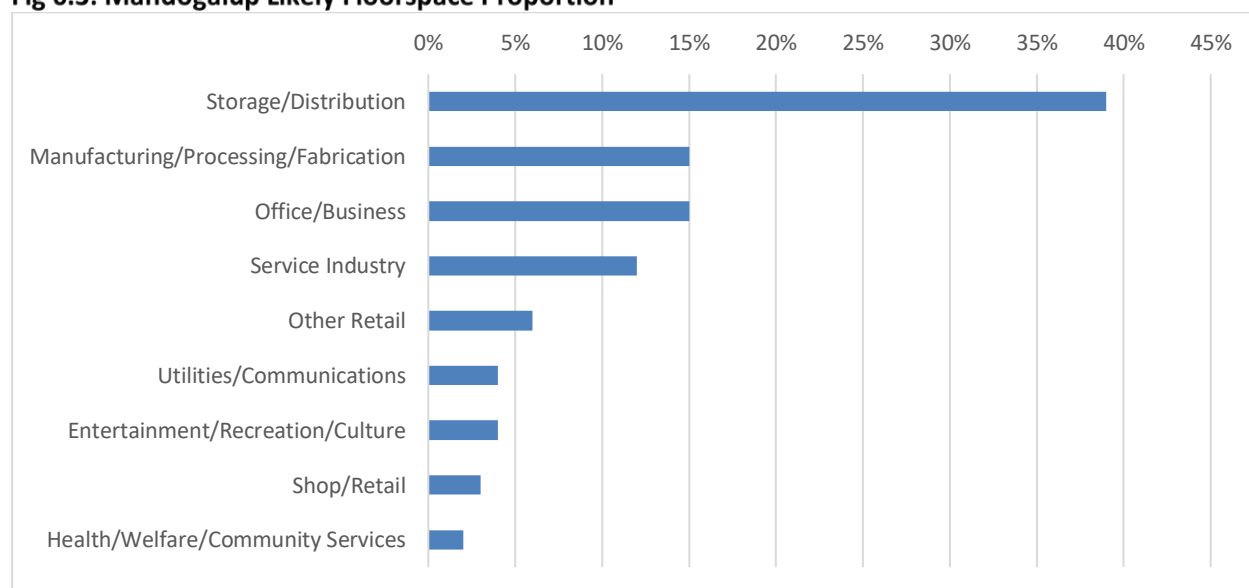
The nature of the ultimate development of Mandogalup as an industrial estate and its land uses depends to some extent on the nature of development immediately surrounding it. It is near to large residential development and is more likely to have some similarities with Port Kennedy, with a slightly higher proportion of local services.

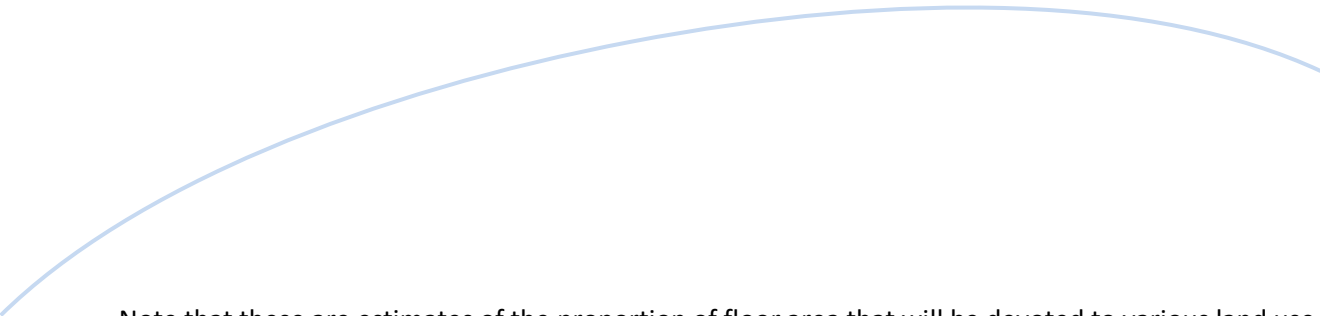
However, in general it will most likely fill overall demand for light and general industrial land in the SW sector. Its specific uses will be influenced by proximity to Western Trade Coast. For example, if Outer Harbour is developed and the port functions transferred for Fremantle includes motor vehicles, as is most likely, land uses at NE Baldivis will likely include motor vehicle importer distribution and service yards. In that regard its uses are most likely to resemble those at Jandakot (E and W) and Bibra, more than Port Kennedy and Gordon Rd. Based on the above evidence, estimated floor space proportions are shown in Table 6.4 and Figure 6.3.

Table 6.4: Mandogalup Likely Floorspace Proportion

Use	Floorspace Proportion
Storage/Distribution	39%
Manufacturing/Processing/Fabrication	15%
Office/Business	15%
Service Industry	12%
Other Retail	6%
Utilities/Communications	4%
Entertainment/Recreation/Culture	4%
Shop/Retail	3%
Health/Welfare/Community Services	2%

Fig 6.3: Mandogalup Likely Floorspace Proportion





Note that these are estimates of the proportion of floor area that will be devoted to various land use types and not of land area. The average ratio of occupied floorspace to land area across all estates in the Perth metropolitan area is approximately 0.16¹³. While this is indicative of contemporary development densities for most of the main use categories, certain land uses, in particular office / business uses, may have much higher ratios of occupied floorspace to land area. This will serve to reduce the proportion of land area that is for office / business uses from those shown above as floorspace ratios and increase the proportion of other land uses. At this stage there is insufficient reliable data to estimate the amount by which floorspace proportions will vary from land area proportions for various classes of land use and there is some variability on the above estimates and consequently the proportions shown in Figure 4.1 are also indicative of the land area proportions for industrial land at NE Baldivis.

As noted above, Mandogalup is a very good location for Outer Harbour spin-off activities (e.g. motor vehicle wholesale preparation and storage) as well as for general light industrial purposes. If developed as industrial it would have a capacity for 5,000 -7,000 jobs

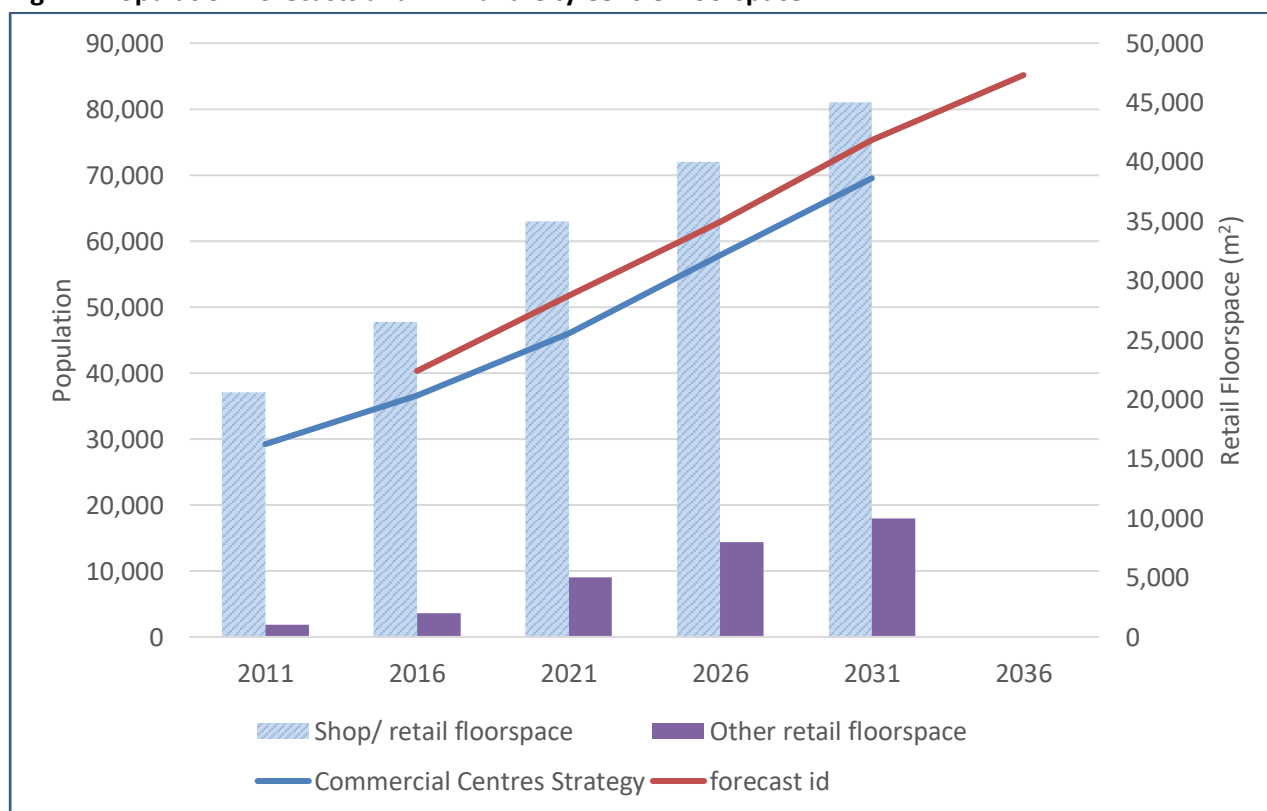
¹³ Based on 2007 Land Use and Employment data sourced from the WAPC / Department for Planning and Infrastructure

7. Major Employment Centres – Activity Centres

7.1 Kwinana City Centre

The Kwinana City Centre (along with other activity centres in the City) will expand with population growth. The City's Commercial Centres Strategy shows capacity for the retail floorspace in the Centre to grow from 26,400 m² in 2016 to around 45,000 m² by 2031 and with continuing population growth it appears to be on track to have capacity for around 50,000 m² of retail floorspace by 2036. Associated local business services in the Centre will increase at the same rate. Note, however, that current changes in retail behaviour and the rapid spread of on-line purchasing will serve to subdue these estimates. There are currently around 1,850 people employed in the Kwinana Centre, and this could potentially approximately double by 2036. It is a very valuable focal point for the residents of Kwinana and is an important component of local residential amenity.

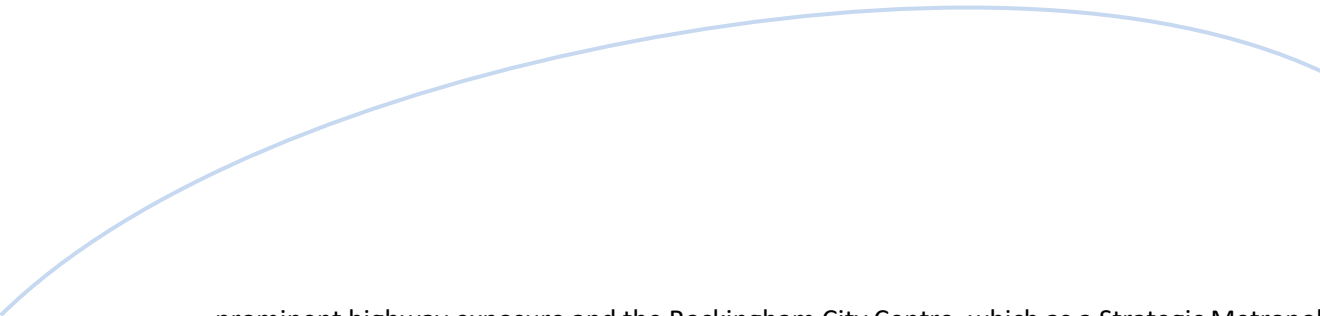
Fig 7.1: Population Forecasts and Kwinana City Centre Floorspace



Source: City of Kwinana Commercial Centres Strategy; SMCo

However, there are very low prospects of activity in the Kwinana Centre expanding beyond this local role:

- Its catchment is constrained, being effectively bounded by industrial areas to the west and north and the Freeway to the east. This is in contrast to, for example, Cockburn Central, which has



prominent highway exposure and the Rockingham City Centre, which as a Strategic Metropolitan Centre is much bigger in scale with a wide regional draw.

- There is significant leakage to Cockburn for new and proposed residential areas east of the Freeway. The typical travel drive time from potential sites of new residential areas at Thomas Road east of the Freeway to Kwinana City Centre is 8 minutes and to Cockburn Central 10 minutes. Other new areas to the north around Mandogalup are even closer to Cockburn Central.
- There is no evidence of significant current or future commercial spin-off from Western Trade Coast activities. Administration, back-office and development functions of major enterprises in the Western Trade Coast are either accommodated on-site or remotely. The Kwinana Centre is not particularly well served by public transport (i.e. it is not on a direct train route) and does not have the location, features or scale to support significant office / business activities.

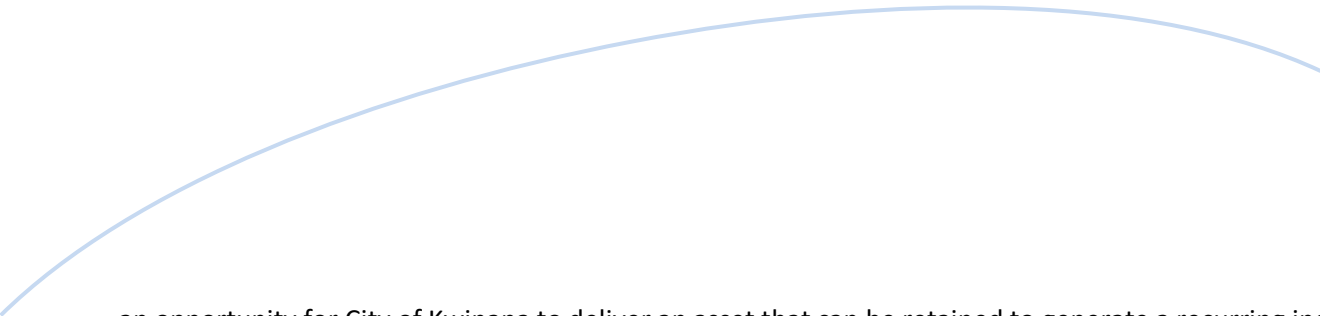
In that regard, a review of the current City Commercial Centres Strategy may be warranted to investigate the future scale of the Kwinana City Centre. One scenario that could be explored in such a review would be to plan for some reduction on growth for the City Centre and allow for some of this growth to be at a new commercial centre in the Kwinana rail station / Thomas Road / Freeway intersection area. This is a strong retail location and would capture some of the retail trade that will otherwise be captured by other centres, particularly Cockburn. The sum of this centre and the City Centre would be greater than that of the City Centre alone on its current trajectory.

The City owns two properties within the City Centre. These are well located to provide uses that will further the development of the City Centre. However, given the general uncertainties and progressive nature of the general economic and development environment for the City, now is not the time to consider what their ultimate development form or land use might be. Specifically:

- The City is at only the beginning of a sharp increase in population. The specific requirements and demand that will flow from that are yet to become apparent;
- There are changes in prospect in the general economic environment, for example the future of Outer Harbour and the long term requirements of Defence, for which the outcome is as yet unknown and these have the potential to impact the City Centre;
- There are new demands emerging, particularly in quite rapid changes in the delivery of health services, that will provide opportunity for key sites in the City Centre, but these will not settle into specific projects for some time.

The City commissioned a report by KPMG on the then current prospects for its key sites in the City Centre in 2015.¹⁴ KPMG assessed a series of potential development proposals for the subject sites, having regard to the location and nature of the sites, local planning guidance and objectives and current market conditions. The built form proposals tested for Lot 904 (multi-unit residential and commercial) were deemed to be consistent with planning objectives and in the case of the commercial scheme, may provide

¹⁴ : KPMG, Feasibility and Property Strategy: Lot 904 Chisham Avenue and Lot 106 Robbos Way, Kwinana, City of Kwinana, Dec 2015



an opportunity for City of Kwinana to deliver an asset that can be retained to generate a recurring income stream. However, both of these schemes failed to generate any positive land value. As such, these options were deemed to be unviable in the current market.

A residential lot subdivision proposal for Lot 106 did generate a positive land value, but only at a level that was deemed to be below a reasonable expectations for a centrally located site of this nature. It is also noted that this use would not assist in meeting planning objectives for Kwinana City Centre. Therefore, pursuit of this option was not recommended by KPMG. The feasibility analysis undertaken therefore indicated that none of the proposals tested could be regarded as being viable in the current market.

The report noted that in the absence of a long term solution for the subject sites, short to medium term opportunities to activate the sites and generate revenue could be considered. Suggested short term uses include temporary commercial use on short leases, such as 'pop up' retail or food and beverage outlets, car wash or drive through coffee type operations.

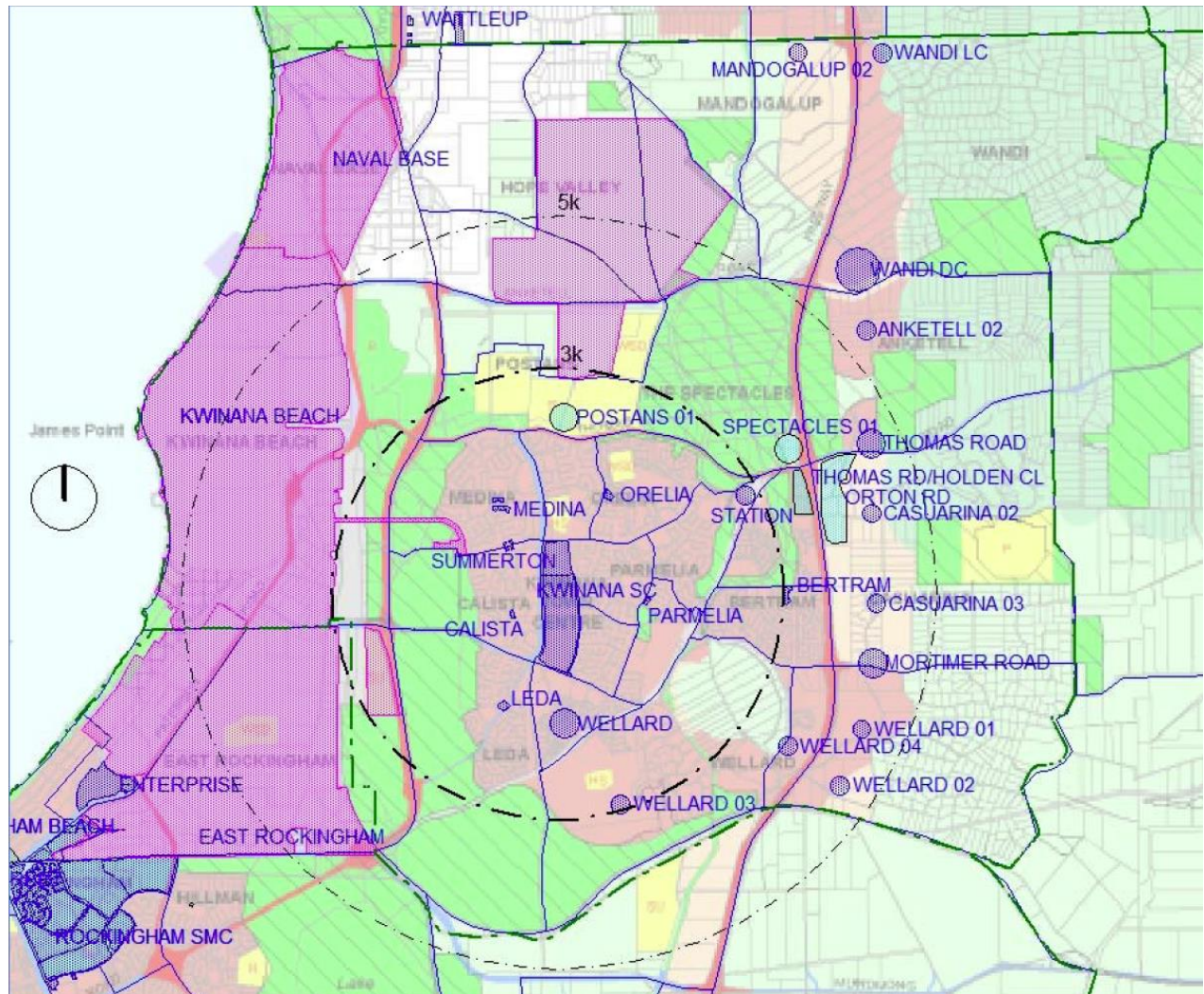
The analysis and assumptions undertaken by KPMG has been reviewed for this report and it is considered that the conclusions remain valid. That is, no worthwhile long term uses for the sites are currently viable, but very short term uses might be appropriate.

It is important that any short term uses that are contemplated are ones that can be realistically unwound in the future and do not become de-facto long term uses. The analysis in this report indicates that there are many demand factors, related both to general population growth and to the economic conditions in the Western Trade Coast, which are currently uncertain and for which specific details are as yet unknown. Therefore, a premature decision locking in land uses for key sites over which the City has complete control risks missing much more appropriate long term uses for those sites.

7.2 Other Activity Centres

Figure 5.13 shows the activity centres identified in the City of Kwinana Commercial Centres Strategy. These are likely to develop in a manner consistent with the Strategy as local retail and services centres, supporting population-driven employment.

Fig 7.2: Kwinana Activity Centres





8. City Growth – Influencing Factors

8.1. The Economy

Western Australia has world class operations in resources, energy, agriculture, health and medicine, specialised manufactures and is a substantial education exporter. These are leading economic drivers and complement the population driven sectors such as construction, retail and other household services. The Western Trade Coast is a key focal point for these operations and will continue to be one of the most important locations in the Western Australian economy.

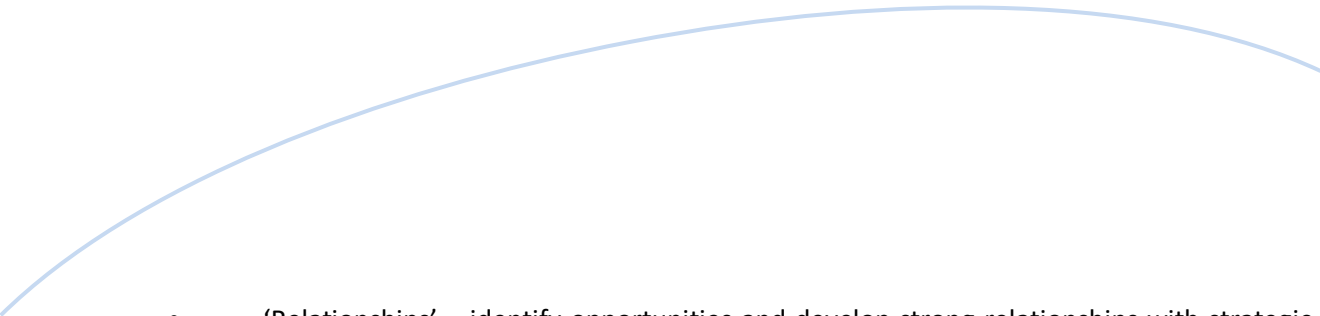
For Perth and Peel the main growth opportunities for strategic employment and economic growth (i.e. jobs to support the anticipated population increase) can be found across a variety of sectors, but particularly in the areas of economic strength:

- Minerals and resources:
 - Supplies and servicing
 - Technology and research
 - Logistics
 - Administration
- Health: Technology and research
- Agri-business
 - Peri-urban projects
 - Specialist and niche products for Asian market
- Education: Education exports
- Tourism
- Specialist manufacture and fabrication.

Each of these sectors will have a different growth ‘driver’ and mix of development requirements. It is critical economic developers know and understand their role in creating an environment in which pro-active intervention supports entrepreneurship and emerging business opportunities along with research and development, commercialisation and the benefits of synergistic co-location.

Economies and populations in developing nations in Australia’s main trade partners in Asia are growing rapidly. The continual growth of the middle-class across Asia is expected to present opportunities for Australia, specifically through an increase in demand for goods and services. To benefit from these opportunities, the area needs to explore a range of priorities, such as:

- ‘Governance’ – establish and grow industry collaboration structures to build the critical mass needed to break into global markets.
- ‘Capability’ – identify opportunities to build the capability of local businesses to ensure they have the capacity and skills to operate in this market.

- 
- ‘Relationships’ – identify opportunities and develop strong relationships with strategic Asian markets where mutually beneficial outcomes can be achieved.
 - ‘Market Knowledge’ – there is a need to develop a strong understanding around the current gaps and associated opportunities within these markets and what the key drivers are that influence relationships and business decision making.

Global demand, in particular in the growing Asian market, is predicted to continue to generate opportunities for growth in the mining industry, agribusiness (in particular higher value food), international education, tourism and wealth management as well as global demand for energy.

In this environment, the role of the Western Trade Coast value-adding activities is critical to the health of the Western Australian economy.

A number of new and emerging industries can be pinpointed as likely to have a presence in the Western Trade Coast in the future. Some are already there. Identified shortlisted emerging industries include – but are not limited to – the following sectors:

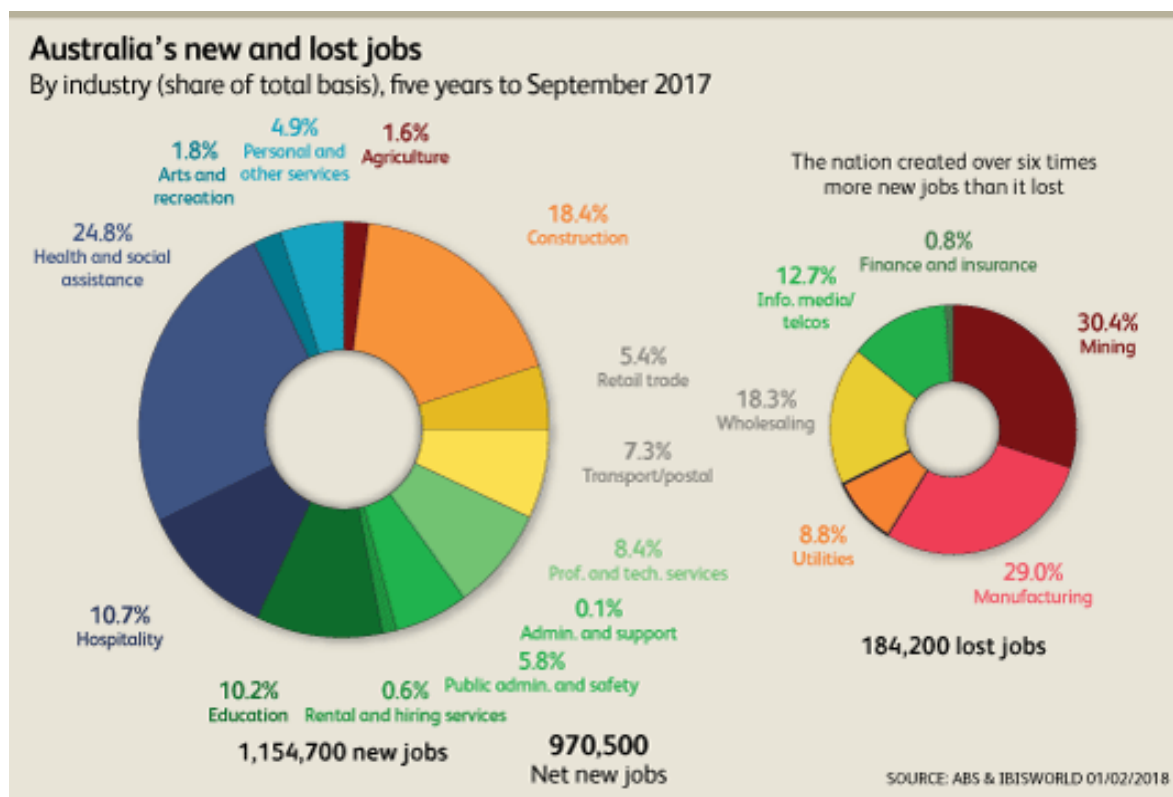
- Future Battery Metals;
- Advanced Manufacturing of Prefabricated Housing;
- Circular Economy;
- Hydrogen Economy.

Each has been identified at the Commonwealth and State level as having high growth potential and each has active government programs for their development. Each has potential for a substantial presence in the Western Trade Coast. For example, if the nascent lithium processing industry in Kwinana were to expand along the value chain to higher grade and more specialised processing and towards battery components, the Western Trade Coast would be the most viable location. The precise form in which these industries will develop in WA is as yet unclear, but in any scenario the particular capabilities and characteristics of the Western Trade Coast is a main element in the competitive advantage of Western Australia for the development of these industries.

This underlines the need to ensure the land in areas of the WTC where valuable industries could expand (for example, Latitude 32) are preserved for those industries and not wasted on lower value activity which could viably locate elsewhere.

8.2 The Changing Nature of Work

Work patterns are changing and with the increasing application of information technology, AI systems and automation, and will continue to change. The figure below shows the jobs gained and lost in Australia in the five years to 2017.



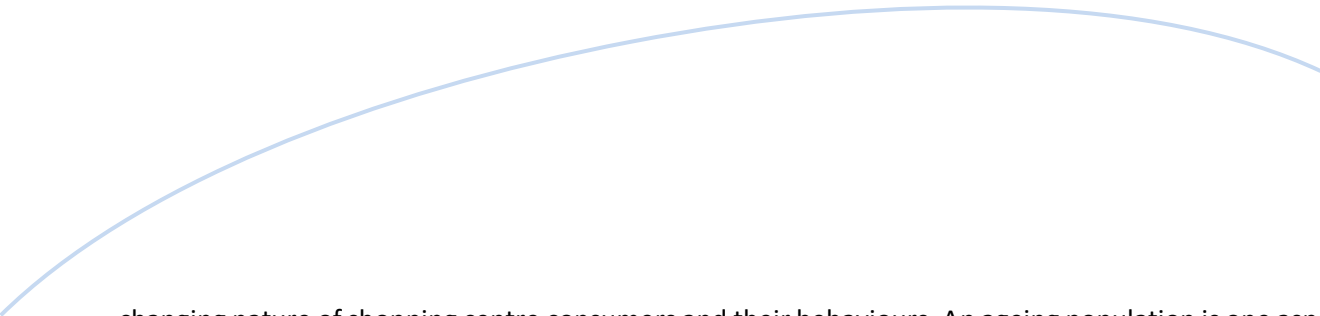
It shows that jobs were lost in the primary and secondary sectors (manufacturing and mining) but gained in tertiary and quaternary sectors, including:

- Health and social assistance
- Construction
- Hospitality
- Education
- Professional and Technical Services
- Transport /postal
- Retail
- Public admin and safety
- Personal and other services

This shift will continue. The effect will be to further decrease the employment density in industrial estates and in broad-acre agricultural production, but to increase the importance of town centres as places where people congregate and interact on a personal basis. This is an important aspect of the economic future for the Kwinana City Centre and, importantly, for the Rockingham City Centre as the region's strategic metropolitan centre, where most of the higher level regional functions will most viably locate.

8.3 The Changing Nature of Retail

Retailing is also changing. The rate of change has increased over recent years, and major centres must move quickly if they are to remain competitive. Some changes have occurred on the demand side, with the



changing nature of shopping centre consumers and their behaviours. An ageing population is one aspect of this, generally spending less per head on retail goods as it ages, together with increasing pressures from other household expenditures (the costs of health, education, housing and transport are all increasing more rapidly than retail inflation) affect all shopping centres, particularly large centres. The increased use of technology, and particularly online shopping, has added further to these pressures.

On-line shopping now accounts for large proportions of discretionary expenditure in some expenditure categories and continues to expand. The result is that centres are needing to provide an increasing range of reasons to visit. As centres become destinations, supermarkets as the traditional anchors are becoming less important. For large centres scale and diversity is increasingly important, with high level and sophisticated offerings across a range of areas, including food, leisure and entertainment. This applies to the Kwinana City Centre.

The rapidly increasing interest in Australia from a wide range of international retailers, a number of which have already entered Perth but with many more still to come, is one important driver of increased floorspace needs. These major retailers will only locate at demonstrably successful, major suburban centres, or in CBD locations. In Perth, there is some activity at most of the major centres, with current projects including major works at Lakeside Joondalup, Garden City Booragoon, Cannington and Karrinyup. Over \$4 billion of investment is planned to occur in metropolitan Perth shopping centre expansions between 2015 and 2020. In addition to new Department Stores and international retail over 1,000 new speciality stores are planned. Many centres are adding additional uses such as childcare, public meeting spaces, cinemas and dining precincts. The incorporation of high density residential development is now routine and the inclusion and specified delivery of this is a key component of Development Approvals by DAPs and LGAs.

This is the competitive environment for the Kwinana City Centre.



9. Key Considerations

There are several considerations in determining the implications for land use planning of Kwinana's economic environment.

9.1 Industrial Land

9.1.1 Supply

1. There is limited supply of buffer-protected heavy industrial land in the Kwinana Complex. This supply is under pressure from uses which do not require the buffer protection, most particularly freight and logistics and office / business uses.
2. There is limited supply of light and general industrial land in the South Metro and Peel region generally.

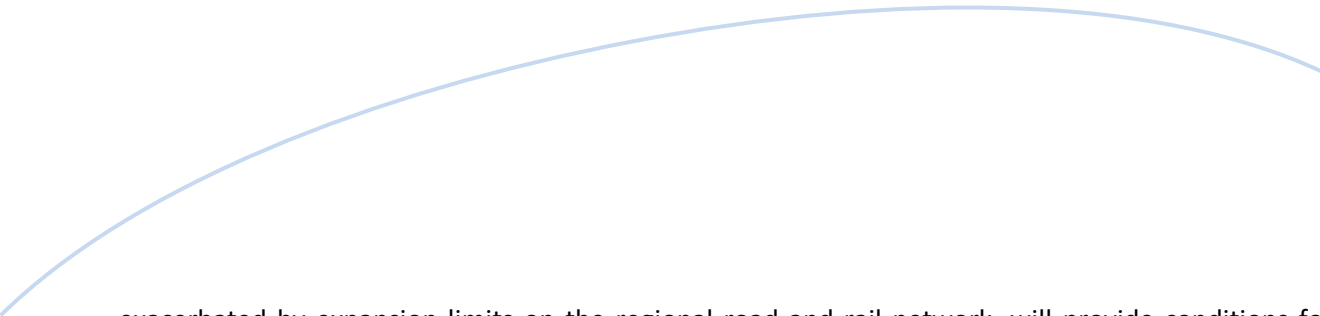
9.1.2 Demand

For **Heavy and Strategic industrial land**, some demand can be identified, for example, in existing growth sectors. However, many viable future projects may not yet be apparent but their likelihood needs to be allowed for in planning. The recent lithium 'boom' indicates that opportunities can come up very quickly (i.e. within a 5 – 10 year time frame). It was the availability of sites and the particular advantages of WTC that made the Kwinana location viable. A number of new and emerging industries can be pinpointed as likely to have a presence in the Western Trade Coast in the future. Some are already there. Identified shortlisted emerging industries include – but are not limited to – the following sectors:

- Future Battery Metals;
- Advanced Manufacturing of Prefabricated Housing;
- Circular Economy;
- Hydrogen Economy.

Each has been identified at the Commonwealth and State level as having high growth potential and each has active government programs for their development. Each has potential for a substantial presence in the Western Trade Coast.

For **Light and General industrial land**, demand will continue from general population growth plus special uses associated with Outer Harbour activities. For example, if motor vehicle import unloading transfers from Fremantle to Outer Harbour, each major vehicle importer will consider relocating their wholesale new vehicle preparation, storage and warehousing and associated activities (e.g. parts processing, staff and dealer training and development) to be nearer the port. Each distributor would have a land requirement of around 12 – 15 ha for these purposes. These should be on light industrial (not heavy industrial) zoned land. There are high prospects that expanded uses arising from the on-line economy (for example dark supermarkets and dark kitchens catering solely for on-line purchases) will increase demand for well-located light and general industrial land. There are also high prospects that the large labour pool in the metropolitan south west and Peel and long commuting times to the inner Perth employment areas,



exacerbated by expansion limits on the regional road and rail network, will provide conditions for the establishment of a substantial business park / service commercial park in the region, as described above in section 6.2.

9.2 Health Services

An expanding population will mean increased demand for health services. However, the delivery of these services is changing rapidly and this has some implications for land use in Kwinana. In brief:

- There is a significant trend towards home delivery of services and more day surgery with reduced emphasis on big hospitals, except for acute needs and specialist services.
- Rockingham Hospital is a reasonable distance from Fiona Stanley Hospital (FSH) and has some capacity to expand. Rockingham will deliver increased day surgery and specialist services and this will be the acute and specialist hospital for Kwinana. It is likely to be the primary regional health campus for the long term, with any additional future hospital likely to be located much further south in the Peel area. The time frame for this is long.
- The physical focus of health services in Kwinana is might be a community-focussed health services centre that might include expanded GP services, tele-connected to specialists with visiting services to patients' homes. This might locate in the City Centre.
- The need for nursing homes for the very frail aged will continue to grow. The population growth of people aged over 85 in the City indicates the need for two to three additional nursing homes by 2036.

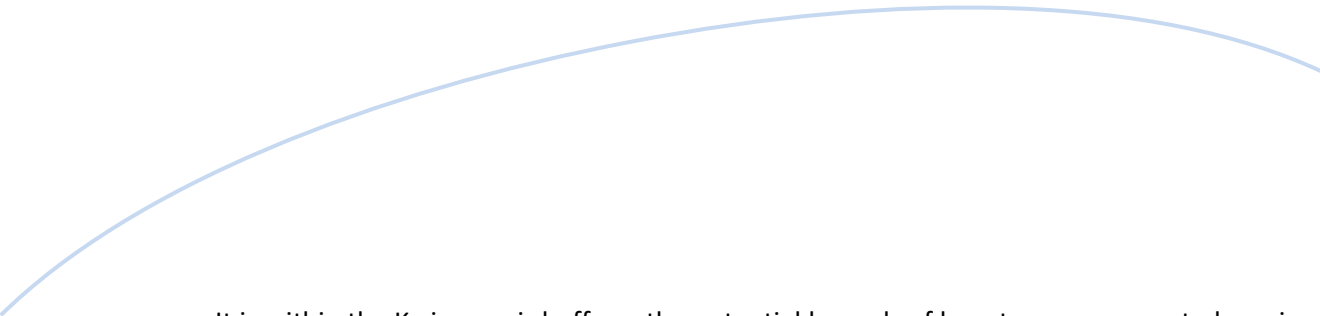
9.3 Movement Economy

The City's location on the Kwinana Freeway provides opportunity for very large format retail outlets that have a metropolitan wide catchment; its location on the main east-west freight routes to the Outer Harbour provides freight and logistics and servicing opportunities. Properties around the off ramps to the Freeway, particularly at Thomas Road with its proximity to the Kwinana rail station, are well placed to take advantage of this exposure. A significant potential benefit is that retail employment opportunities offer the best option to make inroads into unemployment in younger age groups which is well above average in Kwinana.

9.4 Office / Business uses in Industrial Land

In the Western Trade Coast over 50% of all employment is now in office/ business activities. While some is directly associated with nearby or adjacent industrial land uses, much of it does not and could be located elsewhere. There are several problems with this scale of office use on industrial land:

- In the case of the WTC it takes up scarce land that could be used for purposes that require the heavy industrial / strategic industry zoning;
- The land is not well served by public transport for worker access;
- It has limited facilities for worker amenity;

- 
- It is within the Kwinana air buffer – the potential hazards of long term exposure to low air quality within the buffer area is one reason why residential land use is now prohibited and this could equally apply to workers.

The growth in this land use demonstrates the need – the task of the planning system is to find a nearby alternative for those office users in the Western Trade Coast that are not directly related to its industrial activities.



10. Land Use and Strategic Implications

The most significant economic driver for Kwinana, and the employment site for many of its residents, is its current and potential future industrial estates, including the buffer-protected strategic and heavy industrial land in the Kwinana complex and also the adjacent light and general industrial land, which accommodates many spin-off activities and also those activities that find advantage in the Kwinana location but do not need heavy industrial land capability and zoning. These must be regarded as a scarce resource and managed accordingly.

Management of the scarce resource that is the Kwinana industrial complex should include restricting key land parcels only to those uses that contribute to the network in the complex and which require the operational protection afforded by the buffer uses around the complex.

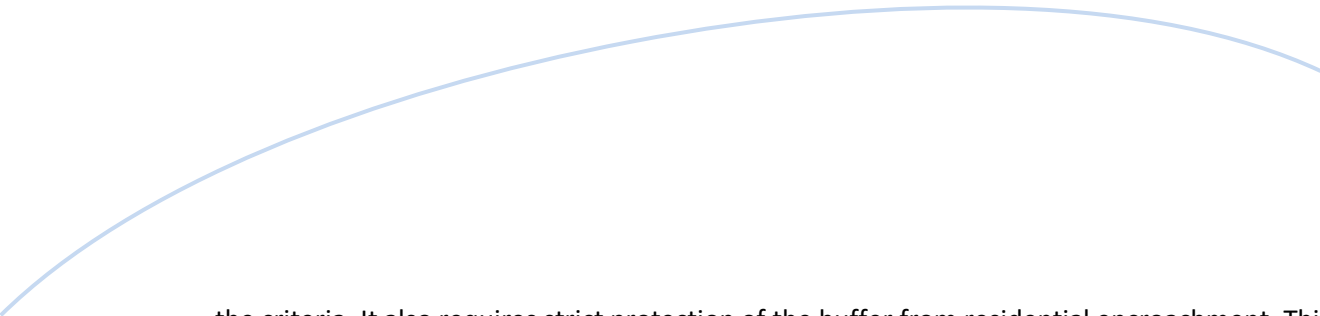
Employment land supply and currently planned future provision is well behind future employment demand, with prospects of declining rates of employment self-sufficiency and self-containment unless all measures are taken to maximise the amount of employment land in the City and to ensure its highest value use. Some land development projects in the Western Trade Coast are on-hold until the future of Outer Harbour is determined. However, this is not the whole story: there are many industry developments now underway, particularly in defence support and defence industries and in new energy metals, that have their own dynamic and time scale independent of the Outer Harbour.

Time frames for much of this are long: significant defence expansion and outer harbour operations are unlikely before 2031, at best. However, some emerging industry projects have the potential to arise very quickly.

For employment provision for Kwinana residents a regional view is key: the future of Rockingham City Centre and of Henderson is important to Kwinana residents. Almost as many Kwinana residents work in each of the Cities of Rockingham and Cockburn as in the City of Kwinana.

The broad implications of this analysis for City planning are:

- Industrial land and infrastructure must be project ready - that is, available for major projects when they occur. Further supply of strategic industrial land is required and further areas of new light and general industrial land must be preserved, even for long term time frames.
- Industrial land must be protected from encroachment and from inappropriate use. For heavy and strategic sites in the Kwinana Complex, this means active discouragement of uses which do not contribute to the network in the complex and which do not require the operational protection afforded by the buffer uses around the complex. This particularly includes activities which are which are large land users but small employers, such as storage, freight and logistics, and large employment uses which could be located elsewhere, such as office / business uses. This might require specific provisions in the statutory planning framework to only allow those uses which meet



the criteria. It also requires strict protection of the buffer from residential encroachment. This also applies to light and general industrial land generally.

- It is critical that the specific form of any Outer Harbour works is carefully considered to ensure the highest and best long term use of scarce strategic industrial land is preserved. This means investigating whether an intermodal facility at Latitude 32 is the best outcome for the economy of the City of Kwinana.
- A comprehensive masterplan is now needed for the WTC. There have been many recent changes in the nature of and prospects for industrial activity in the Western Trade Coast. A new masterplan will account for these prospects and make explicit the development opportunities that exist for the complex and the measures required to ensure these opportunities are maximised. It would provide the information basis for any statutory planning provisions that might govern future development in the area. The City of Kwinana is a major player in the WTC and could sponsor this masterplan.
- An expansion of the Kwinana City Centre to take a role beyond that of a district-level activity centre is very unlikely. As the key activity centre with a catchment area with quite rapid population growth, its form will evolve over time and current planning and land use can allow for that. This extended development time frame has an overlay of the uncertainty of the Outer Harbour decision and the uncertain consequent impacts of this decision overall. Given this, and the rapidly changing nature of retail activity, a review of the current Commercial Centre Strategy is suggested. This would examine as one scenario expanding the total retail expenditure captured in the City of Kwinana by the establishment of a new activity centre in the vicinity of the Kwinana rail station at the junction of Thomas Rd and the Freeway.
- The City needs to ensure that available land in the City Centre is managed in a way that allows full advantage to be taken of evolving opportunities. Health services is one such opportunity where the best form of delivery will only become apparent in the medium term as the population grows to its longer term size and the service delivery models themselves mature. The City holds several properties in key locations in the City Centre and they will at some time in the future be very suitable sites as the focal point for the delivery of some of these services. There are few, if any, currently viable and suitable long term uses for these sites and they should be preserved for future use in a form so that they can be easily accessed when these long term uses become available. Short term uses that can be easily dismantled may be appropriate for those site, but uses that might be hard to reverse in the future (e.g. community open space / local parks or car parking) are not appropriate for these sites.
- There is future opportunity for Kwinana as a residential and service location for personnel involved with the defence assets maintenance phase at Henderson and for any expansion of Navy operations at Garden Island. The residential amenity of Kwinana overall will then become important. This will include:
 - A range of housing choice including housing suitable for people on short term rotation or secondment; and
 - The services available in activity centres, particularly the Kwinana City Centre.

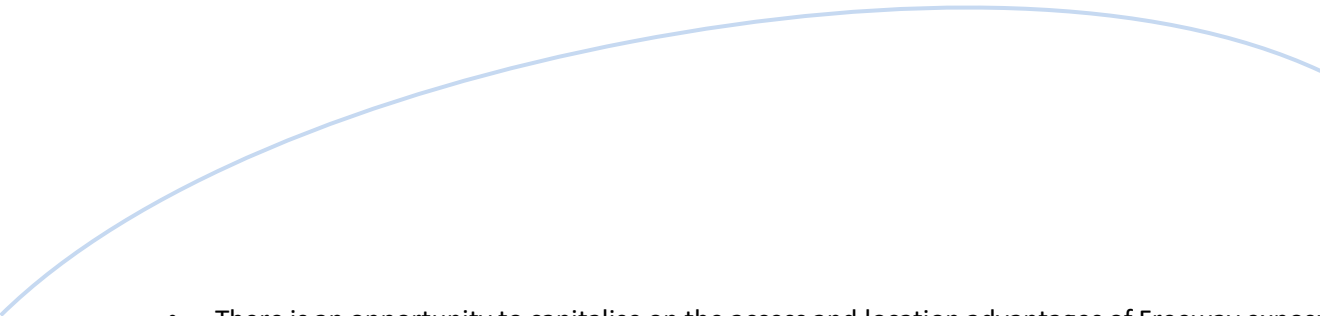
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- There is an opportunity to capitalise on the access and location advantages of Freeway exposure at sites around the off-ramps at Thomas Road (in particular), Rowley Road, Anketell Road and Mortimer Road. Uses for these sites would fit into a broad service commercial category and might include very large format retail uses, for example, Ikea and direct factory outlets (DFO). These are large employers which otherwise would not locate in the City. Their presence would have no, or minimal effect on existing activity centres, including the City Centre itself. (See Fig 10.1)
 - There is an opportunity for an office precinct to develop at the Thomas Road / Freeway intersection and around the Kwinana train station. Sites here have easy access to the Western Trade Coast and could service activities there. (See Fig 8.2) The objective would be to draw office and business uses away from the Western Trade Coast. This would have two main purposes:
 - Freeing up sites in industrial areas for industrial uses; and
 - Providing employment at sites much better served by public transport than the WTC.

Fig 10.1: Potential Service Commercial Precincts Locations

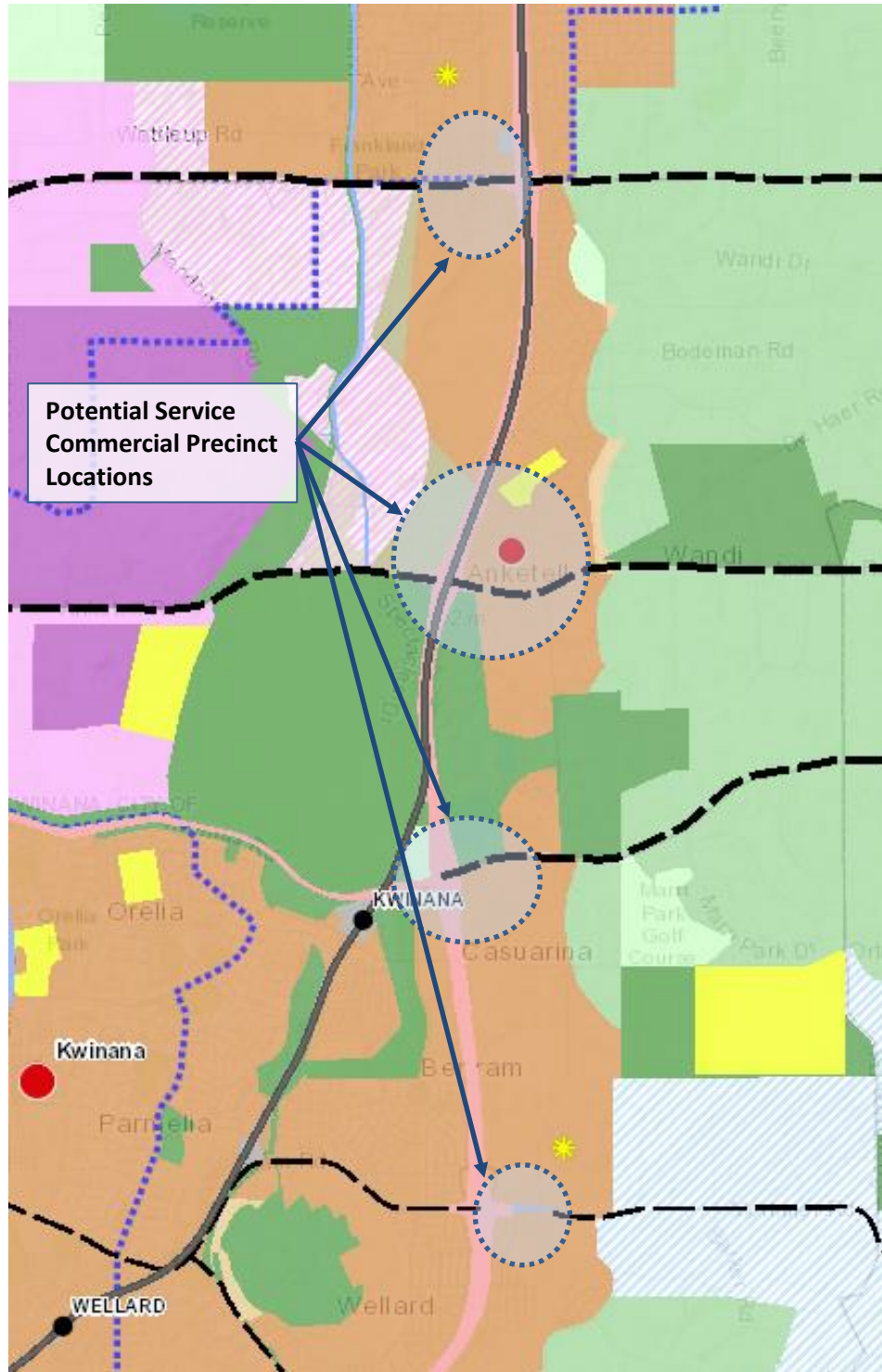
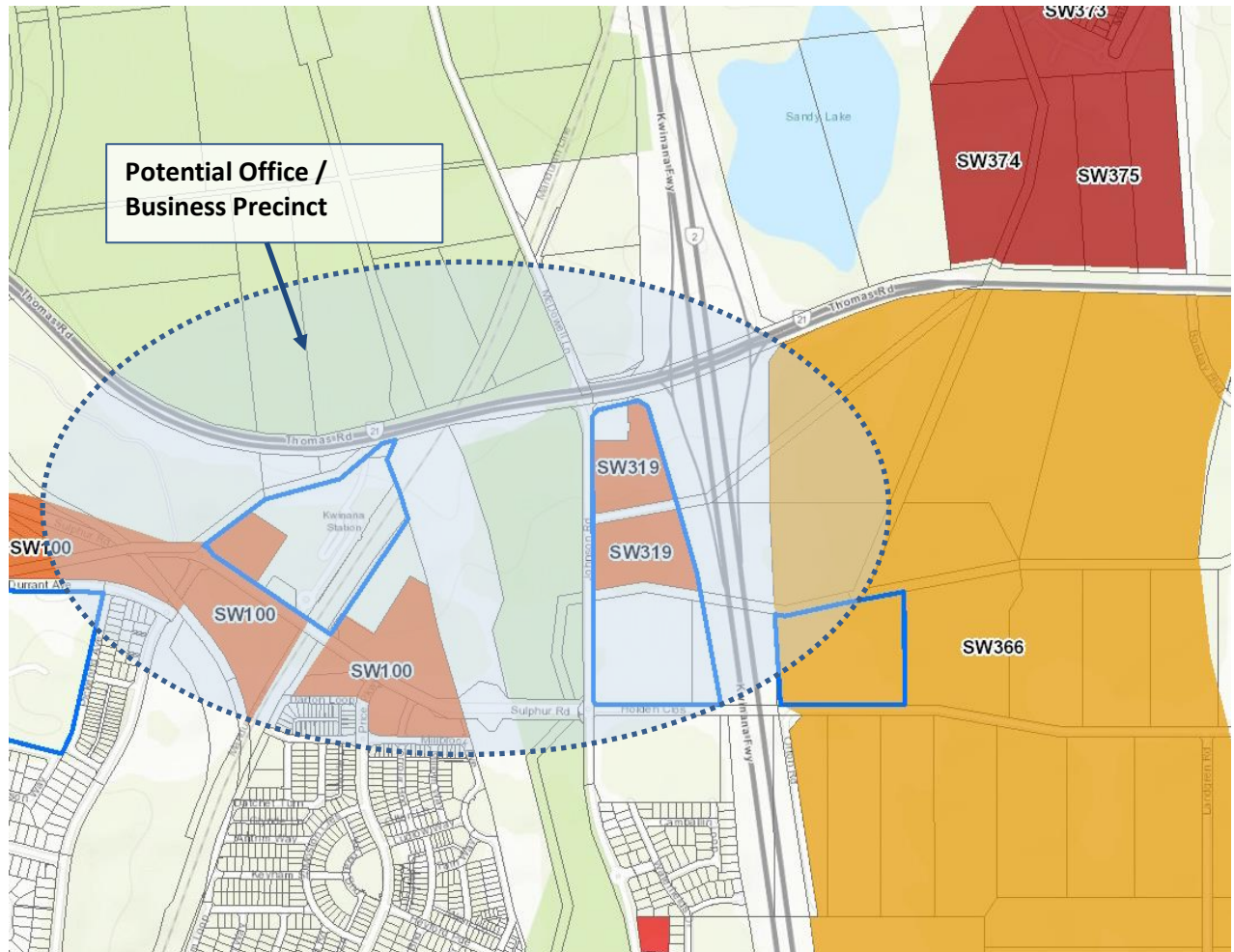


Fig 10.2: Freeway / Thomas Road Intersection



REQUEST FOR PRELIMINARY CONSIDERATION OF METROPOLITAN REGION SCHEME AMENDMENT

Lots 52 and 53 McDowell Lane and Lots
104, 107, 108, bounded by the Perth –
Mandurah Railway, Kwinana Freeway and
Thomas Road, Bertram.

November 2019

Prepared by:

MGA
Town Planners

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Appendix 1 – Council Resolution

Appendix 2 – RPS Opportunities and Constraints Assessment

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Executive Summary

This request for the preliminary consideration of a potential Metropolitan Region Scheme (MRS) amendment is made in respect of Lots 52 and 53 McDowell Lane and Lots 104, 107, 108, all bounded by the Perth – Mandurah Railway, Kwinana Freeway and Thomas Road, The Spectacles (subject land). The subject land is currently zoned 'Rural' and 'Parks and Recreation' under the MRS.

The subject land is located directly west of the Thomas Road exit to the Kwinana Freeway and within 700m north of the Kwinana train station. It therefore has a high level of regional accessibility, by rail and road.

The areas to the north and north-west of the subject land contain conservation category wetlands, and are reserved under the MRS as 'Parks and Recreation'. The areas to the north and west are also contained within 'The Spectacles' Bush Forever area.

The population of the City of Kwinana is projected to grow from 40,305 (as at 2016) to 85,158 (by 2036). This doubling of the population has implications including:

- An increased resident workforce, with consequent demand for increased employment opportunities.
- Increased demand for employment land.

Historically, employment growth in the City and surrounding region has not kept pace with population growth.

A large proportion of the heavy and strategic industrial Western Trade Coast complex is contained within the City of Kwinana. However, there is a limited supply of other employment land, including mixed business, light industrial and general industrial land in the City, and in the South - Metro and Peel region generally.

In the Western Trade Coast (WTC) over 50% of all employment is now in office / business activities. While some is directly associated with nearby or adjacent industrial land uses, much of it is not, and could be located elsewhere. There are several problems with this scale of office use on industrial land:

- In the case of the WTC it takes up scarce land that could be used for purposes that require heavy industrial / strategic industry zoning.
- The land is not well served by public transport for worker access.
- It has limited facilities for worker amenity.
- It is within the Kwinana air buffer – the potential hazards of long - term exposure to low air quality within the buffer area is one reason why residential land use is now prohibited and this could equally apply to workers.

The subject land could provide an alternative location, and provide an important addition to the stock of employment land in the metropolitan south-west sector.

The subject land is able to be accessed conveniently from the Western Trade Coast (WTC) and could service activities there, as mentioned previously. A desirable outcome would include drawing office and business uses away from the Western Trade Coast, for the purpose of:

- Freeing up sites in industrial areas for industrial uses.
- Providing employment at sites better serviced by public transport than the WTC.

The subject land is within the walkable catchment of the Kwinana train station (700m), providing an opportunity for the site to form an employment precinct.

Development of the land for a range of mixed business uses will provide much needed employment opportunities for the City and make best use of the advantages offered by its location. Uses would fit into a broad service commercial / mixed business category and could also include large format retail and direct factory outlets (DFO). These are large employers which otherwise would not locate in the City Centre and their presence would have no, or minimal effect, on the City Centre itself.

Investigations have been undertaken during the past decade exploring opportunities and constraints in relation to environmental features, servicing and access. Past investigations are summarised herein, which reveal the need for a range of new or updated studies to support an MRS amendment, including the following:

- An updated environmental assessment study that includes 52 and 53, along with additional lots including 104, 107, 108 and possibly 109.
- Level 1 fauna and level 1 and 2 flora surveys.
- Groundwater monitoring studies and District Water Management Strategy (DWMS).
- A preliminary assessment for acid sulphate soils.
- Traffic impact assessment.
- Economic and employment analysis.
- A servicing strategy for water, wastewater and drainage that is agreeable to the Water Corporation.

It is respectfully requested that the Western Australian Planning Commission give favourable consideration to the potential amendment in light of the features, benefits and identified need described herein.

1.0 Introduction

This request for the preliminary consideration of a potential Metropolitan Region Scheme (MRS) amendment is made in respect of Lots 52 and 53 McDowell Lane and Lots 104, 107, 108, all bounded by the Perth – Mandurah Railway, Kwinana Freeway and Thomas Road, The Spectacles (subject land).

It is intended that the abovementioned land be rezoned from ‘Rural’ and ‘Parks and Recreation’ to ‘Urban’ under the MRS, consistent with the resolution of Council (City of Kwinana) made on 23rd March 2016. The resolution is attached at Appendix 1 (provided in writing from the City of Kwinana), and reads as follows:

‘That Council writes to the owner of Lot 53 McDowell Lane, The Spectacles (the proponent) advising of its ‘in principle’ support for the following amendments for the ‘subject site’ comprising Lots 52 and 53 McDowell Lane and Lots 104, 107, 108 and 109 all bounded by the Perth – Mandurah Railway, Kwinana Freeway and Thomas Road –

1. *A Metropolitan Region Scheme (MRS) Amendment to rezone the whole of the subject site from ‘Rural’ Zone and ‘Parks and Recreation’ reservation to ‘Urban’ Zone.*
2. *A consequential amendment to local Town Planning Scheme No. 2 (TPS No. 2) to rezone the whole of the subject site to ‘Mixed Business’ Zone under TPS No. 2 including any site - specific requirements that may emerge from detailed planning.*
3. *The ‘in principle’ support for 1 and 2 above is subject to the following requirements: -*
 - a. *Council’s support at a forthcoming Ordinary Meeting of Council to the current draft Local Planning Strategy, which identifies the subject site as future Mixed Business.*
 - b. *The proponent preparing a Concept Plan for the whole of the subject site which demonstrates the feasibility of the development of the site for future mixed business land uses taking into account such matters as traffic and access / egress into the site off Thomas Road and its Johnson Road intersection, effective subdivisional and lot design, land use permissibility and built form, noise, landscape, visual amenity impacts, environmental impacts and any potential offsets.*
 - c. *Letters of ‘in principle’ support from both Main Roads and the Western Australian Planning Commission (WAPC) and the owner of Lot 52 McDowell Lane to the above Concept Plan and to the potential rezoning of the subject site to Mixed Business Zone under its TPS No 2.*
 - d. *In respect to the WAPC, a commitment to an MRS amendment to rezone the land reserved as Rural and Parks and Recreation to Urban under the MRS.*

4. *Advises the applicant that Council's 'in principle' support to the initiation of an MRS and TPS No 2 amendment, based on its satisfaction of the above requirements, is on a without prejudice basis and Council is not fettered as a part of its consideration of any submission following advertising and may make any determination it deems appropriate for the amendments under its responsibilities under the Planning and Development Act 2005 and Town Planning Scheme No 2 including a decision not to proceed with the amendments.'*

The current landowners have commissioned a range studies over portion of the subject land during the past decade to inform future planning and development. This preliminary request to zone the subject land 'Urban' under the MRS draws on the opportunities, constraints and strategic economic benefits of the proposal identified to date, and considers these in light of the objectives guiding urban form and environmental preservation described in the planning framework. In particular, the potential amendment is considered in light of the following:

- a) Location and associated strategic benefits.
- b) Projected demographics and economic demand / benefit.
- c) The statutory and strategic planning framework.
- d) Environmental constraints.
- e) Serviceability.
- f) Access.

2.0 Subject Land, Ownership and Location

The subject land is located immediately west of the Kwinana Freeway, at the corner of Thomas Road and McDowell Lane. The eastern boundary of Lots 52, 53 and 104 adjoin the Kwinana Freeway Primary Regional Road reserve.

The current use of Lots 52 and 53 is for residential purposes only, with no rural activities being undertaken. The subject land remains largely uncleared, with existing development taking up a small proportion of Lots 52 and 53.

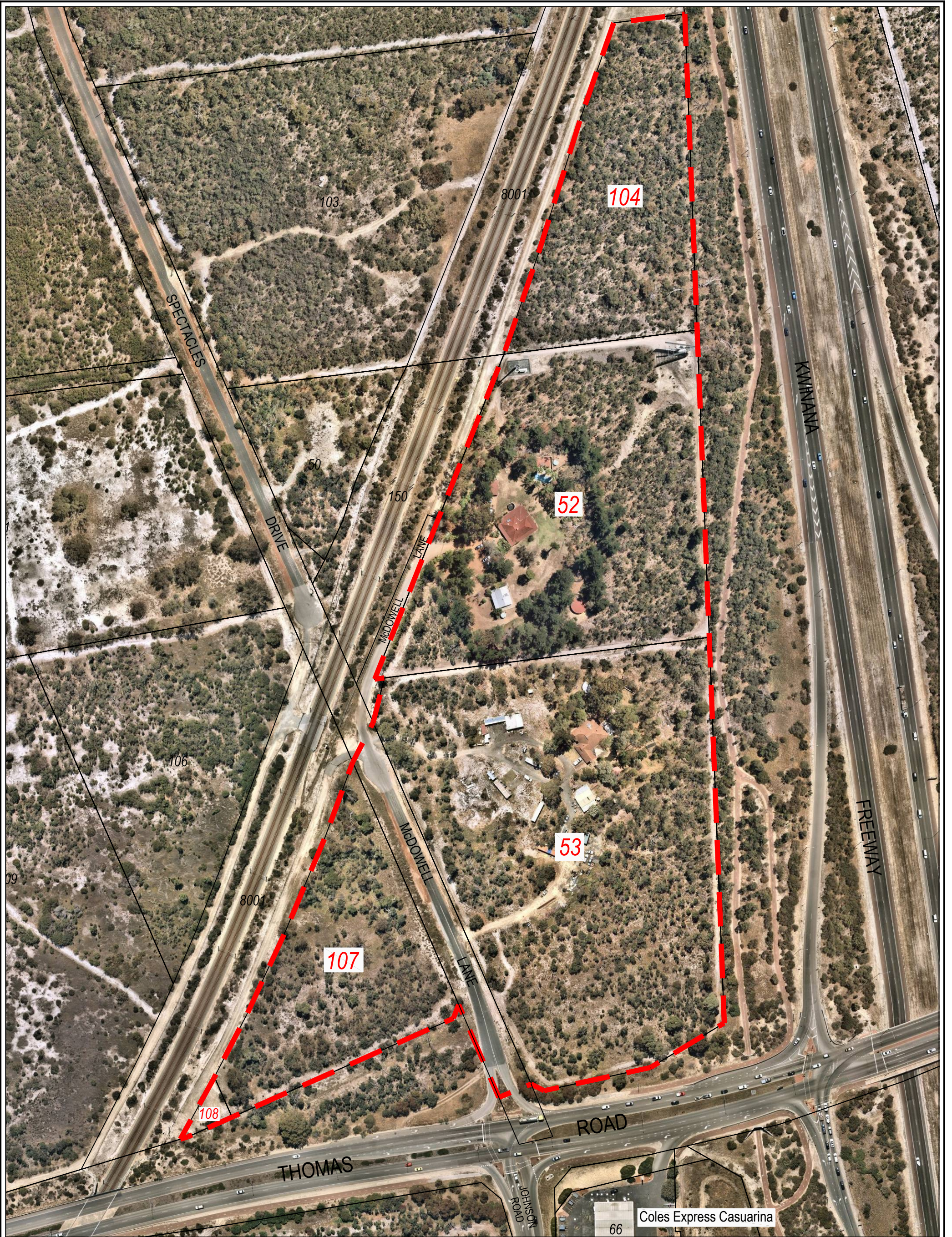
Lots 104, 107 and 108 are zoned 'Parks and Recreation', and are vacant and uncleared. Land ownership is described in **Table 1** below and the individual lots are shown in **Figure 1**.

See Figure 1 – Subject Land


Table 1: Land Ownership

Owner	Lot Number	Land Area	Certificate of Title
Western Australian Planning Commission	104	1.4248 ha	2781/541
Matzin Capital Pty Ltd	52	2.7769 ha	2542/843
William and Catherine Burke	53	3.8792 ha	2542/841
Western Australian Planning Commission	107	1.2997 ha	2781/544
Western Australian Planning Commission	108	0.417 ha	2781/545
Western Australian Planning Commission	109	3.7872 ha	2781/546

Lot 109 is mentioned in the Council's resolution above, as being one of the lots (owned by the WAPC) that should be rezoned from 'Parks and Recreation' to 'Urban'. It is understood that the rezoning of this lot may or may not be deemed appropriate, given that a conservation category wetland area extends into the north – western corner of this lot.



LEGEND

 Subject land

25mm at scale

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A3



0 Metres 80
Scale 1:2000

Date: 19 November 2019
Ref: A3P

All dimensions and areas subject to survey

FIGURE 1 - SUBJECT LAND

The subject land is situated approximately 31km kilometres south from the Perth CBD, 3.5km north east from the Kwinana Town Centre and 8km east from Kwinana Beach and the Western Trade Coast.



Figure 2 - Regional Context

The subject land is located directly west of the Thomas Road exit to the Kwinana Freeway and within 700m north of the Kwinana Train station (**Figure 3**). It therefore has a high level of regional accessibility, by rail and road. The land surrounding the Kwinana Train station is also contained within the Bertram Local Structure Plan area, which incorporates a planned neighbourhood centre immediately west of the train station.

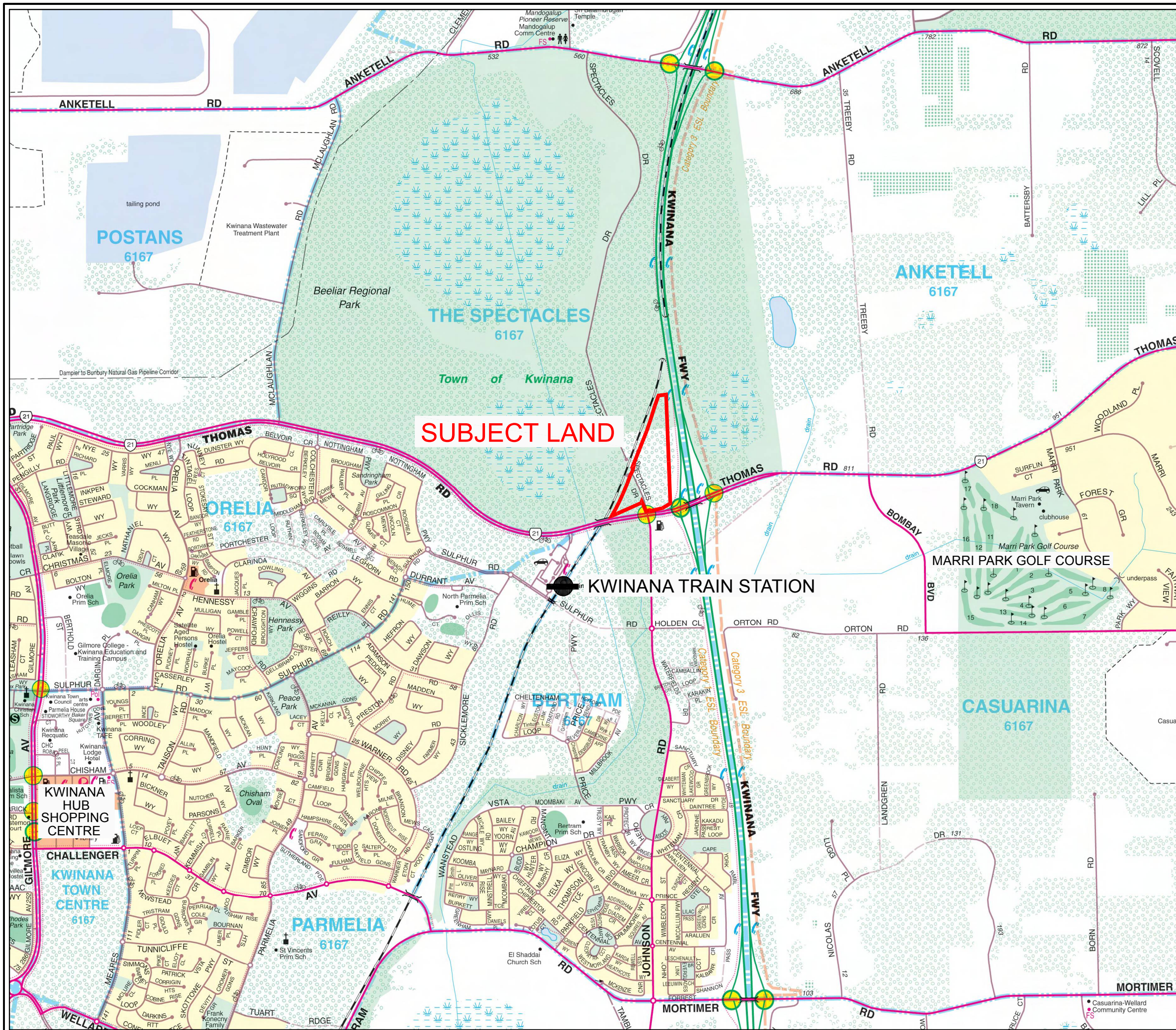
The area to the north and north-west of the subject land contains conservation category wetlands, and is reserved under the Metropolitan Region Scheme as 'Parks and Recreation'. The areas to the north and west are also contained within 'The Spectacles' Bush Forever area. Other EPP Wetlands and Bush Forever sites exist at the eastern side of the Kwinana Freeway.

The land to the south and south east is zoned 'Urban' and 'Urban Deferred'.

See Figure 3 – Locality Map

See Figure 4 – MRS Zoning

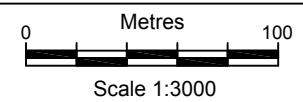
The subsequent sections provide more detail in relation to environmental features, economy and employment, traffic, serviceability and the planning framework.



LEGEND

Subject land

25mm at scale



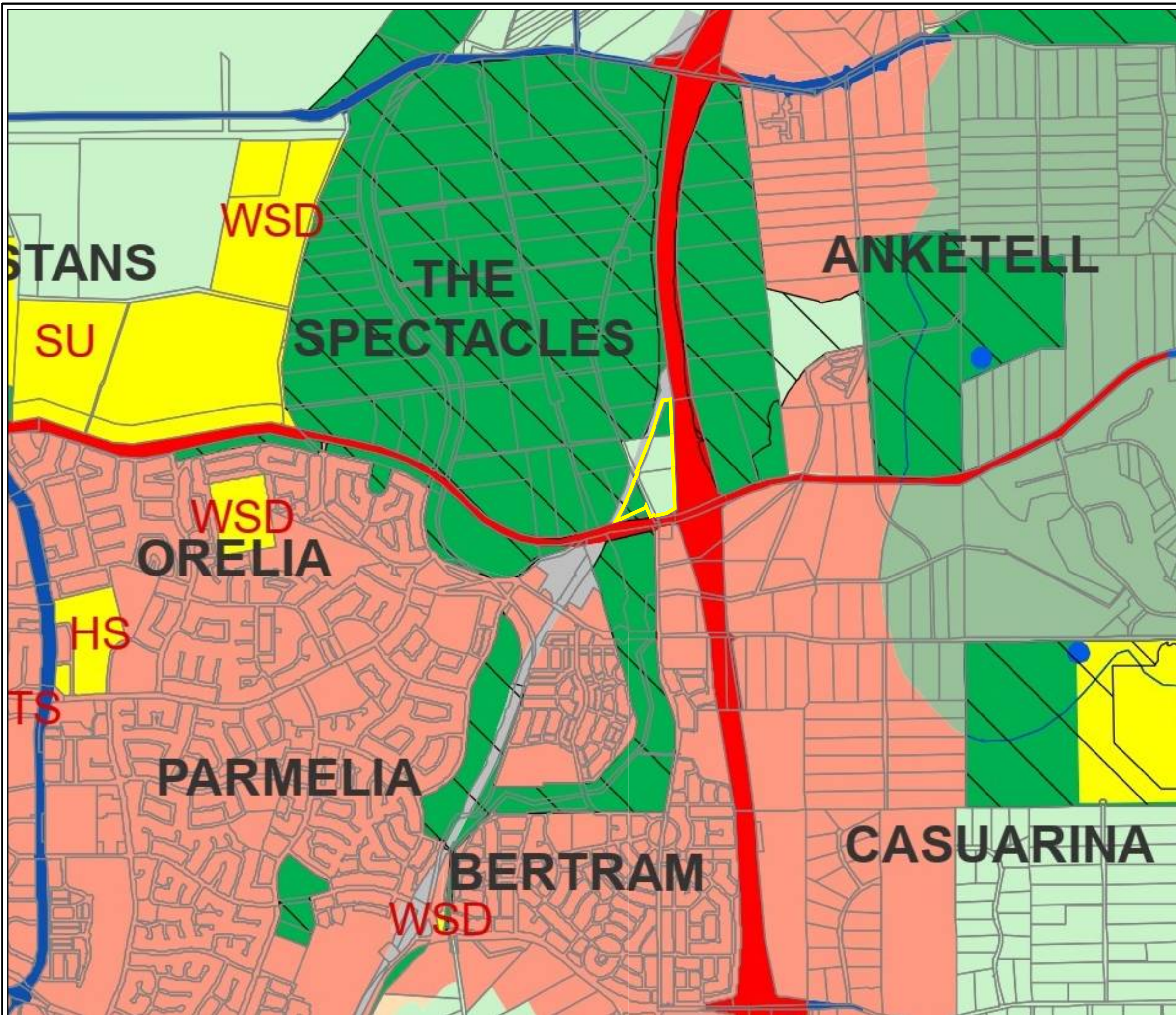
Date: 1 November 2019
Ref: /A3LS

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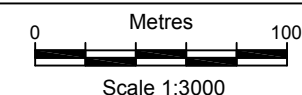
FIGURE 3 - LOCALITY MAP



LEGEND

- Subject land
- Cadastral
- Metropolitan Region Scheme Zoning
 - Urban
 - Urban Deferred
 - Rural
 - Rural - Water Protection
 - Primary Regional Roads
 - Other Regional Roads
 - Parks and Recreation
 - Railways

25mm at scale



Date: 7 November 2019
Ref: /A3LS

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FIGURE 4 - MRS ZONING

3.0 Opportunities and Constraints

The following presents an overview of opportunities and constraints, including the findings made by the environmental scientists at RPS in 2010 (Appendix 1). Figures are also attached at Appendix 1 mapping various constraints identified.

3.1 Environmental Factors

RPS Environmental undertook a desktop assessment in respect of Lots 52 and 53 in 2010, which also broadly took in the surrounding lots. Should an MRS amendment proposal be progressed, an updated assessment will be prepared to accompany it. However, the findings of the original investigation remain relevant, which included the following scope:

- Physical characteristics (topography, soils, landform).
- Key surface water and groundwater characteristics.
- Wetland category mapping within and surrounding the site and likely buffer requirements (if relevant).
- Identification of the vegetation complexes present at the site and their regional significance.
- Database search to identify any occurrences of Declared Rare Flora and Threatened Ecological Communities in the vicinity.
- A database search to identify potential rare fauna.
- The identification of potential soil or groundwater contamination through a site inspection and database search.
- Potential Acid Sulfate Soils risk (regional mapping).
- A database search to assess the presence of known Aboriginal heritage sites.
- Surrounding land use and the requirement for any buffers.
- Key design and/or management strategies required to address environmental constraints.

3.1.1 Vegetation and Flora

The vegetation complex on the land is the Bassendean Complex (Central and South), which is described as including woodland of *Eucalyptus marginata* – *Casuarina fraseriana* – *Banksia* spp., low woodland of *Melaleuca* spp. and sedgelands on the moister sides.

The mapping produced by RPS (**Appendix 2**) reveals that Lots 109 (west of the railway reserve) and Lots 107 and 108 (immediately west of the railway reserve) are contained in the Spectacles Bush Forever area.

The reservation status of the prevailing vegetation type within the Swan Coastal Plain, at both a regional and local level, is shown in Tables 2 and 3. It is evident the State government target of at least 10% of the original extent for protection (Bush Forever protection area of the Perth metropolitan region) is met, as shown in Table 1.

Table 2 - Regional Conservation Status of Bassendean Complex – Central and South (Perth Metropolitan Region of the SCP)

Description	Area	Percentage of Original Area
Original extent	46,220 ha	-
Remaining area	10,919 ha	24 %
Area proposed for protection (Bush Forever)	5,883 ha	13 %

Source: WAPC, 2000

Table 3: Local (Town of Kwinana) Status of Bassendean Complex – Central and South

Description	Area	Percentage of Original Area
Original extent	4,679 ha	-
Remaining area	2,159 ha	46 %

Source: Del Marco et al., 2004.

A total of four Declared Rare Flora (DRF) species, as listed under Subsection (2) of Section 23F of the Western Australian Wildlife Conservation Act 1950 were recorded within 5km of the site. In addition, several priority species were documented as occurring within the vicinity.

In addition, five species protected by the Federal Environment Protection and Biodiversity Conservation Act (EPBC Act) 1999 were identified as potentially being located within the site. **Table 4** below lists the relevant species and likelihood they may or may not be present on the subject land.

Table 4: Conservation significant flora species potentially located within the site

Species	Conservation Status	Likelihood of occurring on-site
<i>Caladenia huegelii</i> (King Spider Orchid)	DRF and EPBC Listed	Possible.
<i>Diuris micrantha</i>	DRF	Unlikely – This species prefers wet swamp habitat.
<i>Drakea elastica</i> (Glossy Leaved Hammer orchid)	DRF and EPBC Listed	Possible.
<i>Eremaea asterocarpa</i> subsp. <i>brachyclada</i>	Priority 1	Possible.
<i>Aotus cordifolia</i>	Priority 3	Unlikely – This species prefers peaty soils associated with swamps.

<i>Cyathochaeta teretifolia</i>	Priority 3	Unlikely – This species prefers peaty soils associated with swamps.
<i>Stylidium longitubum</i>	Priority 3	Unlikely – This species prefers seasonal wetlands with clay soils.
<i>Aponogeton hexatepalus</i>	Priority 4	Unlikely – This species is an aquatic herb.
<i>Dodonaea hackettiana</i>	Priority 4	Unlikely – This species is typically found in grey/yellow sands over limestone.
<i>Lepidosperma rostratum</i> (Beaked lepidosperma)	EPBC Listed	Possible.
<i>Darwinia foetida</i>	EPBC Listed	Unlikely – This species prefers swampy, seasonally wet sites.
<i>Centrolepis caespitosa</i>	EPBC Listed	Unlikely – This species prefers winter wet clay pans.

It is very likely that the list of relevant Declared Rare Flora and EPBC listed species has altered since 2010. RPS indicated that a Level 1 and Level 2 flora survey would be necessary.

Refer Appendix 2 – RPS Opportunities and Constraints Assessment

3.1.2 Fauna

A search of the DEC (now the Department of Biodiversity, Conservation and Attractions) threatened and priority fauna databases in 2010 revealed that four Schedule 1 species and four other species of varying conservation significance may utilise the subject land.

It was recommended in 2010 that a Level 1 Fauna Survey be undertaken. The findings would determine whether or not the amendment should be referred to the federal Department of Environment.

3.1.3 Wetlands

The closest wetland area is a Conservation Category wetland (CCW) located approximately 250m to the west of Lot 52 in the Spectacles Bush Forever reserve. Portion of this CCW extends into Lot 109.

Refer Appendix 2 – RPS Opportunities and Constraints Assessment

3.1.4 Landform, Topography and Soil

The subject land ranges between approximately 25m Australian Height Datum (AHD) at the north-eastern corner, declining to approximately 15m AHD at the south-western corner. The land is mapped entirely as Sand (S7) – pale yellowish brown, medium - to coarse - grained sub - angular quartz, trace of feldspar, moderately sorted, of residual origin. This geological unit is generally considered appropriate for development purposes.

Refer Appendix 2 – RPS Opportunities and Constraints Assessment

3.1.5 Groundwater and Water Management

Depth to groundwater varies from 12m below ground level (bgl) at the eastern boundary to 9.5 m bgl along the western boundary.

A District Water Management Strategy (DWMS) would be prepared to accompany an MRS amendment request rezoning the land to 'Urban'. The DWMS will be required in order to verify that the land is capable of supporting urban development without adversely impacting environmental assets or hydrology.

3.1.6 Acid Sulfate Soils

The subject land is identified as having low to no risk of Acid Sulfate Soils (ASS) occurring at depths of greater than 3m.

Land identified as having a high risk of ASS is located within 100m from the western edge of the subject land, within the Spectacles Bush Forever reserve. On this basis, a preliminary ASS assessment is likely to be required to determine whether ASS will be an issue on the subject land.

Refer Appendix 2 – RPS Opportunities and Constraints Assessment

3.1.7 Aboriginal and European Heritage

No sites of Aboriginal or European heritage significance were identified.

3.1.8 Future Environmental Studies / Actions

Based on the observations made to date, the following studies will be required to progress an amendment to the MRS. Again, it must be noted that the RPS study related to Lots 52 and 53 only, and that future investigations would take in all of the land to be subject of the proposed MRS amendment. On this basis, the list below is not exhaustive and additional investigations may be required.

- A fulsome and up to date environmental assessment and report, including Lots 104, 107, 108 and possibly 109.
- Level 1 fauna and level 1 and 2 flora surveys.
- Groundwater monitoring studies and the subsequent preparation of a District Water Management Strategy (DWMS).
- A preliminary assessment for acid sulphate soils on the subject land, given the close proximity of areas identified as 'high risk'.

Refer Appendix 2 – RPS Opportunities and Constraints Assessment

3.2 Servicing

Porter Consulting Engineers (PCE) have undertaken a desktop servicing investigation (Appendix 3).

Potable Water

There is an existing 300mm AC water main in the southern verge of Thomas Road. Advice obtained from the Water Corporation is that:

- The land is located within the Thomson's Lake Gravity Scheme. The land use plan for Thomson's Lake Gravity supply scheme shows it as 'Rural'.
- If the land was proposed to be rezoned, a review would need to take place.
- If capacity is available, an extension from the DN300 water supply main in Thomas Road may be possible. Alternatively, it may be found that an upgrade of infrastructure is required. In accordance with WPC policy, lots that are less than 4 ha require scheme water.

PCE have advised that once a development layout and yield has been determined, early discussions should be held with the Water Corporation to determine if the site can be serviced from the DN300 water main in Thomas Road.

Wastewater

Regarding wastewater disposal, advice obtained from the Water Corporation is that:

- There is no existing sewer planning for the site. If the land was proposed to be rezoned a review would need to take place.
- A possible outcome might be that a permanent wastewater pumping station (WWPS) could service the subject land.
- Alternatively, the land could be developed using an onsite effluent wastewater system.

PCE have advised that once a likely development layout and yield has been determined, early discussions should be held with the Water Corporation to explore the option of a permanent wastewater pumping station and discharge point. Should this not be deemed viable, onsite wastewater management and disposal could be explored, using such technologies as:

- Aerobic Treatment Units and associated effluent disposal systems (leach drains).
- It may be feasible to implement a centralised, privately owned and maintained wastewater treatment plant servicing the whole site, with wastewater conveyed from each lot to the treatment plant.

Drainage

PCE have advised that the existing railway line separates the subject land from the Water Corporation's Peel Main Drain. Due to this constraint, the only outflow will be via existing culverts under the rail corridor, if there are any. It is highly probable all stormwater will need to be contained and disposed of on site. As part of further planning and design development, consideration will need to be given to allocating sufficient drainage areas to maintain stormwater runoff to pre-development levels.

Refer Appendix 3 – Porter Consulting Engineers Servicing Report

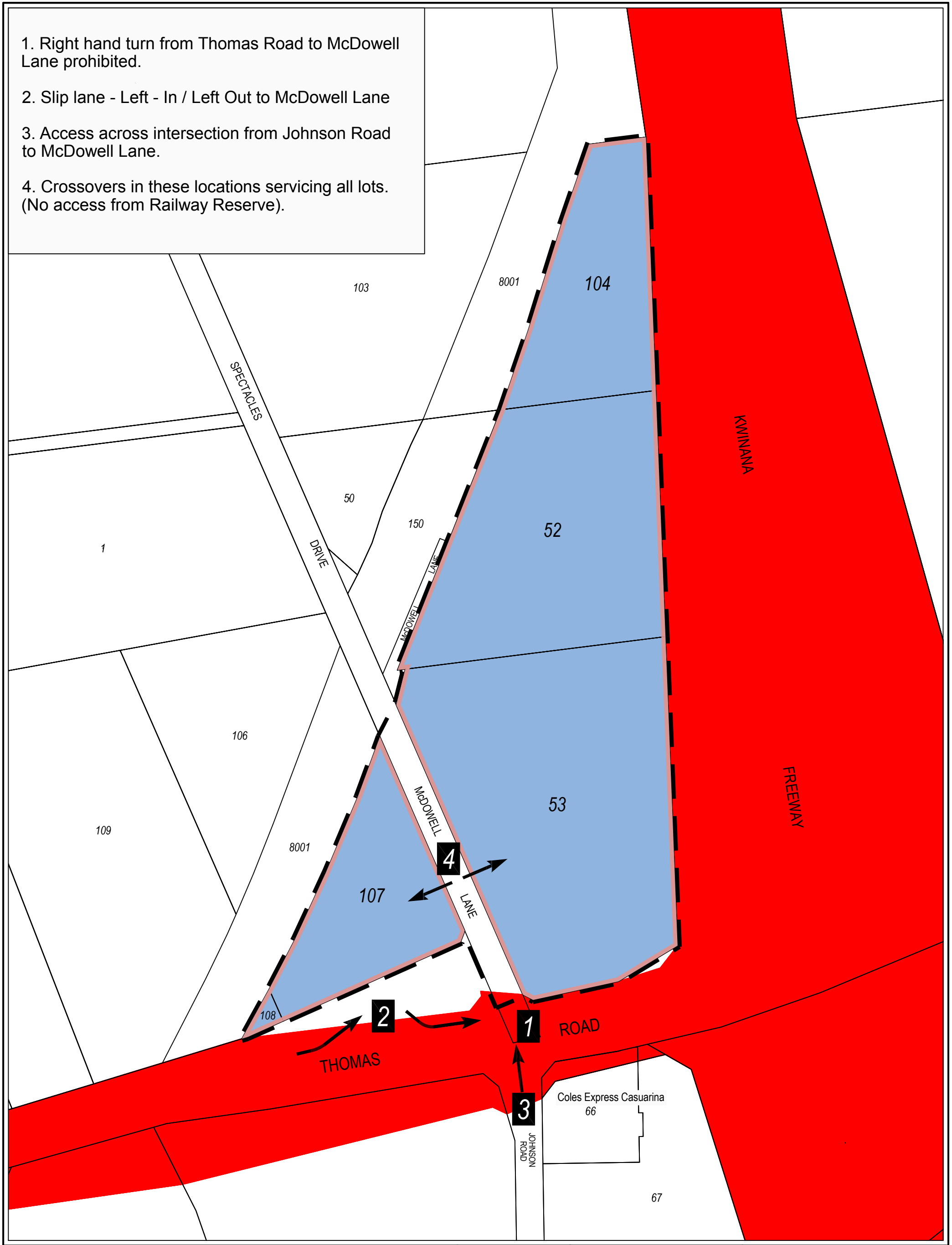
Access

Figure 5 depicts access arrangements to and from the subject land, and broad discussions have been held with Main Roads WA (MRWA).

The left – in / left – out access arrangement at the intersection of Thomas Road and McDowell Lane is existing. Advice received from MRWA to date is that north - south traffic movements between McDowell Lane and Johnson Road may be entertained subject to a TIA being prepared, giving consideration to the efficiency of the traffic signals at this intersection.

See Figure 5 – Concept Plan

- 1. Right hand turn from Thomas Road to McDowell Lane prohibited.
- 2. Slip lane - Left - In / Left Out to McDowell Lane
- 3. Access across intersection from Johnson Road to McDowell Lane.
- 4. Crossovers in these locations servicing all lots. (No access from Railway Reserve).



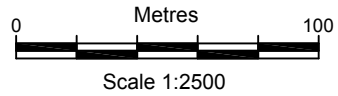
LEGEND

- Subject land
- Primary Regional Road
- Mixed Business

25mm at scale

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A3



Date: 19 November 2019
Ref: A3P
All dimensions and areas subject to survey

FIGURE 5
CONCEPT PLAN

3.3 Demographics, Economy and Employment

3.3.1 Projected Population Growth – City of Kwinana

The City of Kwinana's population is projected by *forecast i.d.* (last updated December 2017) to grow from 40,305 (as at 2016) to 85,158 (by 2036). This is generally consistent with the WAPC WA Tomorrow¹ projections, which show population increasing to between 68,290 and 75,270 by 2031, with a mid-range (Band C) almost identical to the *forecast id* projection at 75,260 in 2031. These are illustrated in Figure 1.

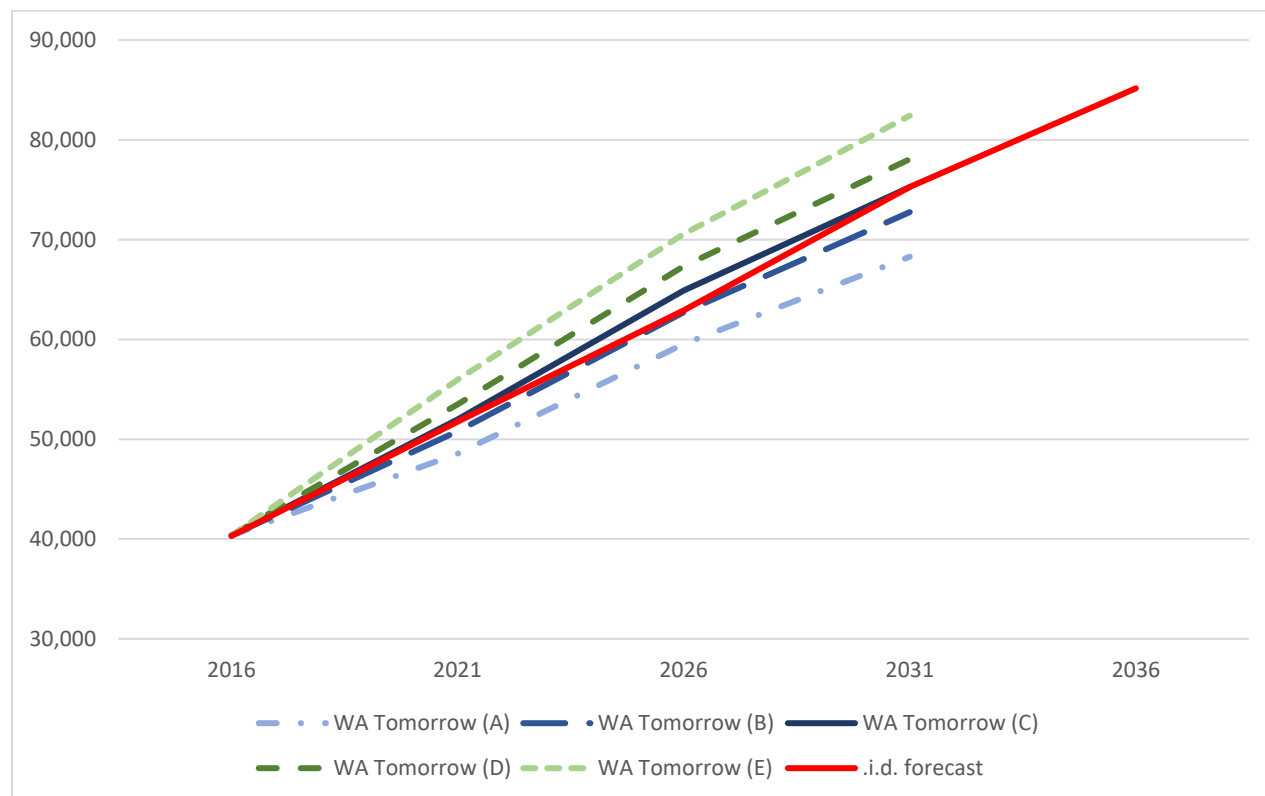


Figure 6: City of Kwinana Population Projections - WA Tomorrow, *forecast i.d.*

Source: WA Tomorrow (2018; *i.d. forecast* (2017); Perth @ Peel @ 3.5 Million (WAPC 2018)

The projected doubling of the City's population has several direct implications:

- An increased resident workforce, with the consequent demand for increased employment opportunities.
- Increased demand for employment land.

¹ Western Australia Tomorrow, Population Report No. 11 - sub-State ASGS (SA2), Medium-Term Population Forecasts 2016 to 2031

3.3.2 Employment and Employment Growth

While there has been some recent growth in employment, in general employment in Kwinana is not keeping up with population and resident workforce growth. Since 2005/06 employment in Kwinana has remained steady at around 15,500 jobs. However, the population has increased from 24,000 to over 42,000 by 2018.

Employment growth has not matched the proportion throughout the broader South West Group² area, or throughout Greater Perth.

Figure 6 shows that the level of employment has been flat since 2005/06. The Kwinana share of employment has fallen in comparison to both Greater Perth and the South West Group, as shown in **Figure 7**. These trends in employment growth illustrate the challenge of facilitating job growth in Kwinana at a rate consistent with projected population growth.

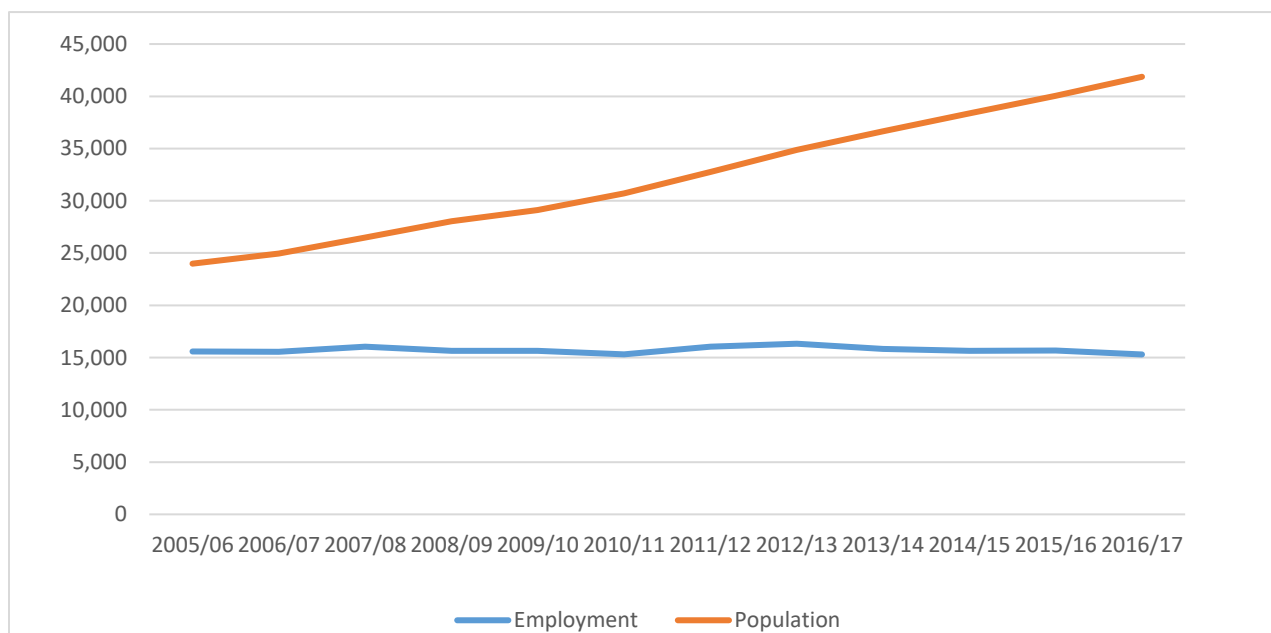


Figure 7: Kwinana - Employment versus Population Growth

Source: i.d. forecast (2017)

² The South West Group is a regional organisation of six member Councils in the South West Metropolitan Region including City of Cockburn, Town of East Fremantle, City of Fremantle, City of Kwinana, City of Melville and City of Rockingham.



Figure 8: Comparative Employment Growth - Kwinana, Greater Perth and South West Group

Source: i.d. forecast (2017)

3.3.3 Employment Land in Kwinana and the Metropolitan South West Sector

While a large proportion of the heavy and strategic industrial Western Trade Coast complex is within the City of Kwinana, there is a limited supply of other employment land, including mixed business, light industrial and general industrial land in the City, and in the South - Metro and Peel region generally.

A large proportion of the land identified as future industrial land supply in the WAPC *South Metropolitan Peel Sub-Regional Planning Framework* is in the Latitude 32 area. This is an essential component of future land supply for the Western Trade Coast and provides a straight - forward extension to the heavy and strategic industrial activity in the Kwinana Industrial Complex (KIC).

The KIC is now almost built-out, with very limited new land available. It is properly regarded as future supply for strategic and heavy uses, and not available for light and general uses. It thus cannot be counted as potential land for light and general industrial land supply and is not well located or suited for general business land supply.

In the south-west metropolitan and Peel areas, the Port Kennedy industrial estate / business park has only a small amount of land available to be developed, and in the City of Mandurah, the Gordon Road / Park Road complex is essentially fully developed, with limited capacity for further expansion.

The proposed Nambeelup Industrial Area (NIA) will be an estate containing approximately 1,000 ha of industrial land, which, when fully developed, will accommodate approximately 10,000 – 15,000 workers. While this is substantial, it should be seen in the context of regional population growth. The current (2018) population of the City of Mandurah and Shire of Murray combined is 105,900. This is expected to be 312,300 by 2050, creating considerable local employment demand. The NIA will also be an important employment location for workers residing in the City of Rockingham.

The employment land shortage in the South West and Peel is substantial. An analysis is provided below considering population as the primary driver of light and general industrial land demand at the sub-regional level (Table 5).

Using the population multiplier of 49m² of developed industrial land per person (this number is derived from the measured ratio in 2011³) to the forecast population growth between 2011 and 2050, a total of 9,080 ha of developed industrial land will be required across Perth and Peel over that period.

Potential supply is identified in the WAPC *Economic and Employment Lands Strategy (EELS)* for zoned but undeveloped industrial land, adjusted for those areas that have since been developed plus those identified in the sub-regional frameworks as potentially available in the future. The results show a substantial deficit in provision in the Metro South / Peel sub-region and a surplus provision in the North West (in particular) and the North East – noting that some of those estates would be largely functionally interchangeable.

Industrial and business land demand by location has many drivers, and for a large metropolitan area, population is a dominant one. In Perth, a high proportion of land use in industrial and business estates is for regional and local services – for example, retail, including large format and large footprint retail (e.g. Bunnings stores), local construction, automotive and household services, entertainment (e.g. dance studios and churches), local and regional storage and distribution. This requires close access to customers and service users.

A substantial proportion is also influenced by access to major transport routes, particularly for manufacturing, fabrication and large - scale logistics. With Northlink, and the future Hepburn Avenue link to the North West sub-region industrial estates, Tonkin Highway becomes the main north-south structuring element for the Perth metro area. There will be significant advantages for businesses located in areas accessible to this main transport spine. This will be reinforced if the Outer Harbour becomes a container and general cargo port.

Access from the Outer Harbour to Tonkin Highway will become increasingly important, effectively shifting the locus of industrial activity in Perth to the south and west, and away from the north and east. This will further increase demand for light and-general industrial land in areas accessible to the Outer Harbour – Tonkin Highway access routes, such as those in the City of Kwinana.

³ Ref: WAPC, Economic and Employment Lands Strategy: non-heavy industrial, Perth metropolitan and Peel regions, April 2012

Table 5: Perth and Peel Industrial Land, 2011 – 2050 (Population-based demand analysis)

	South West	South East	Peel	Total (SM/Peel)	North West	North East	Central	Overall
Total Demand 2050 at population ratio (2011/12 EELS ref)	2,323	2,214	1,606	6,143	2,189	3,596	6,081	18,009
Population Increase 2011 - 2050	242,980	259,430	238,610	741,020	128,090	531,140	468,900	1,869,150
Increased demand at population ratio	1,180	1,260	1,159	3,600	622	2,580	2,278	9,080
Adjustment (allow for no Central supply)	17%	19%	17%	53%	9%	38%		100%
Adjusted regional demand 2011 - 2050	1,576	1,682	1,547	4,805	831	3,444	0	9,080
<i>Of which, total in land yet to be zoned</i>	<i>1,372</i>	<i>1,492</i>	<i>1,495</i>	<i>4,359</i>	<i>423</i>	<i>3,137</i>		<i>7,823</i>

Supply

Identified: Sub-regional Framework plus EELS - developed since 2011)	198	1,832	1395	3425	3260	5151	0	11836
Adjusted Supply (gross to net @75%)	149	1374	1046	2569	2445	3863	0	8877
Net Supply (Shortfall) to meet demand	(1,427)	(308)	(501)	(2,237)	1,614	419	0	(203)

In the Western Trade Coast (WTC) over 50% of all employment is now in office/ business activities. While some is directly associated with nearby or adjacent industrial land uses, much of it is not, and could be located elsewhere. There are several problems with this scale of office use on industrial land:

- In the case of the WTC it takes up scarce land that could be used for purposes that require the heavy industrial / strategic industry zoning.
- The land is not well served by public transport for worker access.
- It has limited facilities for worker amenity.
- It is within the Kwinana air buffer – the potential hazards of long - term exposure to low air quality within the buffer area is one reason why residential land use is now prohibited and this could equally apply to workers.

The subject land could provide an alternative location for this land use and for general business uses. It would therefore provide an important addition to the general stock of employment land in the metropolitan south-west sector.

3.3.4 Employment Capacity

The subject land has a gross area of 9.38ha. If developed to a density similar to that of the Port Kennedy Business Park (a reasonable scenario) and allowing for environmental and other development contingencies, it may accommodate approximately 155 jobs in the future.

4.0 Planning Framework

4.1 Perth and Peel @ 3.5 million (WAPC, 2018)

The Perth and Peel @ 3.5 million strategy identifies that a 'connected city' is the most preferred future growth pattern, providing the best balance between urban infill and fringe development. Page 19 of the strategy indicates that as a connected city, the Perth and Peel regions will increasingly be characterised by the following:

- a strong central business district that is the business, finance, service, retail, cultural and entertainment centre of the State.
- a network of connected activity centres which deliver employment, entertainment and higher-density lifestyle choices. These centres will be designed to be attractive, accessible, compact, vibrant, pedestrian and cycling-friendly environments that have high-quality public transport and road linkages.
- connected, specialised centres of innovation, education, health, research and technology which are designed and located to enable access to skilled labour and appropriate infrastructure;
- high-quality global and local infrastructure networks including roads, public transport, energy, water, communication and globally competitive, highly accessible airport and sea port infrastructure.
- well-designed urban form that maximises the use of existing infrastructure assets in parallel with extending infrastructure into the development areas of the outer sub-regions identified in the relevant frameworks.

4.2 South Metropolitan Sub - Regional Framework

The South Metropolitan Sub – Regional Framework (SMSRF) sits below the Perth and Peel @ 3.5 Million strategy, providing a more definitive guide as to the desired timing and distribution of future land use and infrastructure guiding future growth across the sub-region.

Key principles listed on pages 2 and 16 of the SMRSRF being relevant to the intended rezoning and future land use:

- Achieve a more consolidated urban form and development within the sub-region.
- Strengthen key activity centres and employment nodes to meet the future needs of industry, commerce and the community.
- Provide transport linkages that connect people with key centres of activity and employment, and access to areas beyond the Perth and Peel regions.
- Facilitate and support a future regional transportation network and facilitate the provision of service infrastructure.
- Protect areas with regional conservation, environmental and landscape value.
- Encourage and guide increased connectivity between areas of open space or conservation through an integrated green network.
- Retain land for rural and agricultural purposes.

- Maximise the use of and add value to existing infrastructure, including transport, community / social and service infrastructure, where there is a concentration of urban and employment opportunities.
- Integrate land use and public transport to contribute to maintaining air quality.
- Facilitate increasing the number of people living close to where they work with the identification of suitable sites for employment within the sub-region.
- Avoid, protect and mitigate impacts on environmental attributes (with an emphasis on avoiding and protecting) when allocating proposed land uses.

The subject land is in a strategically important location, with characteristics making it suitable for development as a mixed business employment node. In response to the objectives and principles of the Perth and Peel @ 3.5 million strategy and SMSRF identified above, the following is noted:

- The subject land is within the walkable catchment of the Kwinana train station (700m). This provides an opportunity for the site to be one of a number that may form an employment precinct including offices, at the Thomas Road / Freeway intersection and around the Kwinana train station.
- The subject land is able to be accessed conveniently from the Western Trade Coast (WTC) and could service activities there, as mentioned previously. A desirable outcome would include drawing office and business uses away from the Western Trade Coast, for the purpose of:
 - Freeing up sites in industrial areas for industrial uses.
 - Providing employment at sites better serviced by public transport than the WTC.

The subject land has high exposure, and is one of several having an opportunity to capitalise on the access and location advantages of its Freeway exposure near the off-ramp at Thomas Road. Uses would fit into a broad service commercial / mixed business category and might include very large format retail uses, for example, Ikea and direct factory outlets (DFO). These are large employers which otherwise would not locate in the City Centre and their presence would have no, or minimal effect on existing activity centres, including the City Centre itself.

Development of the land for a range of mixed business uses will provide much needed employment opportunities for the City of Kwinana and make best use of the advantages offered by its location.

The subject land has limited potential for rural / agricultural uses, given it is isolated by the railway reserve (west) and freeway (east). The land west of the railway reserve contains no conservation category wetlands and the majority is not included within the Spectacles Bush Forever area.

Future rezoning and subsequent land use and development would be located and designed taking into consideration the outcomes and recommendations of updated environmental, fauna and flora assessments, in conjunction with district and local water management strategies.

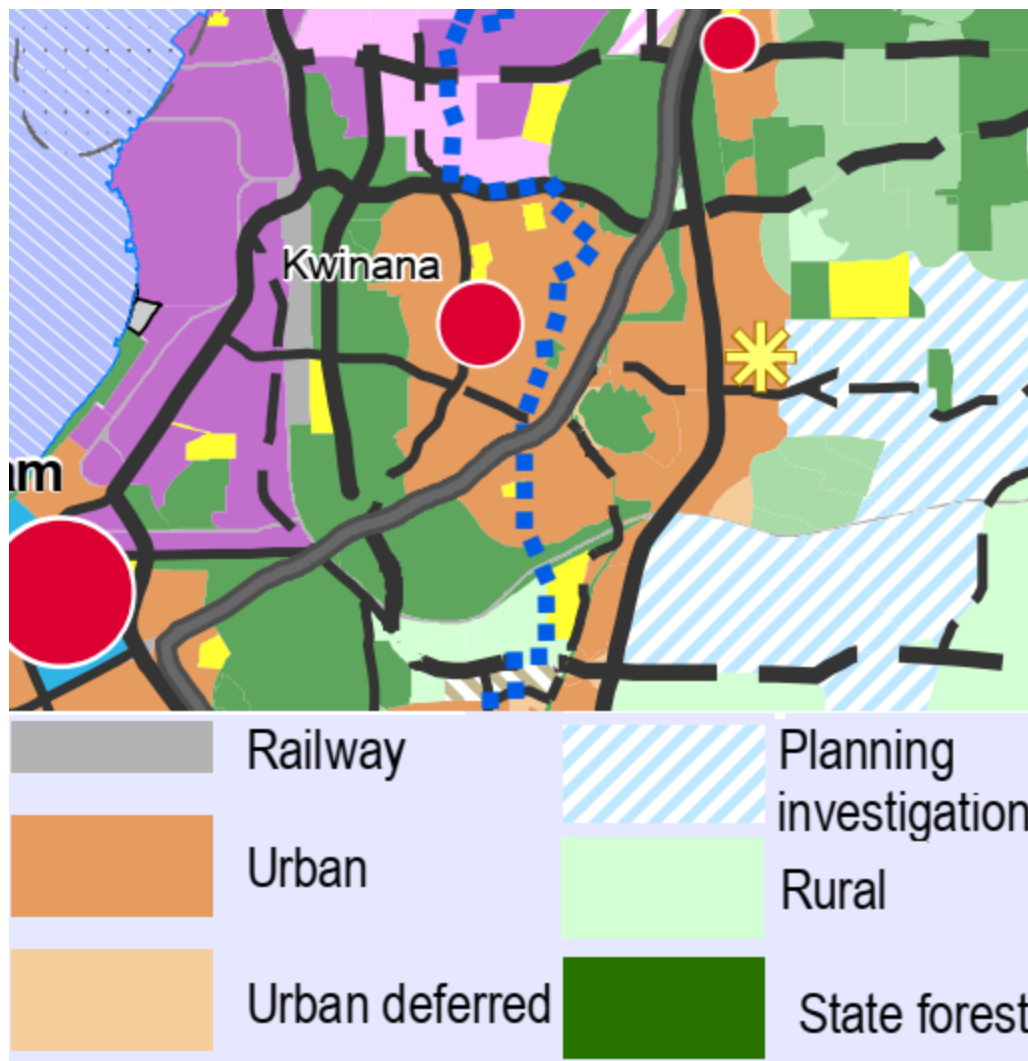


Figure 9 – Excerpt from South Metropolitan Sub-Regional Framework

Figure 9 reveals the extent of future Urban, Urban Deferred and Planning Investigation areas east of the Freeway that will contain new suburban development in the medium to long – term. It was mentioned previously in Section 4.3 that employment growth has not kept up with population and growth in the resident workforce. The subject land is therefore well located relative to future development areas in the Kwinana urban conurbation.

The subject land is currently identified as Rural in the SMSRF. However, this does not reflect the intent shown in the City's previous Local Planning Strategy 2013 (LPS), the intentions of the Council set out in the resolution at Appendix 1, or the City's intentions for the land in the new LPS being prepared at this time.

The City of Kwinana is in the process of preparing a new Local Planning Strategy (LPS) to replace the previous LPS (2013).

Figure 10 below is an excerpt taken from the LPS (2013) showing the strategy map and the identification of part of the subject land for low – medium residential development purposes.

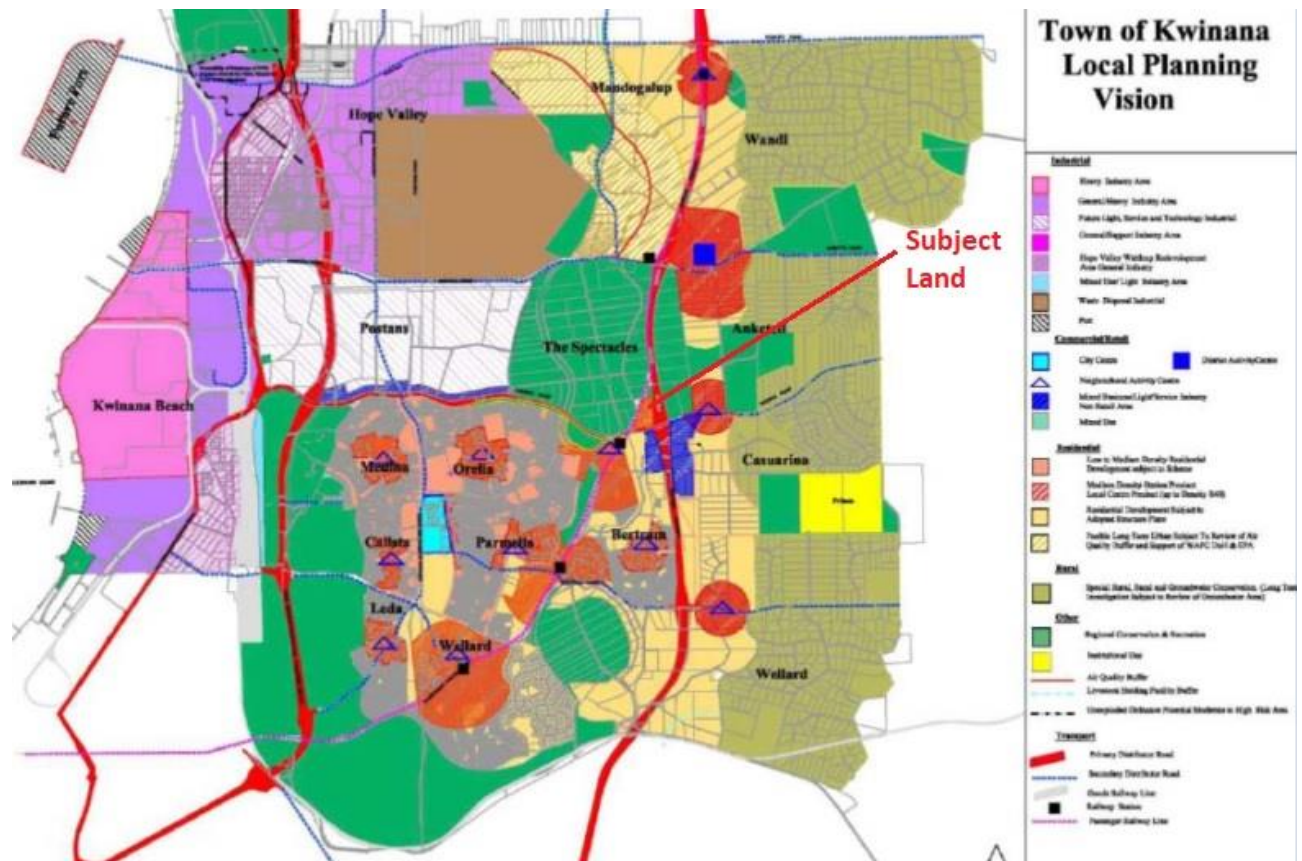


Figure 10 – Subject land shown on previous City of Kwinana LPS (2013) Strategy Map

The abovementioned LPS is now in the process of being superseded. It is understood that the new LPS will identify future land use over the subject land consistent with the resolution mentioned above in Section 1.0 and attached at Appendix 1.

5.0 Amendment Proposal

5.1 Scope

The subject land is currently zoned 'Rural' and 'Parks and Recreation' under the MRS and the City of Kwinana LPS1. It is intended that an MRS amendment is to be progressed to zone the land 'Urban' under the MRS, and subsequently an amendment to the City of Kwinana Local Planning Scheme No.1 (LPS1) to zone the land 'Mixed Business' under the local Scheme.

Under LPS1, the 'Mixed Business' classification allows the land uses shown in **Table 6** below. These encompass a wide range of employment uses, including office uses, small scale service industry (as might be found in factory units) and uses such as large format and bulk retail that might be developed under the 'Showroom' use class. Importantly, the Scheme does not contemplate residential use, except as short-stay (hotel or holiday accommodation) or as an incidental use.

Furthermore, the Scheme only allows the use class 'Shop' as an incidental use. Therefore, future development will not directly compete with the network of activity centres in the City of Kwinana, particularly the Kwinana Town Centre.

The resolution of Council attached at Appendix 1 includes various requirements, as follows:

1. *A Metropolitan Region Scheme (MRS) Amendment to rezone the whole of the subject site from 'Rural' Zone and 'Parks and Recreation' reservation to 'Urban' Zone.*
2. *A consequential amendment to local Town Planning Scheme No. 2 (TPS No. 2) to rezone the whole of the subject site to 'Mixed Business' Zone under TPS No. 2 including any site - specific requirements that may emerge from detailed planning.*
3. *The 'in principle' support for 1 and 2 above is subject to the following requirements: -*
 - a. *Council's support at a forthcoming Ordinary Meeting of Council to the current draft Local Planning Strategy, which identifies the subject site as future Mixed Business.*
 - b. *The proponent preparing a Concept Plan for the whole of the subject site which demonstrates the feasibility of the development of the site for future mixed business land uses taking into account such matters as traffic and access / egress into the site off Thomas Road and its Johnson Road intersection, effective subdivisional and lot design, land use permissibility and built form, noise, landscape, visual amenity impacts, environmental impacts and any potential offsets.*

Table 6: Use Class Permissibility in Mixed Business Zone - City of Kwinana LPS1

Use Class	Designation ⁴	Use Class	Designation
Amenity Building	P	Open Air Storage Yard	SA
Amusement Centre	SA	Petrol Filling Station	P
Boat Sales	P	Private Hotel	SA
Bus Station	AA	Private Recreation	SA
Caretaker's House/Flat	IP	Private Utility	AA
Car Park	AA	Professional Office	AA
Civic Building	P	Public Amusement	AA
Club	AA	Public Assembly - Place of	AA
Commercial Hal	AA	Public Recreation	P
Drive-In Theatre	AA	Public Utility	P
Dry Cleaning Premises	SA	Public Worship	AA
Factory Units	AA	Recreational Facilities	P
Funeral Parlour	AA	Restricted Premises	AA
Health Studio	AA	Retail Plant Nurseries	SA
Holiday Accommodation	SA	Service Industry	AA
Hospital	SA	Service Station	SA
Hotel	SA	Shop	IP
Laundry (Laundrette)	AA	Showroom	P
Laundry (Industrial)	SA	Tavern	SA
Liquor Store	SA	Telecommunications Infrastructure	AA
Local Shop	SA	Trade Display	AA
Medical Clinic	SA	Transport Depot	SA
Motel	SA	Vehicle Sales	P
Non-Residential Health Centre	AA	Veterinary Clinic	AA
Office	AA	Veterinary Hospital	SA
Open Air Display	AA	Warehouse	AA

⁴ 'P' use: Development which is permitted within specific zones;

'AA' use: Development which may be approved at the discretion of Council;

'SA' use: Development which may be approved at the discretion of Council following advertising and consideration of public input;

'IP' use: The use is not permitted unless the use to which it is put is incidental to the predominant use as decided by Council

With respect to the requirements set out in Clause 3b of the resolution, it is considered that a concept plan containing the level of detail mentioned may not be necessary to inform a future MRS or local Scheme amendment.

In particular, aside from the matters of access / egress, environmental impact, water management and noise, the requirement for a detailed concept plan addressing built form, landscaping, subdivision and lot design calls for a level of detail that may be addressed within a local structure plan, or local development plan, being instruments that may be prepared following an amendment to the local Scheme.

Clause 4.1 of LPS1 indicates that the Scheme Area is covered by:

- Policy Areas;
- Development Areas; and
- Zones.

Clause 4.1 states that *‘each Policy Area is the subject of a Policy Statement which establishes broad land use objectives as a guide to future decisions concerning subdivision, development and zoning’*.

Clause 4.1 then goes on to state that *‘Development Areas delineate land areas and include Scheme provisions in the ‘Fourth Schedule’ to ensure that co-ordinated, equitable and orderly development of the defined land area occurs. Development Areas may cover existing and/or proposed Residential, Industrial or Commercial land areas which may or may not be presently zoned for this purpose.’*

Based on the above descriptions contained in Clause 4.1 of LPS1, an alternative course of action might involve identifying the subject land within a Development Area as part of the local Scheme amendment process.

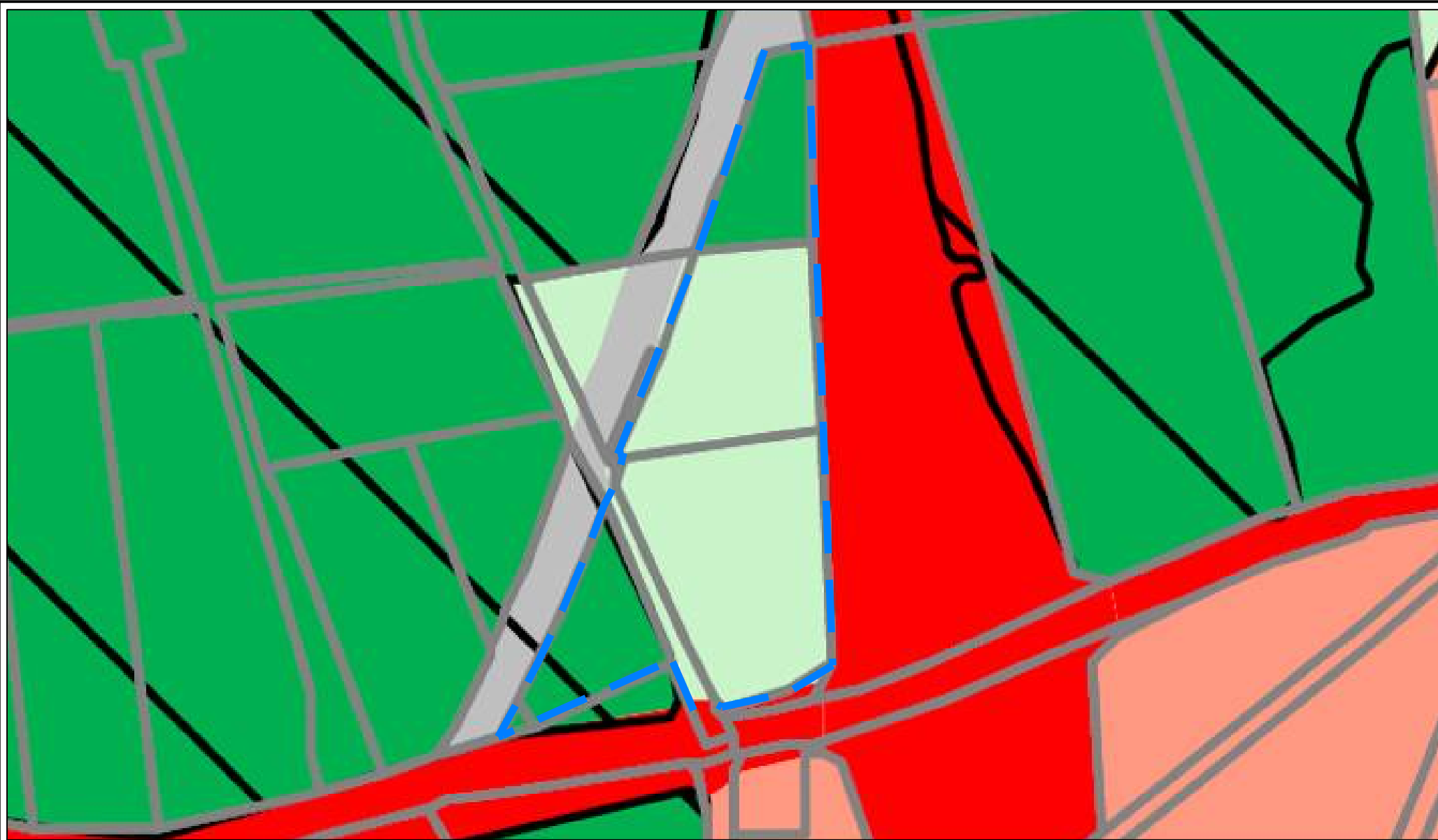
Provisions contained in Schedule 4 applicable to the Development Area may then guide the preparation of a local structure plan and/or local development plan, listing requirements as identified in Council’s resolution such as subdivision and lot design, land use permissibility, built form, landscaping and visual amenity impacts.

5.2 Land Subject of Amendment

The land identified as being the subject of the potential amendment requires further consideration. The Council resolution at Appendix 1 identifies land west of the railway (Lot 109) as being included in future MRS and LPS1 amendments. In addition, it might be considered appropriate for the land immediately south of Lot 107 adjoining the Thomas Road Primary Regional Road Reserve zoned ‘Parks and Recreation’ to be included in a future MRS amendment.

Refer Figure 11a – Existing Metropolitan Region Scheme Zoning

Refer Figure 11b – Proposed Metropolitan Region Scheme Zoning



LEGEND

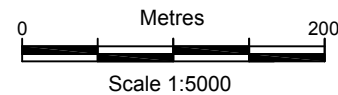
- Subject land
- Parks and Recreation
- Railways
- Primary Regional Roads

- Urban
- Rural
- Bush Forever

25mm at scale

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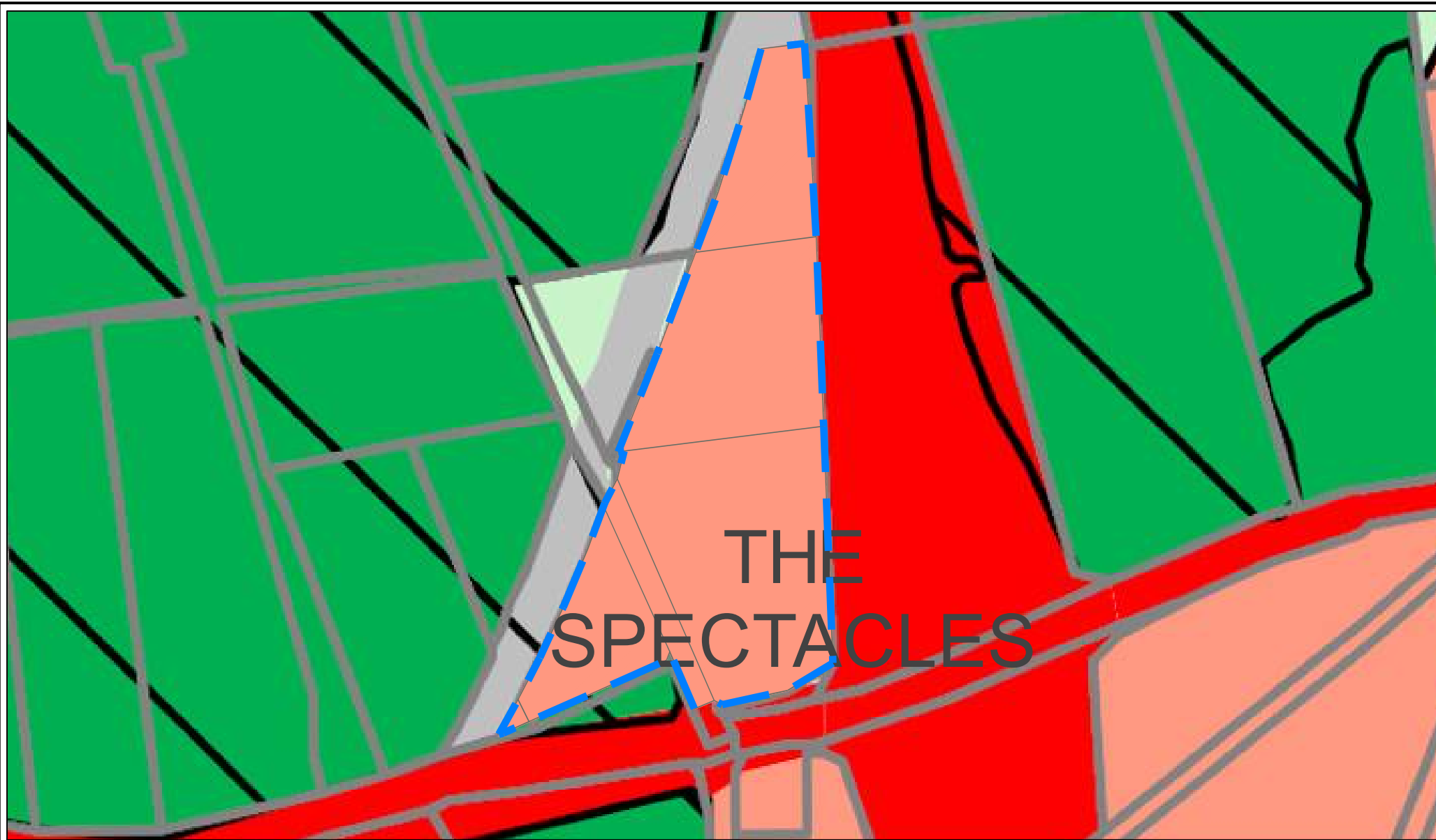


Date: 19 November 2019





Ref: A4LS




All dimensions and areas subject to survey

FIGURE 11a
EXISTING MRS ZONING



LEGEND

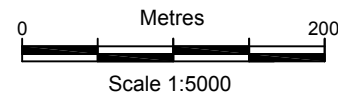
-  Subject land
-  Parks and Recreation
-  Railways
-  Primary Regional Roads

-  Urban
-  Rural
-  Bush Forever

25mm at scale

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A4



Date: 19 November 2019

Ref: A4LS

All dimensions and areas subject to survey

FIGURE 11b
PROPOSED MRS ZONING

6.0 Summary

This request for the preliminary consideration of a Metropolitan Region Scheme (MRS) amendment is made in respect of the land including Lots 52 and 53 McDowell Lane and Lots 104, 107, 108, all bounded by the Perth – Mandurah Railway, Kwinana Freeway and Thomas Road, The Spectacles. It is intended that the land be zoned 'Urban', and subsequently 'Mixed Business' under LPS1.

The range of lots to be included in a future MRS amendment requires consideration by the WAPC, along with the scope of a subsequent scheme amendment to LPS1.

The proposal has been considered by the City of Kwinana, with a favourable resolution made in support of an MRS amendment, being contingent upon support provided by the WAPC. Supporting investigations will need to include, but are not limited to:

- An updated environmental assessment study including Lots 104, 107, 108 and possibly 109.
- Level 1 fauna and level 1 and 2 flora surveys.
- Groundwater monitoring studies and District Water Management Strategy (DWMS).
- A preliminary assessment for acid sulphate soils.
- Traffic impact assessment.
- Economic and employment analysis.
- A servicing strategy for water, wastewater and drainage that is agreeable to the Water Corporation.

Features and benefits of the land and proposal include:

- The subject land has limited potential for rural / agricultural uses, given it is isolated by the railway reserve (west) and freeway (east). The land east of the railway reserve contains no conservation category wetlands and the majority is not included within the Spectacles Bush Forever area.
- Strategically, the site is an orderly location for mixed business development, particularly in light of the access opportunities presented by the Kwinana Freeway and Kwinana train station within 700m. The location provides an opportunity for the site to contribute to an employment precinct including offices, at the Thomas Road / Freeway intersection and around the Kwinana train station.
- The subject land is able to be accessed conveniently from the Western Trade Coast (WTC) and could service activities there. A desirable outcome would involve drawing office and business uses away from the Western Trade Coast, for the purpose of:
 - Freeing up sites in industrial areas for industrial uses.
 - Providing employment at sites better serviced by public transport than the WTC.
- Development of the land will complement planned urban development east of the Kwinana Freeway. The use of the land for a range of mixed business activities will assist to satisfy projected demand for employment land and opportunities in the City of Kwinana, while making best use of the advantages offered by its location.

It is respectfully requested that the Western Australian Planning Commission gives favourable consideration to the proposal, and provides advice in relation to the desired scope of future amendments.

Appendix 1 – Council Resolution

07 April 2016

Catherine Margaret Burke & William James Burke
24 McDowell Lane
THE SPECTACLES WA 6167

Dear Mr and Mrs Burke

POTENTIAL AMENDMENTS TO THE METROPOLITAN REGION SCHEME AND LOCAL TOWN PLANNING SCHEME FOR LOTS 52 AND 53 McDOWELL LANE AND LOTS 104, 107, 108 AND 109 ALL BOUNDED BY THE PERTH-MANDURAH RAILWAY, KWINANA FREEWAY AND THOMAS ROAD

Thank you for engaging City Officers and the Council for 'in principle' support towards a potential amendment to the MRS and TPS No. 2 for the above site, I am able to inform you that Council considered this matter at its Ordinary Council meeting dated 23 March 2016 and resolved the following:

That Council writes to the owner of Lot 53 McDowell Lane, The Spectacles (the proponent) advising of its 'in principle' support for the following amendments for the 'subject site' comprising Lots 52 and 53 McDowell Lane and Lots 104, 107, 108 and 109 all bounded by the Perth-Mandurah Railway, Kwinana Freeway and Thomas Road –

1. *A Metropolitan Region Scheme (MRS) Amendment to rezone the whole of the subject site from 'Rural' Zone and 'Parks and Recreation' reservation to 'Urban' Zone.*
2. *A consequential amendment to local Town Planning Scheme No 2 (TPS No 2) to rezone the whole of the subject site to 'Mixed Business' Zone under TPS No 2 including any site specific requirements that may emerge from detailed planning.*
3. *The 'in principle' support for 1 and 2 above is subject to the following requirements:-*
 - a. *Council's support at a forthcoming Ordinary Meeting of Council to the current draft Local Planning Strategy which identifies the subject site as future Mixed Business.*
 - b. *The proponent preparing a Concept Plan for the whole of the subject site which demonstrates the feasibility of the development of the site for future mixed business land uses taking into account such matters as traffic and access/egress into the site off Thomas Road and its Johnson Road intersection, effective subdivisional and lot design, land use permissibility and built form, noise, landscape, visual and amenity impacts, environmental impacts and any potential offsets.*

- c. *Letters of 'in principle' support from both Main Roads and the Western Australian Planning Commission (WAPC) and the owner of Lot 52 McDowell Lane to the above Concept Plan and to the potential rezoning of the subject site to Mixed Business Zone under its TPS No 2.*
 - d. *In respect to the WAPC, a commitment to an MRS Amendment to rezone the lots reserved as Rural and Parks and Recreation to Urban under the MRS.*
4. *Advises the applicant that Council's 'in principle' support to the initiation of an MRS and TPS No 2 amendment, based on its satisfaction of the above requirements, is on a without prejudice basis and Council is not fettered as a part of its consideration of any submissions following advertising and may make any determination it deems appropriate for the amendments under its responsibilities under the Planning and Development Act 2005 and Town Planning Scheme No 2 including a decision not to proceed with the amendments.*

I would be happy to meet with you to discuss Council's resolution.

Should you require further information regarding this matter please do not hesitate to contact me on 9439 0212.

Yours faithfully



Paul Neilson
A/DIRECTOR CITY DEVELOPMENT

Appendix 2 – RPS Opportunities and Constraints Assessment



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Our Ref: LI0158

Email: luke.rogers@rpsgroup.com.au

Date: 23 August 2010

Lee Rodda
Senior Planner
RPS
38 Station St
SUBIACO 6008

Dear Lee

LOTS 52 AND 53 SPECTACLES ROAD, THE SPECTACLES – OPPORTUNITIES AND CONSTRAINTS ASSESSMENT

Further to your recent instructions, RPS has conducted an environmental assessment and constraints analysis for Lots 52 and 53 Spectacles Road, Kwinana (the 'site'). The location of the site is shown in Figure 1.

Background

The site is situated on the corner of Thomas Road and the Kwinana Freeway, with the Spectacles Bush Forever site located immediately west of the site. The Perth to Mandurah railway line runs along the western boundary of Spectacles Road. The site is currently zoned 'Rural' under the Metropolitan Region Scheme (Figure 2), and 'Rural' under the Town of Kwinana Town Planning Scheme No. 2. It is understood that the owner wishes to develop the site for residential purposes.

As such, RPS Environment was commissioned by RPS Planning to review the environmental features of the site and outline any possibilities and potential limitations to the ultimate development of the site with respect to environmental constraints.

The investigation included a desktop assessment of the following factors, regarding the potential for development:

- physical characteristics (topography, soils, landform);
- key surface water and groundwater characteristics;
- wetland category mapping within and surrounding the site and likely buffer requirements (if relevant);
- identification of the vegetation complexes present at the site and their regional significance;
- database search to identify any occurrences of Declared Rare Flora and Threatened Ecological Communities in the vicinity of the site;
- database search to identify potential rare fauna which may occur in the vicinity of the site;

- identification of potential for soil or groundwater contamination from a site inspection and Department of Environment and Conservation (DEC) database search;
- potential risk of Acid Sulfate Soils (regional mapping);
- database search to assess the presence of known Aboriginal heritage sites;
- identification of surrounding land use(s) and the requirement for any buffers; and
- identification of key design and/or management strategies to address environmental constraints.

The potential influence of these factors are summarised below.

Topography, Soils and Landform

Elevation within the site ranges from approximately 25 m Australian Height Datum (AHD) in the north-eastern corner, and declines to approximately 15 m AHD in the south-western corner.

Gozzard (1983) has mapped the geological units present at the site at regional scale (Figure 3). The site is mapped entirely as Sand (S7) – pale yellowish brown, medium- to coarse-grained sub-angular quartz, trace of feldspar, moderately sorted, of residual origin (Gozzard, 1983).

This geological unit is generally considered appropriate for development purposes, however we recommend seeking geotechnical advice regarding possible considerations for development.

Groundwater and Water Management

Depth to groundwater varies across the site from 12 m below ground level (bgl) along the eastern boundary to 9.5 m bgl along the western boundary of the site (DoW, 2010). Groundwater flow is in a general east to west direction. The depth to groundwater is shown on Figure 4.

It is important to note, that should the landowner wish to progress with potential development of these Lots, there will be an obligation to meet the requirements of Department of Water's (DoW) Better Urban Water Management Guidelines, which was released in October 2008. These requirements and their timing within the planning approvals process are outlined in detail below.

District Water Management Strategy

A District Water Management Strategy (DWMS) is a broad-based document which demonstrates the ability of a site to support urban development without adverse impacts to the environment and hydrology.

A DWMS is required at the District Structure Plan stage, and when rezoning to 'Urban' or 'Industrial' under a Region Scheme (this includes the lifting of 'Urban Deferment'). The DWMS is required prior to initiation of the scheme amendment or lifting 'Urban Deferred', when rezoning is proposed under the Region Scheme.

Local Water Management Strategy

A Local Water Management Strategy (LWMS) is required at the Local Structure Plan (LSP) stage. A LWMS addresses the concept drainage designs for a site. Key issues that need to be considered include drainage storage requirements and locations, total water balances, water source supply and possible contamination issues.

A key factor that may affect planning timeframes is the DoW requirement for 18 months of site specific groundwater monitoring (including two winters), prior to the LSP design and submission of the LWMS. However, site specific monitoring may not be required if regional groundwater data (from DoW bores) is available in close proximity and/or there is sufficient depth to water.

Urban Water Management Plan

Urban Water Management Plans (UWMPs) are required at subdivision stage, and as such, is the most detailed of the water management documents. The number of UWMPs per site varies depending on the number of stages within the site. Provided the engineering design has been completed, more than one stage can be included in an UWMP.

A UWMP addresses the engineering aspects of the drainage structures from an environmental and sustainability perspective. Engineering design needs to be interpreted to ensure adequate separation distances from groundwater are met. Detailed landscaping, soil treatments and treatment train effectiveness modelling needs to be provided to demonstrate at source collection of water and nutrient reduction capabilities.

Groundwater monitoring requirements, as specified by the DoW, include monthly monitoring for levels and quarterly monitoring for water quality for a period of 18 months (including two winters). This monitoring must be undertaken prior to submission of the UWMP.

Wetlands

The site does not contain any wetlands of conservation status as mapped by the DEC. The closest wetland area is a Conservation Category wetland (CCW) located approximately 250 m to the west of the site, within the Spectacles Bush Forever reserve. Wetlands in the vicinity of the site are shown in Figure 5. Preventing impacts to surrounding wetlands will be taken into consideration with the development of the DWMS, as described above.

Vegetation and Flora

The vegetation complex present on the site is the Bassendean Complex (Central and South), which is described as vegetation ranging from woodland of *Eucalyptus marginata* - *Casuarina fraseriana* – *Banksia* spp., to low woodland of *Melaleuca* spp. and sedgelands on the moister sides. This area includes the transition of *Eucalyptus marginata* to *Eucalyptus tottiana* in the vicinity of Perth (Hedde, 1980) (Figure 6).

The reservation status of this vegetation type within the Swan Coastal Plain (SCP) at both a regional and local level is presented below. As can be seen from Table 1, this complex meets the State government target of at least 10% of the original extent proposed for protection (Bush Forever protection area of the Perth metropolitan region). In addition, this complex is locally well represented with a high percentage of the original extent remaining within the Town of Kwinana, outlined in Table 2 below.

Table 1: Regional Conservation Status of Bassendean Complex – Central and South (Perth Metropolitan Region of the SCP)

Description	Area	Percentage of Original Area
Original extent	46,220 ha	-
Remaining area	10,919 ha	24 %
Area proposed for protection (Bush Forever)	5,883 ha	13 %

Source: WAPC, 2000

Table 2: Local (Town of Kwinana) Status of Bassendean Complex – Central and South

Description	Area	Percentage of Original Area
Original extent	4,679 ha	-
Remaining area	2,159 ha	46 %

Source: Del Marco et al., 2004.

Conservation Significant Flora

A search of the DEC's Threatened (Declared Rare) Flora database, the Western Australian Herbarium Specimen database and the Declared Rare and Priority Flora List was undertaken on the 11th August 2010.

A total of four Declared Rare Flora (DRF) species, as listed under Subsection (2) of Section 23F of the *Western Australian Wildlife Conservation Act 1950* were recorded within a 5 km radius of the site. These species are outlined in Table 2 below. In addition, several priority species as listed by the DEC (Florabase, 2010), are documented as occurring within the vicinity of the site. These species are also displayed in the table below. There are five listed species protected by the *Federal Environment Protection and Biodiversity Conservation Act (EPBC Act) 1999* potentially located within the site, as determined through a search of the DEWHA's 'Protected Matters' database.

Table 2 below outlines all the flora species recorded within a 5 kilometre (km) radius of the site. The conservation status of these species and the likelihood of occurrence (based on habitat descriptions in Florabase, 2010) within the site is also described.

Table 2: Conservation significant flora species potentially located within the site.

Species	Conservation Status	Likelihood of occurring on-site
<i>Caladenia huegelii</i> (King Spider Orchid)	DRF and EPBC Listed	Possible.
<i>Diuris micrantha</i>	DRF	Unlikely – This species prefers wet swamp habitat.
<i>Drakea elastica</i> (Glossy Leaved Hammer orchid)	DRF and EPBC Listed	Possible.
<i>Eremaea asterocarpa</i> subsp. <i>brachyclada</i>	Priority 1	Possible.
<i>Aotus cordifolia</i>	Priority 3	Unlikely – This species prefers peaty soils associated with swamps.

<i>Cyathochaeta teretifolia</i>	Priority 3	Unlikely – This species prefers peaty soils associated with swamps.
<i>Stylidium longitubum</i>	Priority 3	Unlikely – This species prefers seasonal wetlands with clay soils.
<i>Aponogeton hexatepalus</i>	Priority 4	Unlikely – This species is an aquatic herb.
<i>Dodonea hackettiana</i>	Priority 4	Unlikely – This species is typically found in grey/yellow sands over limestone.
<i>Lepidosperma rostratum</i> (Beaked lepidosperma)	EPBC Listed	Possible.
<i>Darwinia foetida</i>	EPBC Listed	Unlikely – This species prefers swampy, seasonally wet sites.
<i>Centrolepis caespitosa</i>	EPBC Listed	Unlikely – This species prefers winter wet clay pans.

Based on the preferred habitat of these conservation significant species and the habitat type(s) of the site, outlined in Table 2 above, four are identified as potentially occurring within Lots 52 and 53. These include one DRF species, 3 EPBC listed species and one priority 1 species. It is important to note that there may be additional conservation significant species that are yet to be recorded for the site. A flora survey would be required to provide a complete inventory and account for any flora of conservation significance.

Site Reconnaissance Visit

A site reconnaissance visit for this site, conducted on the 30th July 2010 determined that the site is mostly vegetated outside the building envelope areas on each of the lots. The vegetation was primarily comprised of *Banksia* species and *Kunzea glabrescens*, with occasional *Corymbia callophylla*, *Eucalyptus marginata* and some planted pine trees.

The vegetation in Lot 53 was mostly degraded and has evidently been significantly impacted from fire within the last 3 years. The majority of adult trees were dead with little evidence to suggest any regrowth had occurred. The understorey in Lot 53 was limited and was dominated by grass weed species.

Outside the house envelope and planted garden within Lot 52, the remnant native vegetation was mostly in good condition, with healthy adult tree species and a reasonably intact understorey with minimal weed invasion.

Recommendations

The EPA's Guidance Statement 51 – *Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia* (EPA, 2004) outlines the requirements for conducting flora and vegetation surveys for sites likely to be impacted by development. The Guidance Statement notes that for any clearing of vegetation greater than 1 ha on the Swan Coastal Plain, a level 2 flora and vegetation survey is required to meet regulatory objectives. The potential for conservation significant species to be on-site, as outlined above, also confirms that a level 2 survey would likely be required.

A breakdown of the requirements of a level 2 Flora and vegetation survey, conducted in accordance with the EPA's Guidance Statement, is outlined below:

- Background research or 'desktop' study.
- A DEC Database search for current Declared Rare Flora (DRF) and Priority Flora and or Threatened Ecological Communities (TECs) known to occur in the area.

- A field survey in the appropriate flowering season (spring) determined by the preceding task, involving the establishment of quadrats in areas of the site consisting of remnant vegetation.
- A targeted search for rare and otherwise significant flora as determined by the database search results, and the likelihood of any Threatened Ecological Communities occurring at the site.
- Assess and map the condition (using *Bush Forever* six-point scale) – or range of conditions – of the vegetation.
- Undertake a multivariate statistical analysis of Lots 52 and 53 plot data with the Swan Coastal Plain dataset (FCT and TEC assignment).
- A report including the results of desktop study and database results of DRF, TEC, Priority and other significant flora and maps of the vegetation units and their condition present on the site. The report will detail methodology, limitations and assess conservation significance according to EPA directives.

RPS can provide a further breakdown of the methodology and associated cost for a level 2 flora and vegetation survey, should the client wish to proceed. It is worth noting also, that while the methodology outlined above may appear onerous, the site is relatively small which will influence the level of detail required and the extent of field work.

The results of this study will further clarify the level of impact resulting from development. The study will also guide further approval requirements (if applicable) and may assist in design requirements.

Fauna and Habitat

Areas of fauna habitat currently exist on the site, limited mostly to the well vegetated areas of Lot 52 (based on a site inspection completed on the 30th July, 2010).

A search of the DEC threatened and priority fauna databases returned four Schedule 1 species and four other species of varying conservation significance as potentially utilising the site based on observations and recordings in the general area.

The four Schedule 1 species that could potentially utilise the site are:

- Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*)
- Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksii naso*)
- Graceful Sun Moth (*Synemon gratiosa*)
- Chuditch (*Dasyurus geoffroii*)

These species and their habitat preferences are outlined further in the EPBC section below.

The other four species of varying conservation significance identified through the search of the DEC threatened and priority fauna databases include:

- Lined Skink (*Lerista lineata*) - Priority 3

- Western Brush Wallaby (*Macropus irma*) - Priority 4
- Water Rat (*Hydromys chrysogaster*) - Priority 4
- Quenda (*Isodon obesulus fusciventer*) - Priority 5

It should be noted that surrounding uncleared bushland, particularly within The Spectacles Bush Forever reserve, which abuts the western boundary of the site, would provide more significant habitat areas for these species and those listed on the DEC database search results.

EPBC Search

A search for matters of national environmental significance listed under the EPBC Act was completed for the site. The species that are considered likely to potentially utilise the site based on the preferred habitat of each of these species are outlined below:

- Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*) – This species prefers *Banksia* for foraging/feeding, and could therefore utilise the site for this purpose.
- Forest Red-tailed Black-Cockatoo (*Calyptorhynchus banksii naso*) – Could potentially use some of the native trees for feeding or roosting, however this species would be more likely to utilise adjacent areas of undisturbed bushland.
- Graceful Sun Moth (*Synemon gratiosa*) – The known vegetation habitat for the Graceful Sun Moth (*Lomandra spp.*) was identified on site during the reconnaissance visit.
- Chuditch (*Dasyurus geoffroii*) – this species could pass through the thick understorey across the site, however they generally prefer large intact areas of undisturbed thick bushland, as can be found in The Spectacles Bush Forever site adjacent to the site.

Recommendations

In consideration of the above, RPS recommends that a Level I Fauna Survey be undertaken in accordance with the EPA's Guidance Statement No. 56 - *Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia*, to determine if any of the above listed species are potentially present on the site. This information will guide a decision regarding whether or not to refer the project to the federal Department of Environment, Water, Heritage and the Arts (DEWHA) under the EPBC Act for approval.

Potential Contamination

A search of the DEC's Contaminated Sites Database (2010) revealed no registered contaminated sites within or nearby the site. The site contained some evidence that cars and mechanical work has been undertaken within Lot 53.

It is considered unlikely that contamination will be present within the site, however to comply with the DEC's requirements, a Preliminary Site Investigation should be undertaken to determine the potential for contamination. This may be required as a condition of subdivision and can be undertaken closer to this time.

Acid Sulfate Soils

Acid Sulfate Soils (ASS) are naturally-occurring soils and sediments that contain sulphide minerals, predominately pyrite (an iron sulphide). In an undisturbed state below the watertable,

these soils are benign and non-acidic. However, if the soils are exposed to the atmosphere by drainage, excavation or lowering of the water table, the sulphides may react with oxygen to form sulphuric acid.

Regional DEC mapping (DEC, 2010) indicates the entire site is mapped as low to no risk of ASS occurring generally at depths of greater than 3m (Figure 4). An area displayed as containing a high risk of ASS is located less than 100 m from the western edge of the site, within the Spectacles Bush Forever reserve.

The DEC requires that any site located within 500 m of a high risk area be investigated for potential ASS exposure risk. As such, it is recommended that a preliminary ASS assessment be undertaken to determine whether ASS will be an issue on this site, in order to satisfy DEC requirements. Further on-site intrusive investigations may be required if the preliminary investigation reveals that there is a likelihood of encountering ASS, or if the results are inconclusive.

Aboriginal and European Heritage

A search of the Department of Indigenous Affairs Aboriginal Heritage Sites database and the Heritage Council of Western Australia Database of Heritage Places were conducted to assess the potential presence of Aboriginal and European heritage sites. No sites of Aboriginal or European heritage were identified within the study area.

Surrounding Land Uses

The site is located between the Perth to Mandurah rail line along the western edge of the site, and the Kwinana Freeway, located approximately 75 m from the eastern side of the site.

As such, it is recommended to liaise with a noise and vibration consultant to see if this will impact on potential development.

Conclusions and Key Considerations

The key environmental constraint relating to potential development of the site is the remnant native vegetation within Lot 52 and in portions of Lot 53. There is the possibility that conservation significant flora and fauna species (State and Federal listed species) could potentially be found within the site. Vegetation retention is therefore a worthwhile consideration for some of the areas of better quality vegetation.

In addition, the following environmental studies/investigations are recommended to obtain the level of detail required to properly progress this project further:

- Conduct a Level 1 Fauna Survey and a Level 2 Flora and Vegetation Survey to establish whether conservation significant species likely utilise or are found within the site.
- Liaise with a noise and vibration consultant for advice regarding development within close proximity to a freeway and rail line.
- Conduct a preliminary site investigation to establish if contamination will be an issue for development (can be undertaken closer to subdivision approval time).
- Complete a preliminary assessment for acid sulphate soils for the site.


- Complete groundwater monitoring and employ a consultant to prepare a District Water Management Strategy (not required until a rezoning application has been initiated).

In addition, an environmental assessment report will be required to accompany a rezoning submission and future subdivision applications.

RPS advise that generally the site has development opportunities, provided rare flora and/or fauna are not located within the site which can be further reviewed following completion of the above investigations.

Yours sincerely

RPS

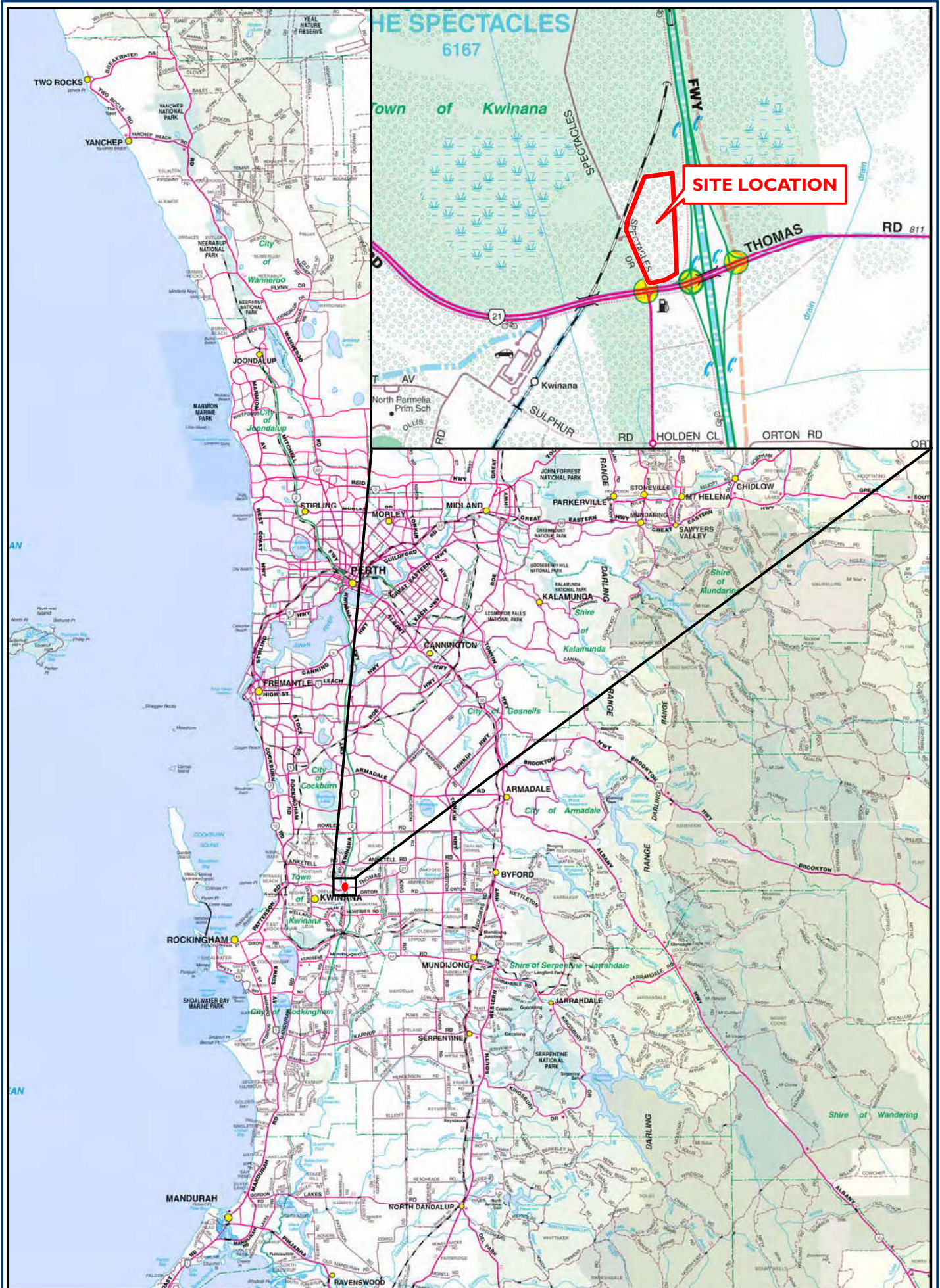
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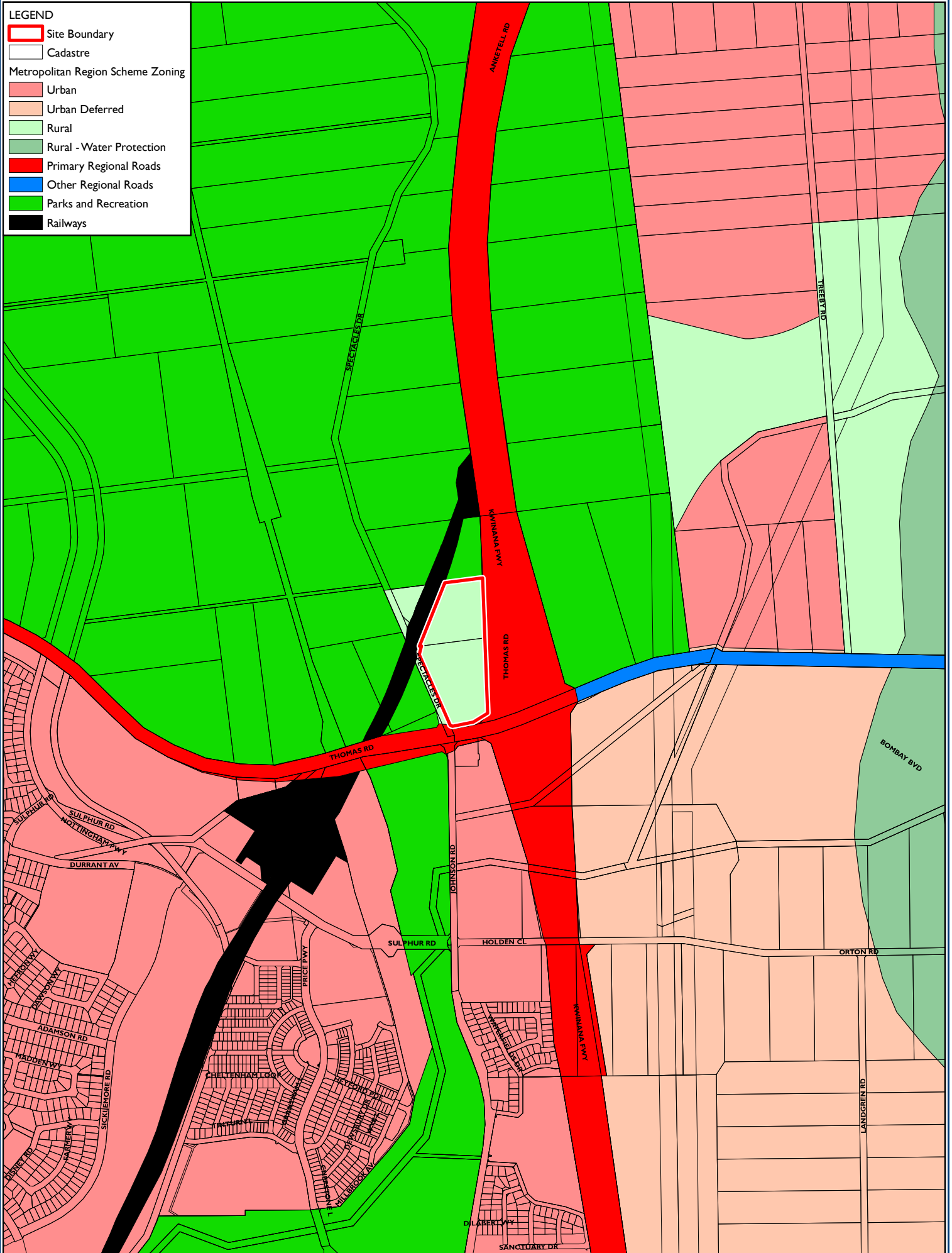
LUKE ROGERS
Supervising Scientist

Attached:- Figures

REFERENCES:

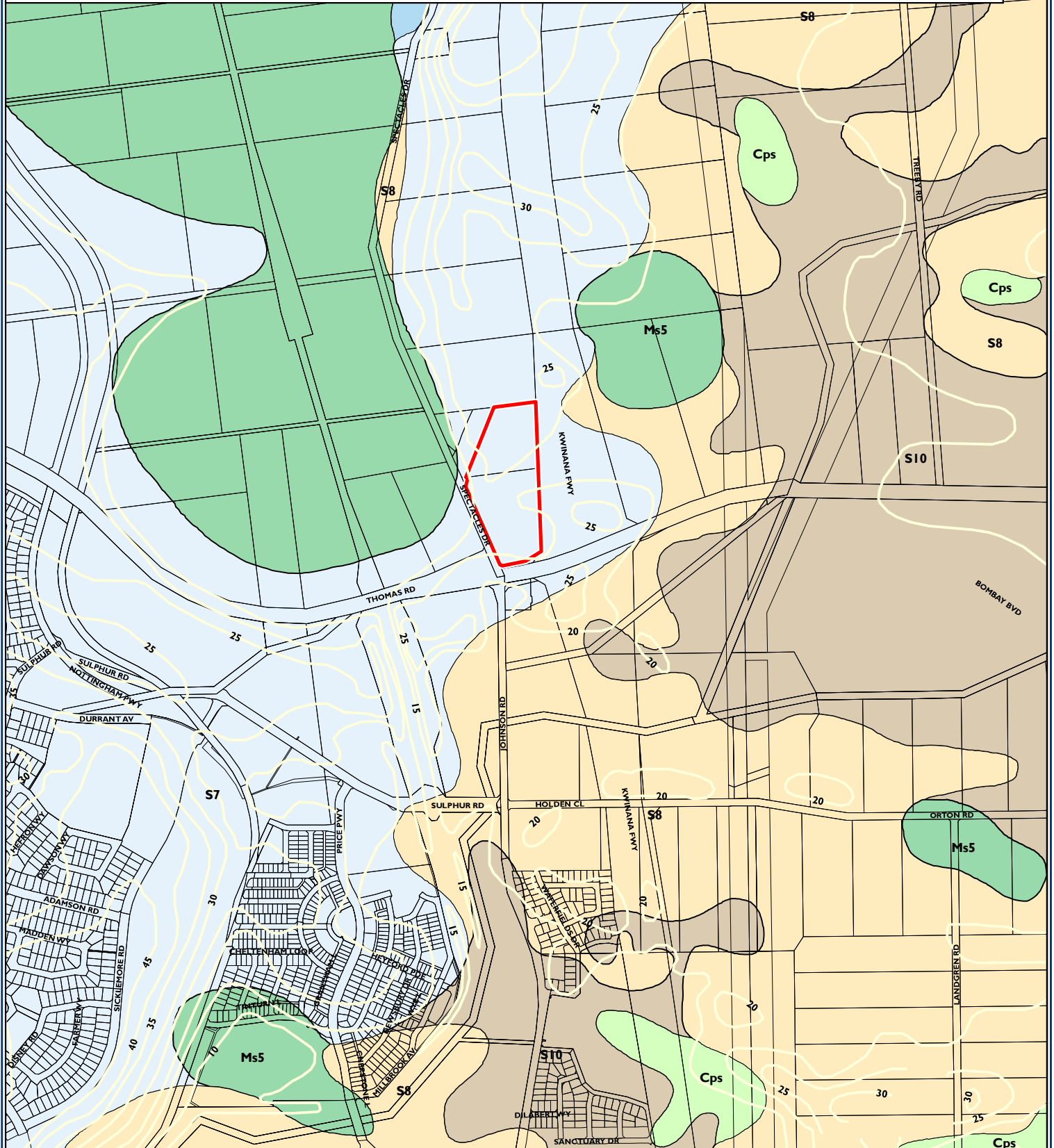
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LEGEND

- Contour (mAHD)
- Site Boundary
- Cadastre
- Environmental Geology
 - Cps - PEATY CLAY - dark grey and black, soft, variable organic content, some quartz sand in places, of lacustrine origin
 - Ms5 - SANDY SILT - dark brownish grey silt, with disseminated fine-grained quartz sand, firm, variable clay content, of lacustrine origin
 - S7 - SAND - pale yellowish brown, medium to coarse-grained sub-angular quartz, trace of feldspar, moderately sorted, of residual origin
 - LS1 - LIMESTONE - pale yellowish brown, fine to coarse-grained, sub-angular to well rounded, quartz, trace of feldspar, shell debris, variably lithified, surface kankar, of eolian origin
 - S8 - SAND - very light grey at surface, yellow at depth, fine to medium-grained, sub-rounded quartz, moderately well sorted, of eolian origin
 - S10 - SAND - as S8 as relatively thin veneer over strong, blocky, brown silts and clays



Job Number: L10158
 Date: 17.08.10
 Scale: 1:10000 @ A3
 Version: A
 Drafted by: SF
 Source: Cadastre, 5m Interval Contours - Landgate, 2010, Environmental Geology - DoIR, 1999.

RPS



Figure 3

Topography and Geology

LEGEND

- Groundwater contour (Historical minimum) - mAHD
- Groundwater contour (historical maximum) - mAHD
- Site Boundary
- Cadastre

Acid sulfate soil risk mapping

- High to moderate risk
- Moderate to low risk

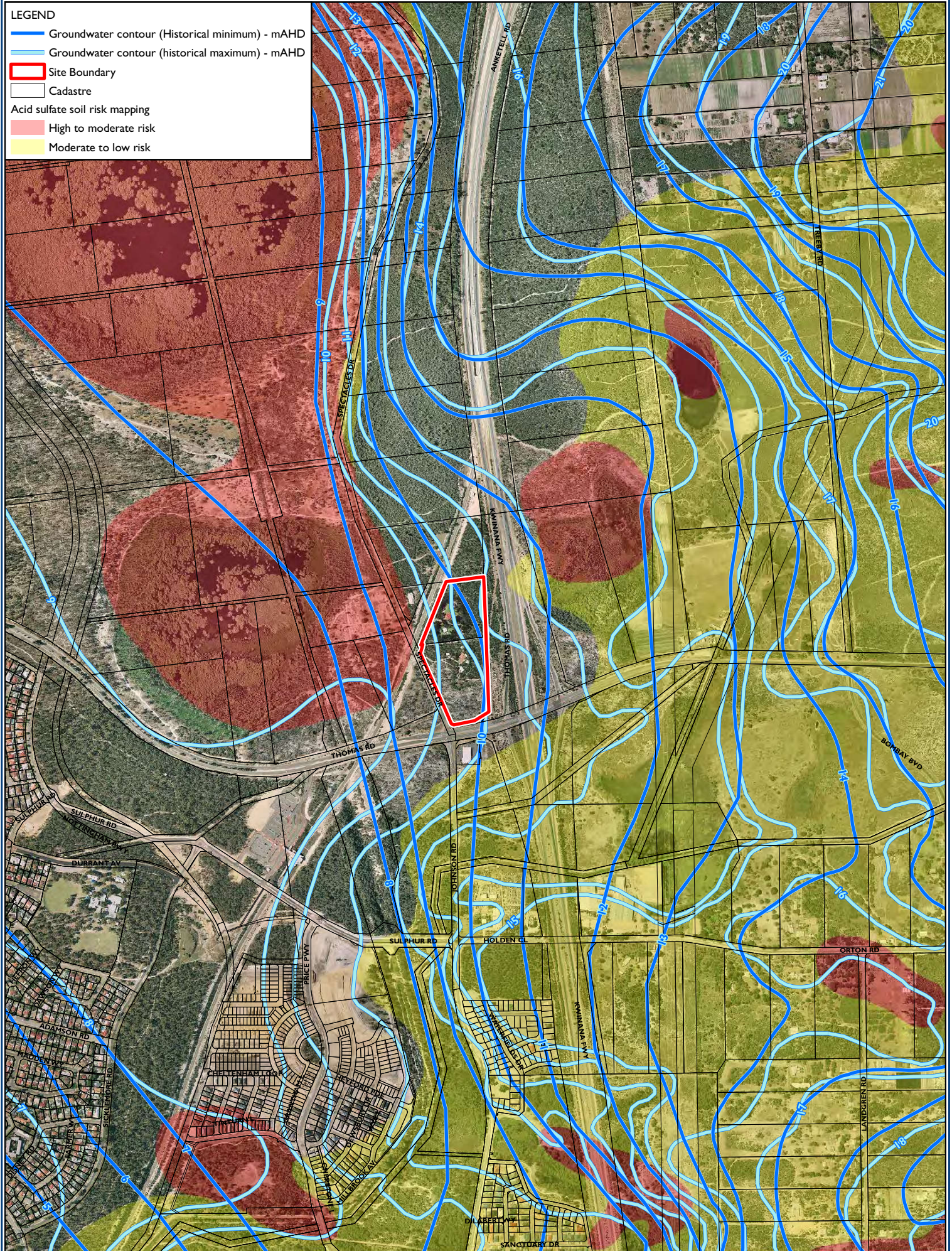
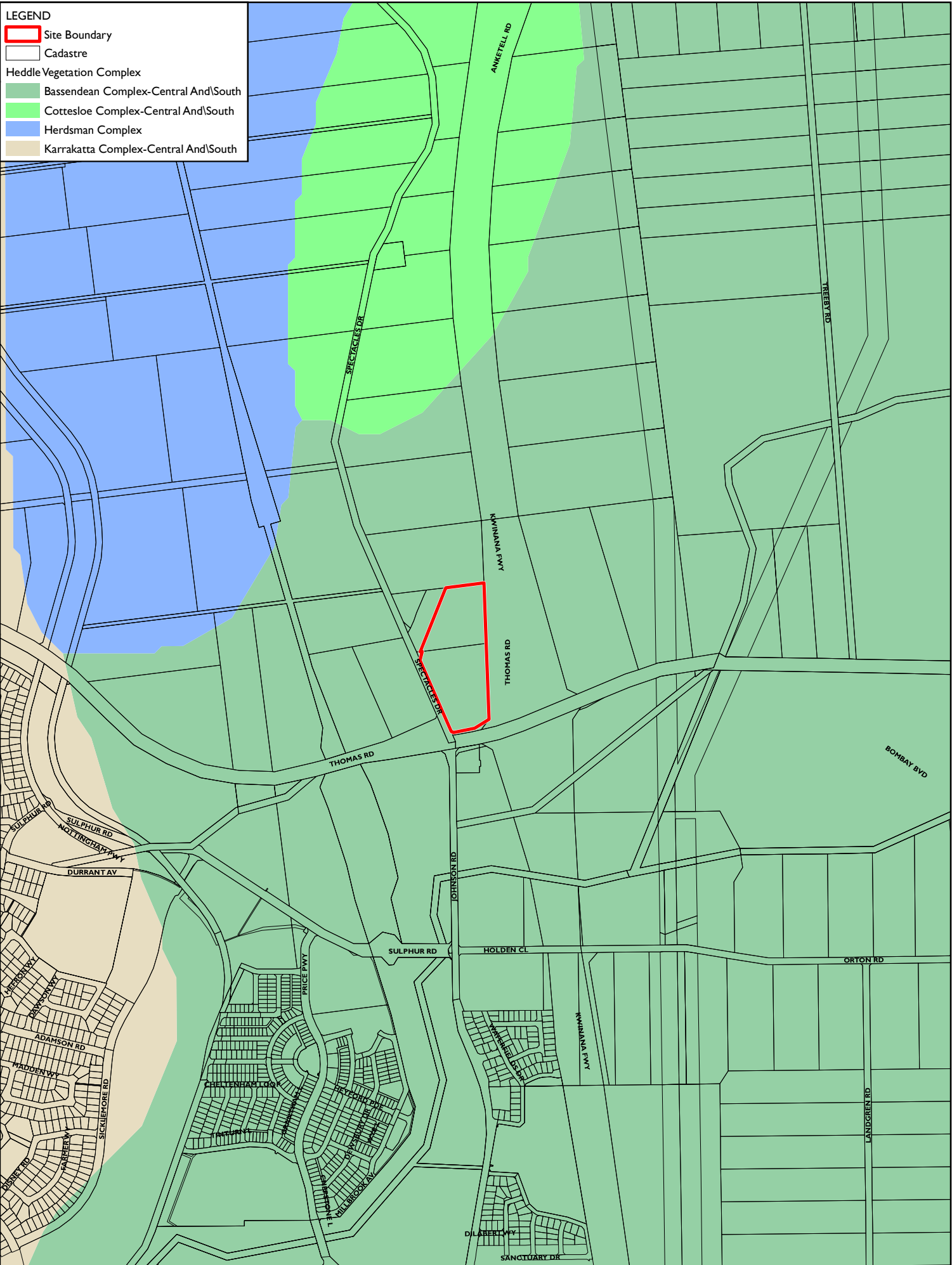


Figure 4

LEGEND

- Site Boundary
- Cadastre
- Hedde Vegetation Complex**
 - Bassendean Complex-Central And\South
 - Cottesloe Complex-Central And\South
 - Herdsman Complex
 - Karrakatta Complex-Central And\South



Appendix 3 - Porter Consulting Engineers Servicing Report

TECHNICAL NOTE

Servicing Investigation & Capacity Constraints

Project: Corner of the Kwinana Freeway & Thomas Road, The Spectacles,
Issued to: Jeff Braddock, BPG Australia

Date Issued: 14 November 2019
Job Number: 19-10-134

Porter Consulting Engineers has been engaged by BPG Australia to undertake a desktop servicing investigation and capacity constraint for the site at the corner of Kwinana Freeway and Thomas Road, in the suburb of The Spectacles. The intended use is a mixed commercial development. The site is bound by Kwinana Freeway to the east, railway to the north and west, and Thomas Road to the south, as shown in Figure 1.



Figure 1: Site Location
Corner of Kwinana Freeway and Thomas Road (bound in blue)

Landform

The site is made up of a number of lot parcels totalling approximately 9.9 hectares. There are two residences within the site, being a mix of brick/tile homes and a number of surrounding sheds and water tanks.

There is a moderate cover of bushland vegetation across much of the site. Clearing of this vegetation may require approvals from state and federal agencies pending planning and zoning.

The topography of the site generally falls from approximately 24m AHD from Kwinana Freeway to 14m AHD to the western boundary of the site.

Based on the Perth Metropolitan Region Environmental Geology Series mapping, the expected in-situ soils is to be underlaid by Ms₅:sandy silt- dark brownish-grey silt with disseminated fine-grained quartz sand, firm, variable clay content of lacustrine origin and of low permeability. Elevated parts of the site is expected to have S₈ and S₁₀ Bassendean over the Ms₅. The S₈ and S₁₀ are expected to have a high permeability. A detailed geotechnical investigation is recommended as part of the development of this site.

Based on the Perth Groundwater Atlas (1997), the 10m maximum groundwater contour intersects the western portion of the site, and the 12m contour intersects the eastern portion of the site.

The Acid Sulphate Soils (ASS) online risk mapping indicates that the site is not within a mapped ASS risk area. However, immediately to the west is an area identified as a 'High to moderate risk of ASS', being the Spectacles South Conservation wetland.

A search of the online Contaminated Sites Database did not identify any known contamination on the site.

Water Servicing

There is an existing 300mm AC water main in the southern verge of Thomas Road. It appears the two existing houses are not connected to this water main.

A planning request was made with the Water Corporation. Their response is as follows *"located within the Thomsons Lake Gravity Scheme (Former Medina Gravity). The land use plan for Thomsons Lake Gravity supply scheme shows it as Rural. If the land was proposed to be rezoned a scheme review would need to take place. If capacity is available an extension from the DN300 water supply main in Thomas Road may be possible (Refer **Attachment 1**). Alternatively, after the review it may be found that an upgrade of infrastructure is required. In accordance with WPC policy lots that are less than 4 ha require scheme water."*

Once a likely development layout and yield has been determined, early discussions should be had with the Water Corporation to undertake a scheme review and if the site can be serviced from the DN300 water main in Thomas Road.

Wastewater

There is no Water Corporation wastewater infrastructure in the immediate area of the site.

A planning request was made with the Water Corporation, they advised that *“there is no existing sewer planning current for the site.”* They also confirmed *“If the land was proposed to be rezoned a scheme review would need to take place. A possible outcome of a review could be that a permanent wastewater pumping station (WWPS) is required to serve the subject land. No capacity and therefore no connection is available to the existing sewers on the west side of the Freeway. Alternatively, land could be developed in accordance with the Sewerage Policy – Perth Metro Region Disposal possibly requiring use of onsite long-term effluent wastewater system.”*

Once a likely development layout and yield has been determined, early discussion should be had with the Water Corporation to explore the option of the permanent wastewater pumping station and discharge point.

Should the WWPS option be not viable, then consideration could be had for onsite wastewater management and disposal using such technologies as:

- Aerobic Treatment Units and associated effluent disposal systems (ie, leach drains) for each individual lot.
- A centralised wastewater treatment plant to serve the whole site, with wastewater conveyed from each lot to the treatment plant. The treatment plant would be privately owned, managed and maintained.

Drainage

The Water Corporation Peel Main drain is approximately 130m to the west of the site, with the drain elevation generally at 11m AHD.

The Water Corporation has advised that the site is *“located within the Mundijong Main Drainage District which is a rural drainage system. Developments within this catchment are required to contain the flows from a one in one hundred year storm event on site. Discharge to the Water Corporation drains must be compensated to pre-development levels. Rural drains are not designed to give flood protection at all times and some inundation of land can be expected. The Water Corporation maintains its existing drains to ensure they are capable of clearing water from adjacent rural properties within three days of a storm event – where contours and internal drainage make this physically possible. No direct connection/discharge is permitted to the Peel Main drainage system.”*

The existing rail line is in between the site and the Water Corporation Peel Main Drain. Due to this constraint, the only outflow will be via any existing culverts under the rail corridor, if there are any. It is highly probable all stormwater will be contained and disposed of on site.

As part of further planning and design development, consideration will need to be had with allocating sufficient drainage areas to compensate the stormwater runoff to pre-development levels.

Porter Consulting Engineers did approach the City of Kwinana about the site for comment including drainage. At the time of preparing this advice the City had not responded, however, we do not expect any significant constraints.

Gas Servicing

ATCO Gas have confirmed they have no assets in the surrounding area. It is expected a gas service could be established for the site however it expense may out weigh the benefits.

Electrical

There is existing underground high voltage and low voltage infrastructure in Thomas Road, and low voltage infrastructure in McDowell Lane.

The online Western Power Network Capacity Mapping Tool indicates that at present there is 25-30 MVA capacity in the network which is forecast to reduce to 15-20 MVA in 2026 and further reduce to less than 5 MVA by 2036.

Although there appears to be sufficient capacity in the network at present, the feasibility of servicing the site (ie the location of the point of connection) can only be confirmed with a more detailed assessment of the network. This is usually undertaken when a Design Information Package is obtained from Western Power during the detailed design phase.

Communications

There are existing communications networks in the surrounding road reserves, owned by multiple service providers including NBN, Optus and NextGen. It is expected a point of supply can be established off an existing network for this site.

Road Access

The site currently has left in and left out access off Thomas Road. This intersection is opposite the Johnson Road traffic signals.

There maybe an opportunity to open up this intersection to allow entry from the south and east. Main Roads have not been approached regarding this and they may prohibit access. Detailed discussions will be required with Main Roads and the City of Kwinana if intersection modifications are required. Significant time should be allocated as it is expected these negotiations will be protracted.

Future Development

There are opportunities to implement new and sustainable technologies as part of this development. This includes power generation and storage, on site wastewater treatment and reuse as well as rainwater harvesting. Based on potential servicing limitations, it maybe cost effective to implement these.

Consideration to the style of development may limit the above opportunities. Common infrastructure can be shared if all parcels were amalgamated and then developed as part of a strata subdivision. Alternatively, infrastructure may be shared if separate titles are created pending agreements and legislation.

Summary

It appears the site can be developed from an engineering perspective. Points of supply can be established or created and there may be opportunities to implement new, alternate and sustainable technologies which could present financial benefits.

The following will require additional consideration and investigation as part of the feasibility of this site:

1. Geotechnical Investigations
2. The ability to clear vegetation and likely time frames
3. Wastewater servicing and disposal
4. Gas Servicing (if required)
5. Electrical point of supply
6. Vehicle access.

1. ATTACHMENT 1 – WATER CORPORATION INFRASTRUCTURE MAPPING

17.3 Report on proposed 'dispersed model' of draft Cost Apportionment Schedule for Development Contribution Areas 8-15 to support further progression of Amendment No. 145 to Local Planning Scheme No. 2

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

Amendment 145 to the City's Local Planning Scheme No.2 (LPS2) encompasses a major review of Development Contribution Plans 8-15 (DCPs 8-15). DCPs 8-15 were introduced into LPS2 in 2012 (via Amendment 115) and sought to apportion the capital costs associated with community infrastructure items in accordance with State Planning Policy 3.6 (Administration of Development Contributions).

Amendment 145 to LPS2 was adopted for final approval by Council at its 23 January 2019 Ordinary Council Meeting. The final Amendment document took into account public submissions received during the late 2015 advertising period and is based on the Community Infrastructure Plan 2011-2031 (2018 CIP) adopted by Council at its 12 December 2018 Ordinary Council Meeting.

In adopting Amendment 145, part of Council's resolution included the request to the Western Australian Planning Commission (WAPC) that an additional amendment to Amendment 145 be considered prior to final consent of the Amendment by the Minister for Planning. This additional amendment seeks to apportion the cost of the provision of Local Sporting Grounds with Small Facility Buildings, identified through the 2018 CIP in Development Contribution Areas 9 and 10 (DCAs 9 and 10), across Districts A and B. Districts A and B comprise DCAs 8 – 13.

In this regard, the current draft Cost Apportionment Schedule (CAS) for DCAs 8-15 identifies the three respective Small Facility Buildings in the context of Local Sporting Grounds as follows:

- DCA9 – Local Sporting Ground with Small Facility Building (Treeby Road)
- DCA9 – Local Sporting Ground with Small Facility Building (Wandi High School)
- DCA10 – Local Sporting Ground with Small Facility Building (Casuarina Primary School)

As part of this process, the City had committed to liaise with affected landowners within the aforementioned Districts A and B in order to explain the rationale for the request (including costings as part of a draft Cost Apportionment Schedule) and subsequently inform the WAPC following the consultation.

As a result of the consultation and submission process, and following City Officer discussion of the matters raised, there are considered to be three options available to Council in relation to the dispersed model, as follows:

1. That the broad dispersed model of cost apportionment for three small facility buildings associated with local sporting grounds across Districts A and B (DCAs 8-13) be adopted (this was the original dispersed model proposal); or

17.3 REPORT ON PROPOSED 'DISPERSED MODEL' OF DRAFT COST APPORTIONMENT SCHEDULE FOR DEVELOPMENT CONTRIBUTION AREAS 8-15 TO SUPPORT FURTHER PROGRESSION OF AMENDMENT NO. 145 TO LOCAL PLANNING SCHEME NO. 2

2. That the partial dispersed model of cost apportionment for three small facility buildings with local sporting grounds across those portions of Districts A and B on the eastern side of the Kwinana Freeway (DCAs 9, 10 and 11 only) be adopted; or
3. That the localised dispersed model of cost apportionment for three small facility buildings with local sporting grounds across those portions of Districts A and B on the eastern side of the Kwinana Freeway – whereby DCA9 contributes only to DCA9 located small facility buildings, DCA10 only contributes towards the DCA10 located small facility building and DCA11 (which has no local facilities) also proportionately contributes towards the DCA10 small facility building – be adopted.

City Officers recommend that Council proceed with Option 3 as noted above, as this is considered to better reflect the fundamental principles of need, nexus and equity associated with the DCP apportionment of costs.

OFFICER RECOMMENDATION:

That Council takes the following action in respect to Local Planning Scheme No.2 Amendment 145:

1. Pursuant to Regulation 41(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, notes the submissions in Attachment B – Schedule of Submissions;
2. Resolves to proceed with Option 3, as detailed in this report, for the purposes of cost apportionment across DCAs 8-13;
3. Pursuant to Section 75 of the *Planning and Development Act 2005* (Act) and Regulation 41(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to adopt with modifications to Amendment 145 to Local Planning Scheme No. 2 (LPS2) as per Attachment C – Amendment 145 to LPS2;
4. Authorise the Mayor and the Chief Executive Officer to execute the revised Amendment 145 Report (Attachment D) and affix the common seal of the City of Kwinana on the documentation;
5. Requests that the Minister for Planning grants final consent to Amendment 145 to LPS2 as referred to in (3) above.

BACKGROUND:

In the initial preparation of the 2015 CIP, the need was identified for a District Sporting Ground serving Districts A and B comprising 15 hectares. In finalising the 2015 CIP however, it became apparent that it would not be possible to secure the 15-hectare site due to cost and the feasibility of land assembly. In this regard, the Amendment reflects the 3-hectare (District Hard Courts) site identified in the 2018 CIP.

17.3 REPORT ON PROPOSED 'DISPERSED MODEL' OF DRAFT COST APPORTIONMENT SCHEDULE FOR DEVELOPMENT CONTRIBUTION AREAS 8-15 TO SUPPORT FURTHER PROGRESSION OF AMENDMENT NO. 145 TO LOCAL PLANNING SCHEME NO. 2

In order to compensate for the loss of a large District Sporting Ground - which, in addition to the current proposed District Hard Courts, would have comprised a substantial area of playing fields – a strategy was adopted in the 2015 CIP to better address this. In this regard, the strategy sought to address the district sporting needs by acquiring additional Local Sporting Grounds via joint provision and use with the Department of Education (via shared use agreements for the oval component), and retention of the aforementioned 3-hectare District Sporting Ground comprising of hard courts and pavilion. This strategy further involved the provision of additional infrastructure (specifically three Small Facility Buildings associated with Local Sporting Grounds) in DCAs 9 and 10 to meet the needs of Districts A and B.

In this regard, it was considered equitable that the cost of the provision of this district level infrastructure be apportioned across Districts A and B, rather than contributions paid by the individual DCAs within which they are located.

This particular approach addresses concerns expressed in some submissions to the City during the advertising period that the costs of providing the additional Local Sporting Grounds with Small Facility Buildings should not be met by the individual DCA, but instead borne across the wider district areas.

The current Amendment 145 documentation does not reflect the above requirement and Council's resolution to adopt Amendment 145 for final approval further included that the abovementioned changes be considered and supported by the WAPC following consultation with affected landowners and developers, prior to a determination of Amendment 145 by the Minister.

In terms of the Amendment documentation, specifically the proposed Scheme text, the material change proposed would be to DCPs 8-13 inclusive as follows:

- Under part 3 of the 'Infrastructure and Administrative Items to be funded' section of DCA8, two additional Local Sporting Grounds with Small Facility Buildings (Treeby Road and Wandi High School) would be added;
- Under part 3 of the 'Infrastructure and Administrative Items to be funded' section of DCA9, one additional Local Sporting Ground with Small Facility Building (Treeby Road) would be added;
- DCA10 would remain as is, with some minor editing to include mention of the Casuarina Primary School after Local Sporting Ground with Small Facility Building under part 3 of the 'Infrastructure and Administrative Items to be funded' section;
- For DCA11 (which currently has no local facilities), a part 3 would be added to the 'Infrastructure and Administrative Items to be funded' section with the inclusion of one additional Local Sporting Ground with Small Facility Building (Casuarina Primary School);
- Under part 3 of the 'Infrastructure and Administrative Items to be funded' section of DCA12, one additional Local Sporting Ground with Small Facility Building (Casuarina Primary School) would be added; and
- Under part 3 of the 'Infrastructure and Administrative Items to be funded' section of DCA13, one additional Local Sporting Ground with Small Facility Building (Casuarina Primary School) would be added.

17.3 REPORT ON PROPOSED 'DISPERSED MODEL' OF DRAFT COST APPORTIONMENT SCHEDULE FOR DEVELOPMENT CONTRIBUTION AREAS 8-15 TO SUPPORT FURTHER PROGRESSION OF AMENDMENT NO. 145 TO LOCAL PLANNING SCHEME NO. 2

Following the preparation of the facility costings based on the CIP standards, the review of what dwellings/lots have been constructed/released and what is still forecast to take place, a draft CAS was prepared. The draft CAS was then used to determine the updated dwelling/lot rate per DCA based on the current apportionment model and also included the updated dwelling/lot rate per DCA based on the proposed dispersed apportionment model.

CONSULTATION:

Two consultation sessions were held with landowners, consultants and developers who would be affected by the proposed 'dispersed model' of apportionment within DCAs 8-13. For District A (DCAs 8 and 9), the consultation session was held on Monday 9 March 2020, while for District B (DCAs 10-13) the consultation session was held on Wednesday 11 March 2020.

The City advised during both these consultation sessions that feedback on the proposed 'dispersed model' would be sought by Monday 23 March 2020, which was then further extended to 3 April 2020 to allow for service interruptions associated with the COVID-19 pandemic.

Submissions and Matters Raised

During this time, 6 submissions were received. The key points raised in submissions are addressed below. Of the 6 received, while only one articulated support for the 2015 advertised apportionment of costs in favour of the proposed dispersed model, all submissions raised a number of issues for consideration.

Attachment A to this report is the Schedule of Submissions. The Schedule summarises each of the issues raised by the submitters and provides the City's response to these issues.

A number of submissions requested the City to provide further details and specifications on individual costings where the cost of the item of community infrastructure has increased from that which was advertised in 2015. In this regard, submitters also requested no change in costing from the 2015 advertised costings.

Aside from the above, the key matters arising from the consultation focused more on the process (such as the eventual reconciliation of legal agreements), inclusions in the costings (such as contingencies) and historical process/inclusions (such as lot counts and standards).

City's Response

The two key areas for further consideration by the City following the consultation and submission period are the proposed dispersed model and the costings associated with the respective community facilities.

17.3 REPORT ON PROPOSED 'DISPERSED MODEL' OF DRAFT COST APPORTIONMENT SCHEDULE FOR DEVELOPMENT CONTRIBUTION AREAS 8-15 TO SUPPORT FURTHER PROGRESSION OF AMENDMENT NO. 145 TO LOCAL PLANNING SCHEME NO. 2

With regard to the proposed dispersed model, City Officers considered the submissions and discussed the most equitable approach to this matter that also took into account the principles of need and nexus, as cornerstones of SPP 3.6. City Officers referred back to the 2018 CIP, which outlines that *the strategy to address, in part, the loss of district sporting fields is to increase the provision of Local Sporting Grounds via joint provision and use arrangements with the Department of Education. However, with no further opportunities to increase the number of Local Sporting Grounds identified.... there will be a gap of 11.6 ha in sporting grounds in District B.* Further, the 2018 CIP states that the alternative for larger clubs with several hundred members is to train and play across a numbers of Local Sporting Grounds. This option is not often financially viable or sustainable, as it requires additional resources.

On this basis, City Officers determined to proceed with a reduced (or hybrid) model of dispersed cost apportionment, whereby factors such as:

- geographic location in the context of major barriers (such as the Kwinana Freeway);
- whether the respective DCA is already proposed to have its own Local Sporting Ground with either Clubroom or Small Facility Building; and
- the broader context of requesting DCAs contribute towards other DCA facilities that are local in nature and do not cater for District-wide use or benefit, given the above two points.

In light of the above considerations, City Officers have explored two additional options, as follows:

- A partial dispersed model of cost apportionment for three small facility buildings with local sporting grounds across those portions of Districts A and B on the eastern side of the Kwinana Freeway (DCAs 9, 10 and 11 only) ; or
- A localised dispersed model of cost apportionment for three small facility buildings with local sporting grounds across those portions of Districts A and B on the eastern side of the Kwinana Freeway – whereby DCA9 contributes only to DCA9 located small facility buildings, DCA10 only contributes towards the DCA10 located small facility building and DCA11 (which has no local facilities) also proportionately contributes towards the DCA10 small facility building – be adopted.

With regard to the second key area, several infrastructure items were highlighted as being significantly greater than in 2015 including, among others, the District Hard Courts (Districts A and B). The matter of higher specifications as the basis for the 2020 facility costings, and resultant contingencies, was regarded as an issue requiring the City's further justification.

The City has commenced a further review of all community infrastructure items and is seeking to refine the specifications underpinning the costings of a number of these in the context of DCP cost apportionment, whilst generally adhering to the community infrastructure standards adopted by Council as part of the Community Infrastructure Plan 2018. This review will occur in the period prior to the Council's future adoption of the Cost Apportionment Schedule, such that the reviewed and refined costs can be reflected in the CAS.

17.3 REPORT ON PROPOSED 'DISPERSED MODEL' OF DRAFT COST APPORTIONMENT SCHEDULE FOR DEVELOPMENT CONTRIBUTION AREAS 8-15 TO SUPPORT FURTHER PROGRESSION OF AMENDMENT NO. 145 TO LOCAL PLANNING SCHEME NO. 2

DISCUSSION:

An assessment of two additional options was undertaken having regard to the factors outlined above. In exploring these additional options, City Officers determined that the additional three Local Sporting Grounds with Small Facility Buildings do not provide for an additional function that is distinct from the existing LSGs (included in the 2015 plan) and as such would not draw a catchment of users from beyond the DCA boundaries , particularly if there are key physical boundaries that would reduce movement between DCAs such as the Kwinana Freeway. Given that the proposed LSGs are located in DCAs 9 and 10 and LSGs are already provided in DCAs 8, 12 and 13, there is no clear need or nexus for the residents within these areas to be using the facilities provided in DCAs 9 or 10. This is further reinforced by the significant physical boundary that the Kwinana Freeway presents.

That being said the same argument could equally apply between DCAs 9, 10 and 11, whereby BushForever creates a physical barrier to movement between DCAs 9 and 10.

A review of the DCA rates based on the localised apportionment was undertaken and shown to provide the most equitable approach, and a better reflection of need and nexus.

REVIEW PROCESS:

As a requirement of both LPS2 and draft SPP 3.6, the DCPs are required to be reviewed at least every 5 years (or earlier if circumstances on the ground warrant an earlier review), with costings associated with community infrastructure items and represented in the cost apportionment schedule for each DCA, required to be reviewed annually.

This review process is appropriately articulated in the proposed Scheme text for each DCP.

LEGAL/POLICY IMPLICATIONS:

Acts and Regulations

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Strategies

State Planning Strategy

South Metropolitan Peel Sub-Regional Planning Framework

City of Kwinana Community Infrastructure Plan 2018

Schemes

Metropolitan Region Scheme

City of Kwinana Local Planning Scheme No.2

17.3 REPORT ON PROPOSED 'DISPERSED MODEL' OF DRAFT COST APPORTIONMENT SCHEDULE FOR DEVELOPMENT CONTRIBUTION AREAS 8-15 TO SUPPORT FURTHER PROGRESSION OF AMENDMENT NO. 145 TO LOCAL PLANNING SCHEME NO. 2

Policies

State Planning Policy 3.6 Development Contributions for Infrastructure

FINANCIAL/BUDGET IMPLICATIONS:

Further processing and finalisation of Amendment 145 will be financed within the existing operational budget, though recouped through administration costs payable through the DCPs. Implementation of the community infrastructure of Amendment 145 will be undertaken in accordance with the City's Long Term Financial Plan and Cost Apportionment Schedule.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as a result of this report. Any future construction of community facilities as noted in this report and the accompanying Council-adopted Community Infrastructure Plan 2018, are identified in the City's Long Term Financial Plan (LTFP).

Note, although operating costs of new facilities have been factored into the LTFP, the cost of maintaining the new facilities is not accounted for, leading to a reduced maintenance capacity across all Council buildings. In addition, the LTFP currently underfunds asset renewal, adding to historic underfunding, and a growing renewal gap. This scale and consequences of this issue have recently been acknowledged by the City's Audit Committee, and subsequently the Council. New assets created through the developer contribution agreements will add to the asset renewal burden, and increases the renewal gap.

ENVIRONMENTAL IMPLICATIONS:

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

STRATEGIC/SOCIAL IMPLICATIONS:

This proposal will support the achievement of the following strategies and actions detailed in the Strategic Community Plan 2017-2027.

Plan	Strategy	Action
Corporate Business Plan	4.1.1 Implement the City of Kwinana's Community Infrastructure Plan that identifies the location, nature and anticipated construction date of new community and recreation facilities.	4.1.1 Annually review the Community Infrastructure Plan to ensure it remains relevant and responsive to new communities and where appropriate involves consultation with all sectors of the community.

17.3 REPORT ON PROPOSED 'DISPERSED MODEL' OF DRAFT COST APPORTIONMENT SCHEDULE FOR DEVELOPMENT CONTRIBUTION AREAS 8-15 TO SUPPORT FURTHER PROGRESSION OF AMENDMENT NO. 145 TO LOCAL PLANNING SCHEME NO. 2

		<p>4.1.1.2 Ensure Developer Contribution Schemes are aligned with the Community Infrastructure Plan.</p> <p>4.1.1.3 Incorporate the Capital Expenditure Plan into the City's Long Term Financial and infrastructure and investment decisions.</p>
Corporate Business Plan	10.1.1 To implement the long term strategic land use planning for the social, economic and environmental wellbeing of the City.	<p>10.1.1.2 Review infrastructure costs for DCAs.</p> <p>10.1.1.3 Undertake regular reviews of the City's Developer Contribution Schemes in accordance with State Planning Policy 3.6 and the City's Scheme.</p>

COMMUNITY ENGAGEMENT

Community engagement was undertaken as part of the advertising of Amendment 145 as noted earlier in this report, with two recent consultation sessions held with affected landowners, consultants and developers from DCAs 8-13 as part of the proposed 'dispersed model' scenario.

Further community engagement is planned to occur in the context of the cost apportionment schedule following future gazettal of Amendment 145 and prior to Council adoption of the cost apportionment schedule.

PUBLIC HEALTH IMPLICATIONS

There are no public health implications as a result of this report.

RISK IMPLICATIONS:

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

Risk Event	Community infrastructure not equitably cost-apportioned
Risk Theme	City not upholding principles of development contributions as specified in State Planning Policy 3.6

17.3 REPORT ON PROPOSED 'DISPERSED MODEL' OF DRAFT COST APPORTIONMENT SCHEDULE FOR DEVELOPMENT CONTRIBUTION AREAS 8-15 TO SUPPORT FURTHER PROGRESSION OF AMENDMENT NO. 145 TO LOCAL PLANNING SCHEME NO. 2

Risk Effect/Impact	Strategic Planning and Governance
Risk Assessment Context	Strategic
Consequence	Moderate
Likelihood	Almost certain
Rating (before treatment)	High
Risk Treatment in place	Reduce - mitigate risk
Response to risk treatment required/in place	Dispersed model of infrastructure provision incorporated into Scheme text and reflected in the cost apportionment schedule, to ensure greater equity between DCAs in apportioning of costs.
Rating (after treatment)	Low

COUNCIL DECISION

159

MOVED CR M KEARNEY

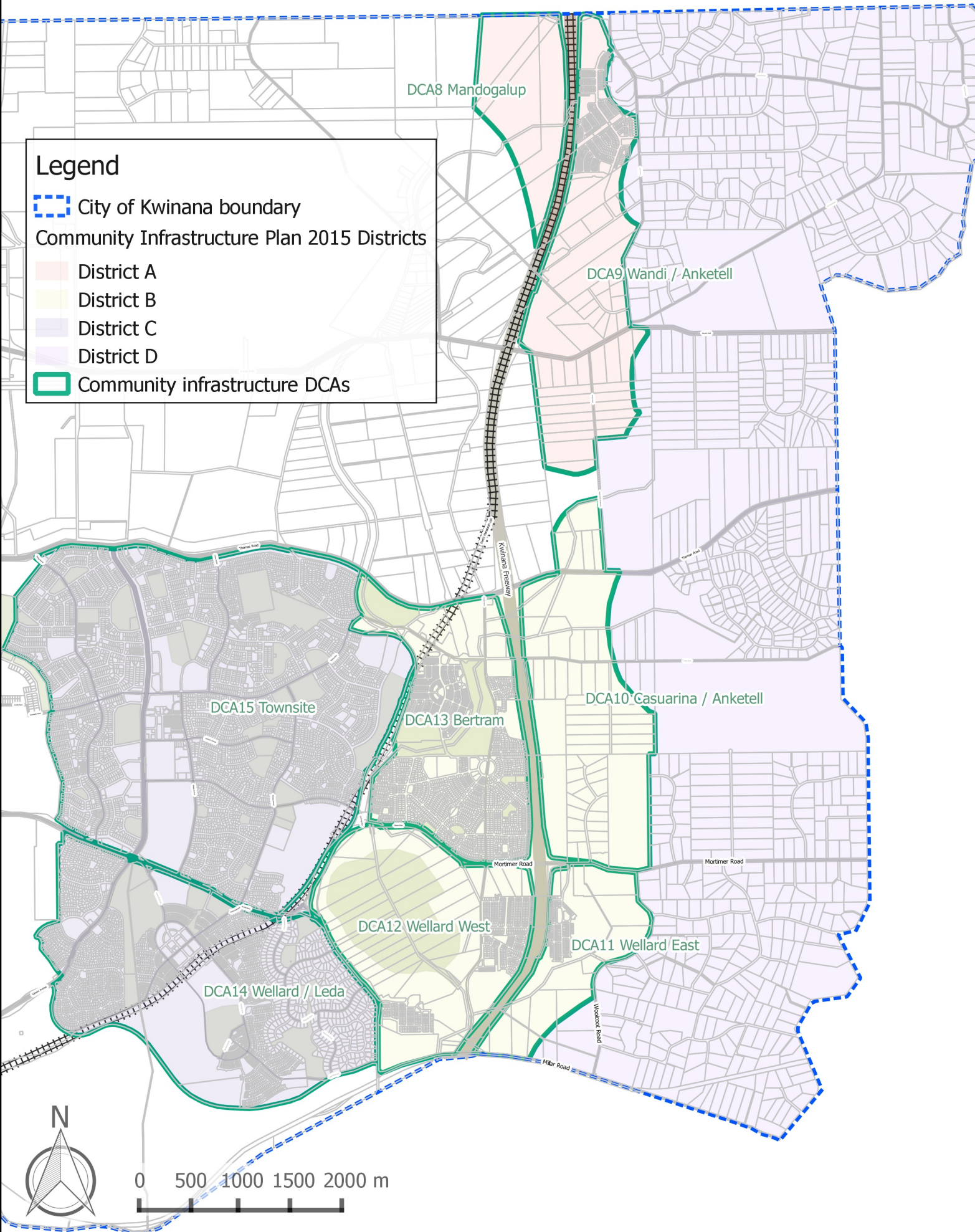
SECONDED CR D WOOD

That Council takes the following action in respect to Local Planning Scheme No.2 Amendment 145:

- 1. Pursuant to Regulation 41(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, notes the submissions in Attachment B – Schedule of Submissions;**
- 2. Resolves to proceed with Option 3, as detailed in this report, for the purposes of cost apportionment across DCAs 8-13;**
- 3. Pursuant to Section 75 of the *Planning and Development Act 2005 (Act)* and Regulation 41(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to adopt with modifications to Amendment 145 to Local Planning Scheme No. 2 (LPS2) as per Attachment C – Amendment 145 to LPS2;**
- 4. Authorise the Mayor and the Chief Executive Officer to execute the revised Amendment 145 Report (Attachment D) and affix the common seal of the City of Kwinana on the documentation;**
- 5. Requests that the Minister for Planning grants final consent to Amendment 145 to LPS2 as referred to in (3) above.**

**CARRIED
8/0**

DEVELOPMENT CONTRIBUTION AREAS FOR COMMUNITY INFRASTRUCTURE



SCHEDULE OF SUBMISSIONS

Community consultation – DCAs 8-13 – Dispersed Model of Cost Contribution Apportionment
Consultation and submission period 9 March 2020 – 3 April 2020

1.	SUBMITTERS AND PROPERTIES AFFECTED BY AMENDMENT	SUPPORT/OBJECTION/ TO PROPOSAL	NATURE AND SUMMARY OF SUBMISSIONS	CITY OFFICERS COMMENTS
	Darren Evans (Proven Project Management) – acting on behalf of the landowner of the Wedge Estate	Not stated	Further information requested regarding: <ul style="list-style-type: none"> - the QS costings; - scaling of QS costings; and - consistent contingencies, preliminaries and CoK project management fees. 	Information request noted. The QS costings were subsequently forwarded by the City to all landowners/developers/consultants within DCAs 8-13 (those originally sent the consultation session invitation) on 20 March 2020, advising that the submission response period had been extended from end of March to 3 April 2020.
	Sam Gill (Eastcourt) – acting on behalf of the landowner for Providence Estate	Not stated	<p>(Interim submission)</p> <ol style="list-style-type: none"> 1. The existing lot yield (City cost) is not being allocated a portion of the Administration Costs, it is solely being funded by developers. This should be split on a proportional basis. 2. Why is the Administration Cost greater than 2% which was previously specified in documents. 3. Ref below extract from Contribution Plan 12 October 2015. How has this been accommodated within the cost apportionment table. <p>The City contributes towards facilities on behalf of dwellings that existed prior to gazettal of Amendment 115 to TPS2 on 19 June 2012 in recognition that the population of these dwellings also contribute to the demand for the community infrastructure. The City will contribute towards any new facilities for dwelling that exist prior to gazettal of Amendment 145 to TPS2 for the same</p> 4. At Providence we titled approximately 324 lots prior to Amendment 145 being seriously entertained and paid a contribution under the operational scheme at that time. I cannot see where these are allocated in the cost apportionment table and should these be included within the Existing Yield (City Cost) column under Amendment 145. 5. Do you have an updated Contribution Plan you can provide. 6. Do the lot yields within the contribution plan align with the other schemes, I don't have enough information on hand to cross check. <p>-----</p> <p>(Main submission)</p> <p>From a Providence project perspective we consider the community infrastructure being delivered is vitally important and it needs to be delivered now, so all new and existing residents can enough the benefit. The element that is hard to quantify is what extent and/or works should developers fund and what other sources of funding could or should be utilised. To date we have created 324 lots at Providence and under Amendment 115 our cheapest stages were approx \$4,107 per lot, which we think is a fair contribution. The current \$6,440 per lot is too high and</p>	<ol style="list-style-type: none"> 1. The existing lot yield is being allocated a proportion of the administration costs. The summary CAS provided shows the total Cost of the Administration Costs as \$4,059,819, this figure can be seen in the "Total Cost of Infrastructure Item as Part of DCA" column. Of this amount \$603,136 is being funded by the City (existing lot yield), and \$3,456,683, this figure can be seen in the "Cost Attributable to Additional/New Lot Yield" column, is the proportion funded by the additional lots (developers). <p>As there are actual costs incurred that relate to specific DCAs and not others on a uniform basis, this couldn't be distributed by showing the uniform "total lots/existing lots/potential additional lots", as has been done for other infrastructure items.</p> <p>City Officers attached the PDF of the tab calculating the Administration Costs. This work paper shows the breakdown of actual costs incurred by each DCA plus the forecast costs. The sum of which then proportions between existing lots and additional lots and feeds back into the summary CAS.</p> <ol style="list-style-type: none"> 2. City Officers have discussed the matter of Administration Costs in the preparation of the draft CAS and, in line with both the gazetted 2009 and more recently the draft 2019 State Planning Policy 3.6, which states: <p><i>"The determination of infrastructure costs and administrative costs is to be based on amounts expended, but when expenditure has not occurred, it is to be based on the best and latest estimated costs available to the local government and adjusted accordingly, if necessary. Where a cost apportionment schedule contains estimated costs, such estimated costs are to be prepared and reviewed at least annually by the local government."</i></p> <p>Further,</p> <p><i>"The inclusion of a management fee as an administration cost should not be applied on a percentage basis of overall cost of the DCP, and should directly relate to the real labour costs of administering the DCP and DCF."</i></p>

SCHEDULE OF SUBMISSIONS

Community consultation – DCAs 8-13 – Dispersed Model of Cost Contribution Apportionment Consultation and submission period 9 March 2020 – 3 April 2020

			<p>we encourage the City to be innovate and think outside the box on how additional funding can be found to reduce this amount.</p> <p>Below is a list of points / observations for the City to consider:</p> <ol style="list-style-type: none"> 1. Has the DCP been audited and where can the audited accounts for historical years be found? 2. The City is referencing the draft State Planning Policy 3.6 (2019), as it is a seriously entertained document. On this basis, should Amendment 145 comply with all elements of the draft policy. 3. Below is an extract from the Contribution Plan 12 October 2015 that was part of the advertised documentation; <p style="text-align: center;"> <small>The City contributes towards facilities on behalf of dwellings that existed prior to gazettal of Amendment 115 to TPS2 on 19 June 2012 in recognition that the population of these dwellings contribute to the demand for the community infrastructure. The City will contribute towards new facilities for dwelling that exist prior to gazettal of Amendment 145 to TPS2 for the same period.</small> </p> <p>You have answered this question below, but you didn't address the point where the City contributes for dwellings created prior to Gazettal of Amendment 145.</p> <p>This extract indicates the City would contribute for all dwellings prior to Amendment 115 and also indicates the City would contribute the difference between the per lot costs for dwellings created before Amendment 145 was Gazetted (or seriously entertained). For example at Providence we have created circa 324 lots that fall into this period and we were under the impression the City was covering the difference between the operation scheme per lot contribution and Amendment 145 is being allocated across the balance of DCA8.</p> <ol style="list-style-type: none"> 4. It is difficult to determine if the cost estimates for the respective community infrastructure items are fair, but it is disappointing that the overall cost for items have increased by \$9.6m. Could the City look to lower the specification (reduce car parking or external play equipment/stations) in some areas or similar to provide cost savings to the DCA's. 5. Each infrastructure item has a City of Kwinana Overheads for example Building A – Sports Ground with Small Facility has a City of Kwinana Overhead of \$40,418.60. What is this for and is it a double count when the DCA already has an Administration Costs line item within the overall schedule. This is a new line item in a number of the infrastructure items when compared back to 2015 estimates. 6. From an observation, its puzzling to see a new lot at Providence costs \$6,440 (DCA12), whereas a new lot at Wellard Glen Sunrise or Living Edge costs \$4,285 (DCA13) even though the minimum distance between lots is 250m. 	<p>The current draft CAS identifies the administration cost at approximately 3.4%. This will be reviewed annually and adjusted based on actuals and estimates.</p> <p>Please note that a % of administration costs was not included in the previously advertised (2015) or the Council adopted (2019) proposed Scheme text. The 2% being referred to was noted on the draft DCP report for public comment that was advertised in 2015 with all the Amd 145 documents.</p> <ol style="list-style-type: none"> 3. Correct for the first sentence (re Amd 115) and this is reflected in the draft CAS, with the City contributing on behalf of dwellings that existed prior to Amd 115 towards community facilities. 4. On Page 2 of the 3-page PDF sent out to landowners/consultants/developers following the consultation sessions there is a column (Total Cost Attributable to DCA12) and a row (Less Contributions Received to Date Not Under Legal Agreement and Reconcilable). Where they intersect (highlighted in orange) is the figure \$5,822,541. This includes all cost contributions paid under the operational scheme at the time (i.e. prior to Amd 145 being seriously entertained) and includes all Stages of Providence Estate (excluding the most recent Stage 10, for which a Deed of Agreement was entered into for payment of provisional cost contributions as per Amd 145). 5. All DCP Reports for DCAs 8-15 are in the process of revision, but cannot be finalised as a draft until such time as a resolution has been passed on the dispersed model. The format of the DCP Report will be essentially the same as for the recent DCA1 DCP Report. 6. The dwelling/lot yields for DCA12 were based on those for DCA1, albeit the boundary of DCA1 is significantly larger. As with all annual reviews of the CAS, a review of dwelling/lot yields (which are subject to change) is and will be undertaken for all DCAs (as applicable) at that time and prior to Council's adoption of the revised CAS. <hr/> <ol style="list-style-type: none"> 1. The audit of accounts will commence in July 2020 for all previous financial years 2. Noted. The draft CAS was prepared in line with the principles of draft State Planning Policy 2019, with the exception of the advertised cap on the per dwelling/lot cost. The per dwelling/lot cost identified in the draft CAS has not taken the cap into account for two reasons. Firstly, City Officers are still reviewing and refining all community facility costings and these may change prior to final adoption of the CAS. Secondly, the issue of the cap has not been subject to final review by the WAPC and subsequent approval by the Minister. In this regard, City Officers are not prepared at this stage to consider a draft cap on community facilities until such time as it is finalised. <p>Proposed Amendment 145 was adopted for final approval by Council and forwarded to the WAPC six months prior to the release of draft</p>
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SCHEDULE OF SUBMISSIONS

Community consultation – DCAs 8-13 – Dispersed Model of Cost Contribution Apportionment
Consultation and submission period 9 March 2020 – 3 April 2020

				<p>State Planning Policy 3.6 in July 2019 and thus it was not possible to have taken into account the elements of the draft Policy.</p> <ol style="list-style-type: none"> The sentence in the draft advertised DCP report stated that “the City will contribute towards new facilities for dwellings that exist prior to gazettal of Amendment 145...” There are no new facilities proposed in DCA12 to those contained previously; there is still only one local community facility in DCA12 (with the same District and sub-regional facilities). Noted. City Officers have commenced a further review of all community infrastructure items and are seeking to refine the specifications underpinning the costings of a number of these in the context of DCP cost apportionment, whilst generally adhering to the community infrastructure standards adopted by Council as part of the CIP 2018. This review will occur in the period prior to the Council's future adoption of the CAS, such that the reviewed and refined costs can be reflected in the CAS. The ‘City of Kwinana Overheads’ item is the equivalent of a project management cost and is attributable to each community infrastructure item as its own project, rather than as a operational cost associated with DCPs (such as annual reviews, audits, legal advice etc). The difference between DCAs 11 and 12 in terms of the per dwelling/lot cost is primarily because DCA12 contains a local community infrastructure facility that it contributes wholly towards, whereas DCA11 does not.
3.	Simon Blackwell (TBB) – on behalf of LWP Wellard for Oakebella Estate	Support for 2015 advertised model instead of dispersed model	<p>We would like to commend the City for the significant effort undertaken to review and communicate the revised Cost Apportionment Schedule (CAS) and modelling scenarios. Furthermore, LWP would like to provide their support for the City's 'Advertised Model' and associated CAS, in favour of the alternative 'Dispersed Model'. In submitting this preference, following key matters are raised for the City's consideration.</p> <p>We understand that in updating the CAS for Districts A and B the previous district level sportsfield was divided into three local sporting grounds (LSGs) to be provided in DCA9-Wandi/Anketell and 10Anketell South/Casuarina. Further to these and other costing updates that informed the updated CAS 'Advertised Model', it is understood a 'Dispersed Model' was prepared to distribute the costs associated with the three LSGs across all DCAs within Districts A and B (DCA's 8 to 10), rather than simply the DCA's within which the facilities will be delivered (DCAs 9 and 10).</p> <p>We would submit that there is neither need nor nexus for applying this 'Dispersed Model' of cost apportionment, as it distributes the cost of providing these locally provided facilities to DCAs which are outside of the likely catchments for such facilities. Whilst we acknowledge that the three LSGs were originally consolidated into a centralised facility with a district sporting ground designation, we maintain that the disaggregation of this facility into three smaller local sporting ground facilities results in them being downgraded to that of local facilities, with a commensurate reduction in the size of the catchment served by each facility.</p>	<p>Noted. City Officers have considered the submissions and discussed the most equitable approach to this matter that also took into account the principles of need and nexus, as cornerstones of SPP 3.6. On this basis, City Officers determined to proceed with a reduced (or hybrid) model of dispersed cost apportionment, whereby factors such as:</p> <ul style="list-style-type: none"> - geographic location in the context of major barriers (such as the Kwinana Freeway); - whether the respective DCA is already proposed to have its own Local Sporting Ground with either Clubroom or Small Facility Building; and - the broader context of requesting DCAs contribute towards other DCA facilities that are local in nature and do not cater for District-wide use or benefit, given the above two points. <p>In light of the above considerations, City Officers have recommended that two additional options to the originally proposed dispersed model be considered, as follows:</p> <ol style="list-style-type: none"> That the partial dispersed model of cost apportionment for three small facility buildings with local sporting grounds across those portions of Districts A and B on the eastern side of the Kwinana Freeway (DCAs 9, 10 and 11) be adopted; or That the localised dispersed model of cost apportionment for three small facility buildings with local sporting grounds across those portions of Districts A and B on the eastern side of the Kwinana Freeway –

SCHEDULE OF SUBMISSIONS

Community consultation – DCAs 8-13 – Dispersed Model of Cost Contribution Apportionment
Consultation and submission period 9 March 2020 – 3 April 2020

			<p>With regards to Oakebella Estate, we would assert that it is unreasonable to assume that the three LSGs provided in DCAs 9 and 10 will serve a catchment that includes the future residents of the Estate, noting that DCA12, where Oakebella Estate is located, is segregated from these facilities not only by substantial distance, but also the physical barriers formed by the Kwinana Freeway and Bertram Road. As such, it is unreasonable to expect future residents of Oakebella and the wider DCA12 to pay for these facilities when they are unlikely to benefit from the use of them.</p> <p>TBB, on behalf of LWP Wellard, is happy to provide this submission in support of the City's 'Advertised Model' of cost apportionment, associated with Amendment 145 to City of Kwinana Local LPS2. It is respectfully requested that the above comments are taken into consideration by the City and WAPC prior to final approval of the CAS and scheme amendment 145.</p>	<p>whereby DCA9 contributes only to DCA9 located small facility buildings, DCA10 only contributes towards the DCA10 located small facility building and DCA11 (which has no local facilities) also proportionately contributes towards the DCA10 small facility building – be adopted.</p> <p>Option 3 above is considered to be most equitable and a better reflection of need and nexus, thus is the Option recommended to Council.</p>
4.	Lorraine Elliott (LE Planning Services) – acting on behalf of Armana Holdings for Sunrise Estate	General support	<p>(First submission)</p> <ol style="list-style-type: none"> Why has the cost of the district sporting ground for Districts A and B increased by 40% from 2015 when the size of the sporting ground will significantly reduce from 15ha to 3ha? Doesn't this mean a lot less land (if included??) and actual infrastructure? Based on the dispersal model, I expected the cost for this item of infrastructure to reduce to counterbalance the introduction of additional LSGs and small facility buildings. According to your presentation, the 2018 CIP adopted new standards for community facilities. Without going through this document, are these new standards in line with wider WA standards for community infrastructure? The existing lot count in DCA11 is zero in 2015 and 14 in 2020, which is not the case on the ground. Is it zero because no lots paid the contribution as per Amendment 115 in the Scheme? Also, where did the 14 lots come from? Whilst I understand the latest contribution rate of \$4,286 won't be adopted by Council in May as a provisional rate, however what is the likelihood of change until it is adopted as an actual rate? I understand this depends on the timing of Amendment 145 but would it be fair to assume the total construction costs for each item of infrastructure will stay the same for at least the next 12 months given they have been independently checked by a QS? I understand the lot projections could change which would affect the DCA11 contribution rate. I understand that the gazettal of Amendment 145 is outside Council's control after May but is it reasonable to assume that actual contribution rates will be adopted by Council by around September, 2020? In the second table (attached), There is a figure highlighted in yellow for DCA11 of \$561,796.00 that are contributions received 	<ol style="list-style-type: none"> The District Sporting Ground (A and B) was costed at the 3 ha site for the 2015 QS costings. Land is not included in community infrastructure, only as part of the hard infrastructure costings. The additional costs for the current draft CAS include: <ul style="list-style-type: none"> 95 bays in 2015 vs 120 bays in 2020 (this was due to a change in the standards in accordance with the adopted CIP 2018); 567m² clubroom in 2015 vs 650m² clubroom in 2020 (this aligns with the 2018 CIP standards); Car park lighting insufficient for 120 bays in 2015 costs as opposed to 2020 costs; Lighting to hard courts insufficient in 2015 costs as opposed to 2020 costs <p>City Officers have commenced a further review of all community infrastructure items and are seeking to refine the specifications underpinning the costings in the context of DCP cost apportionment, whilst generally adhering to the community infrastructure standards adopted by Council as part of the 2018 CIP. This review will occur in the period prior to the Council's future adoption of the CAS, such that the reviewed and refined costs can be reflected in the CAS.</p> The 2018 CIP standards build upon work undertaken for the 2009 (and updated 2015) CIP standards. These include a comparative analysis with other outer Perth metropolitan growth LGs, the State Library Service, Curtin University's Centre for Sport and Recreation, state planning on the planning and provision of Active Open Space (Playing Fields) in the Perth and Peel Regions for Local Sporting Grounds, and the City's Public Open Space Upgrade Strategy. <p>The changes made to the standards over time also generally reflect the changing trends in the provision, design and size of community facilities and the land area required, with no change to the planning ratios of each facility (i.e. 1:5,000 for a local community centre).</p> <ol style="list-style-type: none"> The lot count noted (0 in 2015 and 14 in 2020) relates to the lots that were existing prior to DCA11 coming into effect.

SCHEDULE OF SUBMISSIONS

Community consultation – DCAs 8-13 – Dispersed Model of Cost Contribution Apportionment
Consultation and submission period 9 March 2020 – 3 April 2020

			<p>to date (not under legal agreement and reconciliable). Could you please confirm this does <u>not</u> include any of the Sunrise Estate.</p> <p>7. Is the interest of \$708,210.00 distributed evenly over the whole cell, even though only some landowners have paid a provisional contribution to date?</p> <p>8. Is there a link somewhere if we want to look at the detailed cost breakdown for any individual item of infrastructure?</p> <p>-----</p> <p>(Second submission)</p> <p>1. In general, Armana Holdings (owner of Sunrise Estate) supports the latest draft rate of \$4,286 as it is much lower than the previous provisional rate of \$6,573. Whilst it is understood that Council doesn't want to adopt this latest figure as the provisional rate, it is requested that this position be reviewed if there are any unexpected delays in finalising Amendment 145, particularly if the CAS has not been adopted by Council by the end of September, 2020. Otherwise landowners are forced to pay a substantially higher contribution rate and therefore tie up much needed funds. Adoption of a lower contribution rate (whether provisional or actual) will assist in making new subdivision stages more financially viable in a difficult market.</p> <p>2. There is no objection to the dispersed model as it would be expected that Wellard East residents will utilise local sporting grounds (LSGs) in other cells, given there is no LSG in the cell. However, the costings for the district sporting ground (ie. district hard courts) have increased significantly since 2015 (ie. 40%). The cost breakdown for this infrastructure item shows that Council's cost for the tennis and netball courts is almost triple the QS cost (ie. \$3,123,725 compared to \$1,266,000, respectively). What is the reason for the significant difference?</p> <p>3. Also, the cost breakdown for the district sporting ground includes just over \$1 million in contingencies. It is understood that most of the costs are based on concept plans and therefore they are only estimates, however contingencies for all infrastructure should be refunded to landowners if they are found to be excessive post construction.</p> <p>4. One further query - is the interest received shown on the draft CAS for both actual and provisional contributions?</p>	<p>4. It would be fair to assume the draft rate noted at the community consultation session will not change significantly until it is adopted by Council post-gazettal of Amendment 145. There may be minor changes to the rate if, for example, additional lots were to be created prior to Council's adoption of the CAS and depending on whether the dispersed or 'original' model of infrastructure cost contribution apportionment is determined by Council at the May Council Meeting. Any changes to lot projections are generally picked up annually at the cost apportionment review.</p> <p>5. This would be a fair assumption. The DPLH and/or Minister may have additional queries or make additional requests of the City which may prolong the process, generally in the region of September this year would be a fairly good estimate.</p> <p>6. The figure of \$561,796 does not include Sunrise Estate, but is instead from lots created during the period when Amendment 115 had been gazetted and prior to 'seriously entertained' Amendment 145 being in effect.</p> <p>7. Yes, this amount is distributed evenly over the whole cell in accordance with the provisions of draft State Planning Policy 3.6 (2019).</p> <p>8. These were sent as requested. <i>(NB: the QS costings were subsequently forwarded to all landowners/developer/consultants within DCAs 8-13).</i></p> <p>-----</p> <p>1. The City acknowledges this matter and the City had considered utilising the draft costings as the basis for provisional DCA costings upon dwelling/lot creation until such time as Council adopts the CAS following gazettal of Amendment 145. However, given the need to further review specifications and costings, City Officers have considered it is not appropriate at this time to base the provisional costings on the draft 2020 costings, as they currently stand, as they may be higher than the resultant costings of the revised draft CAS. Although these would be provisional costings (and would be reconciled to the CAS following Council adoption), this would result in short-term inequity for landowners and developers who would potentially pay a higher costing at a time when both the economy and market are in somewhat of a low point, the earlier being more so affected by COVID-19.</p> <p>2. The difference in the District Hard Courts costings can be explained by the costing of court pole and flood lighting. The QS costings given by the Quantity Surveyor included minimal hard-court lighting that was for day use only. The \$1.8 million additional cost is for night lighting to the hard courts at minimum 100 Lux.</p> <p>3. The contingency rates used are fairly standard rates and in fact the recent original QS costing suggested a contingency for design and construction of 10% each, whereas the City's revised draft costings include design and construction contingency rates of 5% and 10%.</p>
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				<p>As per standard practice for DCPs, if there is an excess of funds remaining in the respective DCP account at the end of the DCPs operational timeframe (or if all works have been completed within the respective DCA/s and the respective DCA/s have been developed), then the City must follow due process to seek to return the excess funds to those landowners who paid the relevant cost contribution to the respective DCA.</p> <p>4. The City transfers all provisional contributions to the Reserve account.</p> <p>The interest shown is that earned on all contributions received. The City invests the monies in a term deposits and at maturity, reconciles what should be held in Reserve and reinvests with any interest earned included.</p>
5.	Kris Tilaka (Qube) – acting on behalf of the landowners for Apsley Estate	General support	<p>The comments below have been made considering the...objectives of (SPP 3.6) for the funding and delivery of infrastructure, and applicability to DCA 8.</p> <p>2018 Review of CIP/DCA 8</p> <p>Ensuring reasonable cost</p> <p>In 2015, the cost contribution per dwelling for DCA 8 was \$7,043 per dwelling. At this time, there was no guidance regarding the expectations of limiting community infrastructure costs, however, there is now opportunity to consider whether the items sought to be funded by landowners in Mandogalup are reasonable.</p> <p>The originally proposed contribution of \$7,043 per dwelling is significantly higher than the proposed capped cost of community infrastructure of \$3,500 as advertised in the 2018 Draft SPP 3.6. While this amount has not yet been confirmed, there is commitment to ensuring that liabilities relate to a reasonable proportion of the overall cost of a lot.</p> <p>In the preparation of their city-wide Community Infrastructure Contribution Plan, the City of Cockburn consulted with UDIA regarding what would be considered a reasonable proportion of lot price that could be accommodated without significantly impacting affordability.</p> <p>A guide of 1-1.5% of the completed lot price was considered tolerable. Notwithstanding the current cost per dwelling is double that proposed under the revised Draft SPP 3.6, using a percentage of 1.5% against the average lot (land) price in Mandogalup (\$248,500), this equates to a contribution of \$3,727 per dwelling. The current cost contribution is 5.1%, significantly above that considered reasonable.</p> <p>The recently reviewed CIP proposes that the per dwelling cost for DCA 8 be further increased to \$7,644 per lot to cater to increased costs from changing standards and specifications, and the use of the dispersed model to provide additional community infrastructure facilities to support local sporting grounds, as the assembling of the required 18ha District Sporting site was prohibitive.</p>	<p>Ensuring reasonable cost</p> <p>The City notes the matter of ensuring reasonable costs and City Officers have commenced a further review of all community infrastructure items and are seeking to refine the specifications underpinning the costings of a number of these in the context of DCP cost apportionment, whilst generally adhering to the community infrastructure standards adopted by Council as part of the CIP 2018. This review will occur in the period prior to the Council's future adoption of the CAS, such that the reviewed and refined costs can be reflected in the CAS.</p> <p>Further, as noted in previous responses above, the City has reviewed all submissions and has itself considered the broader dispersed model of cost apportionment and will be recommending to Council that each DCA contribute only to its own local community infrastructure facilities, with the exception of DCA11, which will also proportionately contribute towards the Local Sporting Ground with Small Facility Building in DCA11. The draft CAS has been revised to reflect.</p> <p>With respect to the 'cap' on infrastructure first mooted in the draft SPP 3.6 in 2019, the application of the cap and the cap figure is yet to be determined. The City will await the finalised SPP 3.6 document to inform it in future reviews.</p> <p>Application of the 'Dispersed Model'</p> <p>Noted and agreed. The City has reviewed all submissions and has itself considered the broader dispersed model of cost apportionment. Are recommending to Council that each DCA contribute only to its own local community infrastructure facilities, with the exception of DCA11, which will also proportionately contribute towards the Local Sporting Ground with Small Facility Building in DCA11.</p> <p>Lifespan</p> <p>Noted, however it must also be noted that Amendment 145 was adopted for final approval by Council and forwarded to the WAPC in late January 2019, six months before the draft SPP 3.6 was released in July 2019. The proposed</p>

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			<p>The CIP should be reviewed to assess whether the principle of equity is being upheld for the residents of Mandogalup. When DCA 8 was originally gazetted, facilities were originally proposed that benefited future residents. However, the CIP has proposed to re-distribute community facilities to other District cells, resulting in reduced benefit to DCA 8.</p> <p>The proposed capped costs under Draft SPP 3.6 of \$3,500 is proposed to provide certainty to the broader community and stakeholders regarding potential liabilities, and also ensure that new or upgraded community facilities are being delivered by a combination of methods including local government rates or other funding sources.</p> <p><i>Recommendation:</i></p> <p>Notwithstanding that an amount of \$7,043 per dwelling was previously required (CIP 2015), this should be urgently reviewed. With the exception of sub-regional infrastructure, none of the local or district facilities attributed to DCA 8 have been constructed, and there is now opportunity for the City to review the impact of the proposed contribution for each landowner, assess whether they meet the test of reasonableness, and consider all opportunities to reduce the impact of housing affordability.</p> <p>A cost contribution in excess of \$7,000 per dwelling for community infrastructure is one of the highest in the metropolitan area, and these residents, due to their location at the northern end of the growth area, receive the least benefit. The CIP must be reviewed to assess whether the principle of equity is being upheld for the residents of Mandogalup.</p> <p>Application of the 'Dispersed Model'</p> <p>The CIP was initially prepared in 2009, mainly to justify the introduction of development contribution plans into the town planning framework, whereby developers would make a financial contribution towards the provision of future community infrastructure for the growing population. Community infrastructure such as the William Bertram Community Centre (below), the Zone Youth Space, the Darius Wells Library and Resource Centre and Wells Beach foreshore upgrade have been partially funded by this mechanism.</p> <p>The CIP was reviewed in 2015, and again in 2018, having regard for change in population, and population distribution, and has proposed the use of a 'dispersed model' for provision of infrastructure. The 'dispersed model' has been proposed as the City was unable to secure adequate land area for specific District Facilities (18 hectares in District reduced to 3 hectares), and has instead proposed to upgrade Local Facilities in District B.</p> <p>The application of the use of the dispersed model for DCA 8 is inequitable and fails to establish nexus for future residents in Mandogalup. Mandogalup is identified as being located in District A, which includes DCA 8 and DCA 9. In addition to Local Facilities, Mandogalup contributes to a number of District Facilities, including a Library, a Recreation Centre, a District Youth Centre (all in DCA 9), in addition to sub regional facilities.</p>	<p>timeframe of 15 years was discussed with and noted by Officers from the Department of Planning, Lands and Heritage at the time.</p> <p>Should the WAPC and ultimately the Minister determine that the current proposed timeframe is inappropriate, then the City will follow that through the process.</p> <p>Changes to Community Infrastructure Standards/ Increase in infrastructure costs</p> <p>Noted. The City's community infrastructure standards were reviewed as part of the CIP review by an external consultant and City Community Services Officers, and have been adopted by Council. The next review of the CIP would generally coincide with the requisite major (5-yearly) review of the DCP, but may occur sooner if contextual circumstances change (for example, land is rezoned Urban etc).</p> <p>The size of items such as local sporting grounds is largely determined during the Local Structure Planning stage and in a number of cases, these facilities (the land component of which is contributed to via 'hard' or civil infrastructure contributions) have already been/will shortly be constructed or planning approval granted, and as such the CIP 2018 standards would practically only apply to new development areas, where Local Structure Planning has not yet occurred.</p> <p>Delivery of Infrastructure – Priorities and Timing</p> <p>Noted. The City reviewed submissions following the public advertising period of Amendment 145 and a position on this matter has already been determined by Council in January 2019, when it adopted Amendment 145 prior to forwarding to the WAPC for final approval.</p> <p>In this regard, and as noted in the January 2019 Council Meeting Minutes, priorities and timing, the proposed change in the delivery timeframe from 50% of the projected population being reached to 75% is due primarily to a number of infrastructure items being 'triggered' within a relatively short period of time and the impact that this would place on the City's borrowing capacity and ability to deliver the infrastructure. The delivery of community infrastructure needs to be planned in consideration of the City's other long term financial objectives and whilst it is certainly desirable to deliver the infrastructure earlier rather than later, such expenditure needs a responsible and considered approach.</p> <p>Residents of the communities will still benefit from the infrastructure however it will be at a time that is financially responsible for the City to deliver it.</p> <p>Under the current LPS2 provisions, Council has the ability to bring forward community infrastructure expenditure where necessary. In fact, the City is recommending that the combined Local Community Centre / Local Sporting Pavilion at Wellard West (DCA12) be brought forward for site specific reasons.</p> <p>While the 75% 'trigger' point for the delivery of infrastructure was considered to be appropriate by City Officers following advertising of the Amendment in 2015, subsequent reviews of this trigger in the context of submissions received have resulted in a more comprehensive and rigorous approach being applied to the provision of community infrastructure, as follows:</p>
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		<p>The recommended accessibility catchment provided in the proposed SPP 3.6 Guidelines for District Facilities is approximately 2km. While it is reasonable to request contribution to District Facilities in this area, the upgrading of multiple Local facilities in District B (located well over 2km from currently developing areas of DCA 8) is inequitable and the suggestion that residents in DCA 8 will benefit from these is blatantly flawed, and should be removed as an item of infrastructure for DCA 8.</p> <p>Further, it is inequitable for residents in DCA 8 to be paying the highest contribution yet getting the least benefit from it.</p> <p><i>Recommendation:</i></p> <p>On the basis that 15 of the 18 hectare land area required for the District Sporting Ground in District B was unable to be secured, and the City has adopted the Dispersed Model to accommodate this, resulting in a 45% increase is attributed to the upgrade of the Local Facilities. DCA 8 should not be paying for facilities delivered at Local Sports Grounds in District B under the dispersed model, and is considered inconsistent with the principle of equity, given the distance to the upgraded Local Facilities, and limited benefit to residence in Mandogolup, and should be removed from DCA8.</p> <p>Lifespan</p> <p>The Revised SPP 3.6 states that “For DCP’s in a greenfield development setting lifespan should be linked to completion of development or subdivision, and a maximum lifespan of 10 years applies. A lifespan of longer than 10 years for DCAs in Greenfield settings will only be considered in limited circumstances, if justification for such a timeframe can be demonstrated and linked to a capital works and staging programme, and subject to the principle of equity being upheld.”</p> <p>DCA 8 was gazetted in 2012 with a lifespan of 20 years from 2011-2031. While the recent review of SPP 3.6 has reiterated that a lifespan of 10 years should be observed, the draft Transitional Provisions state that:</p> <p>“Existing Development Contribution Plans will continue to remain valid for the lifespan of the DCA, however, all DCA’s regardless of the approval dates when it was approved, shall adhere to all operational, monitoring and reporting requirements of the LPS Regulations and SPP 3.6.”</p> <p>It is unlikely that the lifespan for this DCA will be changed, and in any case, the end date of 2031 is now only 11 years away. The timeframe for delivery of local infrastructure for Mandogalup is scheduled for 2025, and 2027 (Local Facilities – refer Table 12 of the CIP), however the District Facilities are not scheduled until 2028 and 2030.</p> <p>Notwithstanding, no further extension of the timeframe of the DCA should be considered in order to uphold the principles of certainty and equity.</p> <p><i>Recommendation:</i></p> <p>DCA’s should be limited in their lifespan to ensure that residents that contribute to the infrastructure also receive the benefit from the delivery of</p>	<ul style="list-style-type: none"> - The planning and design of local, district and sub-regional level community facilities will generally occur two years prior to the estimated population catchment reaching 5,000, 20,000 – 40,000 and 75,000 people, respectively, with provision occurring when the population has reached 5,000, 20,000 – 40,000 or 75,000. - The anticipated level of Developer Contributions funds collected (this is tied to the rate of development in an area). - The proximity and capacity of any existing local community facilities within and outside the relevant DCA. - Maximising opportunities for the co-location and joint provision of local community facilities. - The location and timing of new district and sub-regional level community facilities. - The City of Kwinana’s organisational capacity to plan, manage and operate existing and new community facilities. While the organisational capacity to operate community facilities is not something that falls within the scope of development contributions, the broader consideration of the City to act in a financially responsible manner vis a vis expenditure of funds on community facilities is a matter that requires balanced consideration. <p>The provision of each community facility is further identified within the City’s Capital Expenditure Plan within its publicly available Long Term Financial Plan (LTFP).</p>
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			<p>the infrastructure. Subsequently, there should be no further extension to the lifespan of the DCA 8 beyond 2031.</p> <p>Changes to Community Infrastructure Standards/ Increase in infrastructure costs</p> <p>The 2015 review of the CIP was undertaken as a result of the extent and distribution of population across the city, and changing trends in the design and way community facilities are provided, resulting in changes in the number of community facilities and the land and building area required.</p> <p>2015 review resulted in the following:</p> <ul style="list-style-type: none"> • Local Community Centres amended from 0.3 - 0.5 hectares • Local Sporting Grounds (with Pavilions) amended from 4.0 hectares to 7.2 hectares (based on a template concept plan prepared by City of Kwinana aimed at future proofing local sports grounds). • Reclassification of 'Local Sports Grounds (without Pavilion) from 3.0ha to either 'Local Sports Grounds (with Facility A Building)' or 'Local Sports Grounds (with Facility B Building)' and increased to 4.6 hectares, and in 2018 was revised to 'Local Sports Grounds (with Clubroom)'. <p>The CIP 2015 resulted in the size of the site area for Local Sports Grounds being increased. The feedback from developers was that the area was excessive. As a result, the required area for sporting grounds and active open space was reviewed, but not changed.</p> <p>The City has used the Curtin University's Centre for Sport and Recreation and Department for Urban and Regional Planning on the provision of Active Open Space (Playing Fields) Guidelines to determine the required amount of active open space, indicating that 6.5m² per person of active open space (playing fields) is required – and this is doubled to allow for supporting infrastructure.</p> <p>Based on a ratio of 1:5000 – this would result in an undersupply of 9.8 hectares in sports fields in District B – or 6.8 hectares if the 3-ha area is taken into account. Using the same guidelines, District A has an oversupply of 3.1 hectares – as a result it was determined that this amount was not excessive.</p> <p>This further supports the contention that DCA 8 should not be further contributing to Local Facilities under the dispersed model. Given the oversupply of Local Facilities in District A, there should be no contribution to Local Facilities in District B, on the basis that the City has not been able to secure adequate land area for District Facilities.</p> <p>Increased costs have also occurred arising from changes in standards for Branch Libraries. The new standard now requires additional floor space on the basis of the multi-functional uses that libraries are accommodating. It is recommended that further advice is sought as to whether the change</p>	
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			<p>in recommendation from the State Library Services regarding the size of a library is warranted.</p> <p>It could be argued that the City should be absorbing the cost of 'increased standards' over and above the basic needs, given that the 2012 DCA had anticipated funding for a significantly smaller library facility. The Guidelines states that "It is at the discretion of the relevant government agency to deliver infrastructure facilities to a higher standard than that necessary to meet basic needs, however the gap between the basic and higher delivery costs would need to be met by the relevant agency, and may not be included as a development contribution requirement."</p> <p><i>Recommendation:</i></p> <p>That an assessment of the proposed changes to standards be undertaken to assess whether these standards are above and beyond the basic needs of a community. If the standards are over and above what is required as a basic need, the City should be funding this gap. Alternatively, the City could review whether these additional uses can be accommodated within existing or other proposed infrastructure already being delivered through DCA's.</p> <p>Delivery of Infrastructure – Priorities and Timing</p> <p>The Draft SPP 3.6 includes clear direction regarding the delivery of infrastructure to align with set priorities. Identification of infrastructure as a contribution item in a gazetted DCA implies an agreement by local government to deliver that infrastructure and should align with the local government's long- term financial plan.</p> <p>While it is acknowledged that some level of flexibility in delivery timeframes is a realistic requirement, it is important that local government adheres to the estimated delivery timeframes for infrastructure for which development contributions have been made to ensure that the principles of equity and accountability are upheld.</p> <p>The 2009 CIP indicated that infrastructure items would be delivered when 50% of the anticipated 2031 population. The 2015 review of the CIP found this timeline was not being achieved, largely because of insufficient funds in DCA's when it reached 50%, requiring the City to pre-fund half of the CIP items through borrowings, which has proved unviable for the City. Subsequently, in 2015, the City revised the trigger to deliver infrastructure to 75%, to enable a greater proportion to be collected, and to reduce borrowing costs and liabilities for the City.</p> <p>The inclusion of clear priorities and timing regarding the delivery of infrastructure should be included in the Scheme, and it is questioned whether an increase to 75% of the 2031 population provides the level of certainty that a DCA should provide in the delivery of infrastructure.</p> <p>It is recommended that the City review the timing and priorities in the CIP, in particular the delivery of District infrastructure. An example of this is the timing for the Branch Library. This facility is one of the highest costs in the DCA and should be delivered when the District Centre is being developed – anticipated to be at a much later time.</p>	
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			<p>The timing for reaching 75% of the 2031 population is anticipated to be well beyond 2031, and priorities should be re-assessed to ensure delivery of Local Facilities as a priority, and retain the trigger of 50% of the 2031 population to ensure there is a level of certainty in the delivery of essential and basic infrastructure within agreed timeframes.</p> <p>There may opportunities to use Local Facilities on a temporary basis (i.e. small pop up library's etc). The timing of construction of District Facilities such as the Branch Library should align with construction of the District Centre (later stages of development), and the funds are available to deliver the larger and more expensive District Facilities.</p> <p><i>Recommendation:</i></p> <p>The City review the timing and priorities in the CIP, in particular the delivery of District infrastructure, and ensure the Local Facilities are prioritised and align with the rate of growth.</p> <p>A trigger of 50% of the 2031 population should be maintained to ensure there is certainty for the community and landowners.</p> <p>SUMMARY</p> <p>In summary, there is opportunity for the City to review the priority, timing, and necessity of the proposed community infrastructure, and particularly consider whether the expectations of what is being funded by landowners, and ultimately residents, meet the principles of SPP 3.6.</p> <p>A cost contribution in excess of \$7,000 per dwelling (well beyond the proposed \$3,500 cap proposed in the Draft Policy) for community infrastructure is one of the highest in the metropolitan area, and these residents, due to their location at the northern end of the growth area, receive the least benefit. The CIP should be reviewed to assess whether the principle of equity is being upheld for the residents of Mandogalup.</p> <p>Every effort should be made to, where possible, to ensure that the cost contributions do not negatively impact on housing affordability and ensure that the items proposed are not in excess of what is required by 2031. It is inequitable for residents in DCA 8 to be paying the highest contribution yet getting the least benefit from it.</p>	
6.	Rachel Chapman (TBB) – acting on behalf of LWP Properties Pty Ltd	General support of dispersed model, but not supportive of overall cost estimates	<p>The purpose of this submission is to request the City pursue the 'dispersed model' as opposed to the advertised model, to ensure a more equitable spread of costs is achieved between the DCAs, in accordance with the principles in State Planning Policy 3.6 – Development Contributions for Infrastructure. It is also requested that the City retain the costs as per the 2015 advertised CAS, given the increased costs have not been sufficiently justified. In this regard, this submission specifically outlines where increased costs are not supported, and requests additional information from the City.</p> <p>Dispersed Model</p> <p>The dispersed model shares the cost of three Local Sporting Grounds located within DCAs 9 and 10, amongst DCAs 8-13. Given the Local Sporting Grounds will be utilised by residents in DCAs 8-13, it is</p>	<p>Dispersed Model</p> <p>Noted. However, the City has reviewed all submissions and has itself considered the broader dispersed model of cost apportionment and will be recommending to Council that each DCA contribute only to its own local community infrastructure facilities, with the exception of DCA11, which will also proportionately contribute towards the Local Sporting Ground with Small Facility Building in DCA11.</p> <p>Cost Increases</p> <p>City Officers have commenced a further review of all community infrastructure items and are seeking to refine the specifications underpinning the costings of a number of these in the context of DCP cost apportionment, whilst generally adhering to the community infrastructure standards adopted by Council as</p>

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		<p>reasonable that the costs of constructing these facilities be also shared by developers (and subsequently purchasers) in DCAs 8-13. As the Local Sporting Grounds are intended to compensate for the lack of the District Level Sporting Ground (which land could not be secured for) it is considered that the Local Sporting Grounds are required to service the same population and function of the District Sporting Ground, being infrastructure intended to service a population in the order of 25,000 to 35,000 people with an indicative catchment of 6kms.</p> <p>As identified in the City's CIP, the need for the additional Local Sporting Grounds is further demonstrated by the undersupply of sporting grounds for District B. As such, due to the lack of District Level Sporting Ground and undersupply of sporting grounds within District B, it is expected users within the wider catchment of DCAs 8-13 will utilise the Local Sporting Grounds proposed in DCAs 9 and 10, and therefore should contribute to the cost of these grounds.</p> <p>Cost Increases</p> <p>Regardless of the cost apportionment model options, the amended Cost Apportionment Schedule incorporates significant increases in costs for infrastructure items without sufficient justification for the cost increases. Accordingly, we cannot support these increases and, in absence of justification, request the City retain the costs as per the 2015 advertised CAS.</p> <p>The costs which are of particular concern relate to the following infrastructure items:</p> <p>1. Sub-Regional Sporting Ground (Thomas Oval/Kelly Park Extension/Upgrade)</p> <p>The estimated cost of this item has increased by \$579,428 (38.42%) since 2015. The cost increase is attributed to changes including minor structural cost increases, as well as preliminaries, contingencies and fees/overheads. It is considered this cost increase is not justified, and it is requested that the City provide further information to justify such a significant cost increase, including a breakdown of the costs estimated in 2015 compared to the 2020 costs.</p> <p>2. District Sporting Ground (serves Districts A&B) to be located within District B (Hard Courts)</p> <p>The estimated cost of this item has increased by \$2,836,603 (40.32%) since 2015, with the costs attributed to an increase in contingencies and overheads. It is considered this cost increase is not justified and the City should provide further information to justify such a significant cost increase, including a breakdown of the costs estimated in 2015 compared to the 2020 costs.</p> <p>3. Branch Library (serves Districts A&B) to be located within District A</p> <p>The cost of this item has increased by \$3,134,271 (49.13%) since 2015, with the costs attributed to a larger building size, preliminaries, carparking, contingency, fees and overheads. A detailed explanation is requested to</p>	<p>part of the CIP 2018. This review will occur in the period prior to the Council's future adoption of the Cost Apportionment Schedule, such that the reviewed and refined costs can be reflected in the CAS.</p> <p>1. Sub-Regional Sporting Ground (Thomas Oval/Kelly Park Extension/Upgrade)</p> <p>The key difference between the 2015 costing and the current 2020 costing is the size of the building – 339m² in 2015 vs 695m² in 2020. This difference accounts for just over \$423,000. This will be analysed as part of the aforementioned review.</p> <p>2. District Sporting Ground (serves Districts A&B) to be located within District B (Hard Courts)</p> <p>The difference in the District Hard Courts costings can be explained to a significant degree by the costing of court pole and flood lighting. The QS costings given by the Quantity Surveyor included minimal hard-court lighting that was for day use only. The \$1.8 million additional cost is for night lighting to the hard courts at minimum 100 Lux. This will be analysed as part of the aforementioned review.</p> <p>3. Branch Library (serves Districts A&B) to be located within District A</p> <p>The key difference between the 2015 costing and the current 2020 costing is the size of the building – 1,650m² in 2015 vs 2,400m² in 2020 – and the subsequent car parking required, preliminaries, margins and contingencies. This will be analysed as part of the aforementioned review.</p> <p>4. Local Sporting Ground with Clubroom (DCA 10) (Casuarina Highschool)</p> <p>The key difference between the 2015 costing and the current 2020 costing is the car parking required as per the adopted Standards, preliminaries, margins and contingencies. This will be analysed as part of the aforementioned review.</p> <p>5. District Youth Centre (District B)</p> <p>The key difference between the 2015 costing and the current 2020 costing is the size of the building – 1,630m² in 2015 vs 1,830m² in 2020 – and the subsequent car parking required, preliminaries, margins and contingencies. This will be analysed as part of the aforementioned review.</p> <p>6. Local Sporting Ground with Small Facility Building (Treeby Road), Local Sporting Ground with Small Facility Building (Wandi Highschool) & Local Sporting Ground with Small Facility Building (Casuarina Primary School)</p> <p>The size of the building – 135m² for a Facility Building A and 180m² for a Facility Building B in 2015 vs 180m² in 2020 – does not make any significant difference on the costing. The key difference between the 2015 costing and the current 2020 costing however is the subsequent car parking required, preliminaries, margins and contingencies. This will be analysed as part of the aforementioned review.</p> <p>7. Administration Costs (Actual + Estimated) (Borrowing Costs included in Infrastructure Item)</p>
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		<p>justify the increase in building size and carparking, and the need for this to occur. The City's Cost Comparison identified the library has a building size of 2,400m² (consistent with the requirements of the CIP), however it does not identify the building size previously estimated for the library for the 2015 advertised costs, and therefore it is not possible to rationalise the cost increase related to the building size.</p> <p>The CIP identifies a minimum of 120 car parking bays are required for District Branch Libraries, however, the City's Cost Comparison does not specify how many bays are accounted for in the 'Carpark and Pavement' cost. It is therefore unknown if an overprovision of parking has been accounted for, and if an appropriate cost per bay has been costed.</p> <p>It is therefore requested that the City provide further information to justify such a significant cost increase, including a breakdown of the costs estimated in 2015 compared to the 2020 costs, and the associated assumptions such as number of carparking bays and building size.</p> <p>4. Local Sporting Ground with Clubroom (DCA 10) (Casuarina Highschool)</p> <p>The estimated cost of this item has increased by \$279,002 (12.98%) since 2015, with costs attributed to allowance for tennis courts, cricket nets, car parking and a larger building size. Once again, justification is required for the larger building size, as well as additional car parking, and an understanding of the why these have changed from the previous assumptions used to inform the 2015 cost estimate.</p> <p>The City's Cost Comparison identifies the Clubroom Building is 650m², (in accordance with the requirements of the CIP), however it does not identify the size previously assumed for the building which informed the 2015 advertised costs, and therefore it is not possible to rationalise the cost increase related to the building size.</p> <p>The City's Cost Comparison does not specify how many parking bays are accounted for in the 'Carpark and Pavement' cost, and it is therefore unknown if a minimum amount or an overprovision of bays has been accounted for, and if an appropriate cost per bay has been costed.</p> <p>It is therefore requested that the City provide further information to justify such a significant cost increase, including a breakdown of the costs estimated in 2015 compared to the 2020 costs, and the associated assumptions such as number of carparking bays and building size.</p> <p>5. District Youth Centre (District B)</p> <p>The estimated cost of this item has increased by \$481,490 (7.67%) since 2015, with costs attributed to an increase in external wall, mechanical services, external play equipment, construction contingency and overheads.</p> <p>The City's Cost Comparison identifies the building is 1,830m², as required by the CIP, however there are no details as to the increase in external wall size and why this is required.</p>	<p>City Officers have discussed the matter of Administration Costs in the preparation of the draft CAS and, in line with both the gazetted 2009 and more recently the draft 2019 State Planning Policy 3.6, which states:</p> <p><i>"The determination of infrastructure costs and administrative costs is to be based on amounts expended, but when expenditure has not occurred, it is to be based on the best and latest estimated costs available to the local government and adjusted accordingly, if necessary. Where a cost apportionment schedule contains estimated costs, such estimated costs are to be prepared and reviewed at least annually by the local government."</i></p> <p>Further,</p> <p><i>"The inclusion of a management fee as an administration cost should not be applied on a percentage basis of overall cost of the DCP, and should directly relate to the real labour costs of administering the DCP and DCF."</i></p> <p>The current draft CAS identifies the admin cost at approximately 3.4%. But this will be reviewed annually and adjusted based on actuals and estimates. The make-up of the admin cost is based on actuals and also estimates for administration of the DCP for the year ahead.</p> <p>Please note that a % of admin costs was not included in the previously advertised (2015) or the Council adopted (2019) proposed Scheme text. The 2% being referred to was noted on the draft DCP report for public comment that was advertised in 2015 with all the Amd 145 documents.</p>
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SCHEDULE OF SUBMISSIONS

Community consultation – DCAs 8-13 – Dispersed Model of Cost Contribution Apportionment
Consultation and submission period 9 March 2020 – 3 April 2020

			<p>It is therefore requested that the City provide further information to justify such the cost increase, including a breakdown of the costs estimated in 2015 compared to the 2020 costs, and the associated assumptions.</p> <p>6. Local Sporting Ground with Small Facility Building (Treeby Road), Local Sporting Ground with Small Facility Building (Wandi Highschool) & Local Sporting Ground with Small Facility Building (Casuarina Primary School)</p> <p>The estimated cost of each of these Local Sporting Grounds has increased by \$333,051 (45.37%) since 2015, with costs attributed to contingencies and preliminaries, carparking and external play equipment/stations. It is considered this cost increase is not justified and the City is requested to provide further information to justify such a significant cost increase, including a breakdown of the costs estimated in 2015 compared to the 2020 costs.</p> <p>The City's Cost Comparison identifies the Small Facility Building is 180m², (in accordance with the requirements of the CIP), however it does not identify the size previously assumed for the building which informed the 2015 advertised costs, and therefore it is not possible to rationalise the cost increase related to the building size.</p> <p>The City's Cost Comparison does not specify how many carparking bays are accounted for in the 'Carpark and Pavement' cost, and it is therefore unknown if a minimum requirement or an overprovision of bays has been accounted for, and if an appropriate cost per bay has been costed.</p> <p>It is therefore requested that the City provide further information to justify the cost increase, including a breakdown of the costs estimated in 2015 compared to the 2020 costs, and the associated assumptions.</p> <p>7. Administration Costs (Actual + Estimated) (Borrowing Costs included in Infrastructure Item)</p> <p>The administration costs have increased by \$476,088 (13.28%), with no explanation of the increased cost estimate, or the breakdown of how this cost has been calculated. It is requested that a detailed breakdown of the administration costs be provided and justified</p> <p>We would also like to acknowledge we support the revisions to the costings to remove the overlap between the hard and soft infrastructure costs, which is a suitable response by the City.</p> <p>In conclusion, this submission is supportive of the 'dispersed model' as opposed to the advertised model, to ensure a more equitable spread of costs is achieved across the DCAs. However, regardless of the cost apportionment model, the overall increase in cost estimates for infrastructure items are not supported as they have not been justified. Further information is requested from the City to understand the reason for the cost increases, to determine if any or all of these are reasonable.</p>	
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SCHEDULE V - DEVELOPMENT CONTRIBUTION PLANS (Cont'd)

AMO 115GG 19/01/12	DEVELOPMENT CONTRIBUTION PLAN 8
Area Name:	Mandogalup-Community Infrastructure
Map reference on scheme map	DCA8
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 8 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District A Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) - to be located within District B - District Youth Centre (serves District A) – to be located within DCA9 - Dry Recreation Centre (serves Districts A and B) - to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Small Facility Building <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the Development Contribution Plan and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).

Cost Contribution Methodology:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	<p>The Development Contribution Plan shall operate for a period of 15 years from the date of gazettal of Amendment 145.</p>
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 8 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 9
Area Name:	Wandi / Anketell – Community Infrastructure
Map reference on scheme map	DCA9
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 9 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District A Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) - to be located within District B - District Youth Centre(serves District A) – to be located within DCA9 - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre (Large Scale) - Two Local Sporting Grounds with Small Facility Buildings (Wandi High School and Treeby Road) <p>Local Sporting Ground with Clubroom</p> <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the Development Contribution Plan and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> - Legal and accounting fees; - Community infrastructure design costs allocated to specific items under the DCP; - Other directly related technical and professional costs; - Borrowing costs on all outstanding contribution credits; and - DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).

Method for calculating contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The Development Contribution Plan shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 9 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 10
Area Name:	Casuarina / Anketell Community Infrastructure
Map reference on scheme map	DCA10
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 10 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Small Facility Building (Casuarina Primary School) <p>Local Sporting Ground with Clubroom</p> <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the Development Contribution Plan and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).

Cost Contribution Methodology:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The Development Contribution Plan shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 10 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 11
Area Name:	Wellard (East) Community Infrastructure
Map reference on scheme map	DCA11
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 11 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Sporting Ground with Small Facility Building (Casuarina Primary School) <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the Development Contribution Plan and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).

Cost Contribution Methodology:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The Development Contribution Plan shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 11 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 12
Area Name:	Wellard (West) Community Infrastructure
Map reference on scheme map:	DCA12
Relationship to other planning	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administration Items to be funded:	<p>Land developers within DCA 12 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Sporting Ground with Clubroom/Community Centre <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the Development Contribution Plan and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.

Period of Operation:	The Development Contribution Plan shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 12 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 13
Area Name:	Bertram – Community Infrastructure
Map reference on scheme map:	DCA13
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 13 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Small Facility Building <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the Development Contribution Plan and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.

Period of Operation:	The Development Contribution Plan shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 13 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 14
Area Name:	Wellard / Leda Community Infrastructure
Map reference to scheme map:	DCA14
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 14 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District C Facilities—</p> <ul style="list-style-type: none"> - District Youth Centre - District C Sporting Ground (Medina Oval Upgrade/Extension) <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Pavilion extension - Local Sporting Ground with Small Facility Building <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the Development Contribution Plan and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The Development Contribution Plan shall operate for a period of 15 years from the date of gazettal of Amendment 145.

Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 14 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 15
Area Name:	Town Centre (Medina, Calista, Orelia, Parmelia) – Community Infrastructure
Map reference in scheme map:	DCA15
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 15 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District C Facilities—</p> <ul style="list-style-type: none"> - District Youth Centre - District C Sporting Ground (Medina Oval Upgrade/Extension) <p>3. Administrative costs including—</p> <p>All expended and estimated future costs associated with administration, planning and development of the Development Contribution Plan and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The Development Contribution Plan shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 15 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>

Review Process:	<p>The plan will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>
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CITY OF KWINANA
LOCAL PLANNING SCHEME NO. 2
AMENDMENT NO. 145

Planning and Development Act 2005

RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

City of Kwinana

Town Planning Scheme No. 2

Amendment No. 145

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

1. Replacing Development Contribution Plans 8 – 15 inclusive from Schedule 5 of Town Planning Scheme No. 2 with the following:

AMO 115GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 8
Area Name:	Mandogalup-Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan .
Infrastructure and Administrative Items to be funded:	<p>Purpose-</p> <p>Land developers within DCA 8 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none">- Community Knowledge and Resource Centre (excluding leasable office space and cafe' component)- Destination Park—Calista- Wells Beach Foreshore Upgrade (Park and Boating facility)- Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District A Facilities—</p> <ul style="list-style-type: none">- District Sporting Ground (serves Districts A and B) - to be located within District B- District Youth Centre- Dry Recreation Centre (serves Districts A and B) - to be located within District A- Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none">- Local Community Centre- Local Sporting Ground with Community Sports Facility Building A <p>4. Administrative costs including—</p> <ul style="list-style-type: none">- costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP)- costs to prepare and review estimates- costs to prepare the 'Cost Apportionment Schedule'- valuation costs
Method for calculating contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none">- demand for a facility that is generated by the current population;- demand created by external usage—the proportion of use drawn from outside of the main catchment area; and- future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.

Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City. The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 9
Area Name:	Wandi / Anketell – Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan .
Infrastructure and Administrative Items to be funded:	<p>Purpose –</p> <p>Land developers within DCA 9 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District A Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) - to be located within District B - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre Large Scale - Local Sporting Ground with Pavilion - Local Sporting Ground with Community Sports Facility Building A - Local Sporting Ground with Community Sports Facility Building B <p>4. Administrative costs including—</p> <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculating contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 10
Area Name:	Casuarina / Anketell Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Purpose –</p> <p>Land developers within DCA 10 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Community Sports Facility Building B <p>4. Administrative costs including—</p> <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculation contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 11
Area Name:	Wellard (East) Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Purpose –</p> <p>Land developers within DCA 11 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre <p>4. Administrative costs including—</p> <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculating contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 12
Area Name:	Wellard (West) Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administration Items to be funded:	<p>Purpose –</p> <p>Land developers within DCA 12 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Sporting Ground with Community Centre / Pavilion <p>4. Administrative costs including—</p> <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculating contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 13
Area Name:	Bertram – Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Purpose –</p> <p>Land developers within DCA 13 shall make contributions towards the following infrastructure items—</p> <ol style="list-style-type: none"> 1. Sub-Regional Facilities— <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) 2. District B Facilities— <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A 3. Local Facilities— <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Community Sports Facility Building A 4. Administrative costs including— <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculating contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 14
Area Name:	Wellard / Leda Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Purpose –</p> <p>Land developers within DCA 14 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District C Facilities—</p> <ul style="list-style-type: none"> - Community Centre (proportionate to Regional Centre) - District Youth Centre - District Sporting Ground (Medina Oval extension/upgrade) <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Pavilion extension - Local Sporting Ground with Community Sports Facility Building A <p>4. Administrative costs including—</p> <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculating contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 15
Area Name:	Town Centre (Medina, Calista, Orelia, Parmelia) – Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Purpose —</p> <p>Land developers within DCA 15 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District C Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - District Youth Centre - District Sporting Ground (Medina Oval extension/upgrade) <p>3. Administrative costs including—</p> <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculation contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

Dated this _____ day of _____ 2015

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Chief Executive Officer

REPORT ON SCHEME AMENDMENT NO. 145

TOWN PLANNING SCHEME NO. 2

CITY OF KWINANA

1.0 SUMMARY

WAPC REF: *to be inserted*

Proposal: To update the Development Contribution Plans for Community Infrastructure in Town Planning Scheme No. 2 (DCPs 8-15) to reflect the revised Community Infrastructure Plan prepared by the City of Kwinana

2.0 BACKGROUND

The City of Kwinana Community Infrastructure Plan 2011 - 2031 (2009 CIP) was prepared in 2009 to guide the provision of community infrastructure necessary to support the growth of the City. The 2009 CIP was prepared in association with Local Planning Scheme No. 2 (LPS2) Amendment No. 115 (Amendment 115), which established a mechanism to partially or wholly fund the community infrastructure items required by the current CIP through the payment of development contributions from land developers.

Amendment 115 was gazetted in June 2012 and the City has been collecting development contributions in accordance with the eight Development Contribution Plans (DCPs) established by that amendment. Some notable community infrastructure items partially funded by these DCPs have recently been constructed, namely the William Bertram Community Centre, the Zone Youth Centre Pavilion, the Darius Wells Knowledge and Resource and Wells Beach Foreshore Upgrade (Stage 1 of 4).

The community infrastructure items contained in the various DCPs under Amendment 115 were based upon the recommendations of the 2009 CIP, which was prepared by community planning consultants, Community Perspectives, in association with City staff (refer to Attachment 1 for the 2009 CIP map). The 2009 CIP analysed current and future growth and population trends within the City, based upon relevant Census data and strategic planning documents such as the Jandakot Structure Plan and the (draft) Eastern Residential Intensification Concept plan (ERIC). Community infrastructure items were recommended at Sub-Regional, District, Local and Neighbourhood levels.

Changes to the planning context

Since the gazettal of Amendment 115 in June 2012 and the preparation of the CIP, there are a number of factors that support a review of the 2009 CIP and associated LPS2 provisions provided by Amendment 115. Furthermore, the LPS2 provides for a review of each DCP within 5 years, however this may be reviewed more frequently if considered necessary by the City.

The following changes to the planning context are discussed as follows.

1. *Amendments to the Metropolitan Region Scheme ('MRS') to facilitate ERIC and the Jandakot Structure Plan*

The population projections of the 2009 CIP were based largely on the draft ERIC plan, which projected development over large areas of former rural land. Since that time, a number of amendments to the MRS to rezone this land to either Urban or Urban Deferred have occurred and therefore the City now has a much clearer picture of the likely development over the next twenty years, particularly within the ERIC plan area and located adjacent to the Kwinana Freeway.

2. *Recent amendments to the MRS within Wellard West*

Since the preparation of the CIP and associated DCPs, significant portions of land within Wellard have been rezoned from Rural to Urban or Urban Deferred by the Western Australian Planning Commission (WAPC) thereby allowing for urban development. These areas were not anticipated for development during the preparation of the 2009 CIP given the constraints on the land. Such land includes:-

- The southern land and small northern portion of land adjoining the Bollard Bulrush wetlands – MRS 1224/27, lifting of Urban Deferred;
- The eastern land adjoining the Bollard Bulrush wetlands – MRS 1296/27, lifting of Urban Deferred;
- The western land adjoining the Bollard Bulrush wetlands – MRS1189/57, rezoning from Rural to Urban Deferred.

These new areas capable of residential development have affected the original dwelling and population projections undertaken during 2009. For example, the population projection to 2031 for Development Contribution Area 12 – Wellard West was 3,080 in 2009, however due to the MRS amendments, this dwelling projection to 2031 was revised to 8,345 in the adopted 2018 CIP as a result of approximately 110 additional hectares of land being made available for residential development.

3. *Reduced residential developable area of the Mandogalup Cell (DCA8)*

The portion of the Mandogalup Cell closest to the Kwinana Freeway was zoned Urban in February 2014, however the area of developable land is significantly less than that originally envisaged by the ERIC plan and the area accounted for in the current CIP. These plans anticipated the decommissioning of ALCOA's residue disposal area and the consequential reduction in the required air quality buffer surrounding these facilities within the short to mid term. However, during the lifting of the urban deferment zone at Mandogalup in early 2016, it became clear that ALCOA's operations in the residue disposal area would continue in the medium term and therefore the urban deferment lifting applied only to land outside of a 1.5km buffer from the disposal area. Until this issue is resolved or at least progressed further, planning for residential development in this area will be based upon the current Urban zoned land only.

The 2009 CIP projected for an ultimate population of 13,331 persons in Mandogalup, however under the current Urban zoning and as per the adopted 2018 CIP, the likely ultimate population is estimated at 5,265 persons (which is projected to occur by 2029). As a result, and in recognition that the ALCOA air quality buffer is unlikely to be significantly reduced/removed (if at all) in the near future (20 years), the projected dwelling yields for Mandogalup have reduced, thereby reducing the demand for a number of community infrastructure items.

4. *Reduced residential developable area of the Wellard East cell (DCA12)*

The current CIP projects a population within DCA12 by 2031 of 4,125 persons (1,468 lots). However this projection was based on the entire area of DCA12 being zoned 'Urban' under the MRS, as was intended by the ERIC plan. Currently, the south-eastern corner of DCA12 is still zoned 'Urban Deferred' as a result of its close proximity to the livestock holding facility on Telephone Lane within the City of Rockingham. There are restrictions on residential land uses within a 1km buffer distance from the holding facility and it is unlikely that this buffer distance or the land use restrictions will be reviewed in the medium to longer term (10-20 years). It should also be noted that the WAPC recently refused a request by landowners in the Livestock Holding buffer area to rezone the land to Urban. As a consequence, the likely yield from DCA12 in the medium future will be approximately 1,249 lots – a population of 3,372 persons.

5. The varied rate of development uptake within the urban development cells

Development within the urban development cells, particularly Wandi, Wellard East and Wellard West, has generally progressed ahead of the forecasts contained in the 2009 CIP, however infill development has not occurred as rapidly as expected within the established areas of Kwinana (primarily District C). The varying rate of development needs to be reflected in a revised CIP as this will impact on the planning and construction dates for each facility. This has been appropriately captured within the adopted 2018 CIP.

Community consultation and updated Scheme Report

This Scheme Report has been updated to include discussion about the community consultation undertaken on the Amendment and whether any modifications are proposed. This discussion has been included as 'Part 6 – Community Consultation and Modifications to Amendment 145'.

3.0 REVISED COMMUNITY INFRASTRUCTURE PLAN

On 24 June 2015, Council resolved to adopt a revised Community Infrastructure Plan 2011-2031 (2015 CIP) and to initiate Amendment 145 to Local Planning Scheme No. 2 (LPS2). The 2015 CIP was a revision of the Community Infrastructure Plan prepared in 2009 (2009 CIP) to address a number of changes in the planning context and the dwelling projections, and Amendment 145 was prepared to align the community infrastructure Development Contribution Plans (DCPs) with the context of the revised 2015 CIP.

Both proposals were advertised between 16 October 2015 and 30 November 2015, though the City accepted submissions until 24 December 2015. A total of 28 written submissions were received. A number of issues were raised that have resulted in the City recommending modifications to the advertised version of the 2015 CIP and Amendment 145. These modifications are discussed at length in the body of this report.

In early 2017, City Officers determined that the 2015 CIP should undergo an additional review to reflect 2016 Census data and to ensure, once updated demographic data had been analysed in the context of community need, that the subsequent recommended community infrastructure provision was appropriate. The reviewed Community Infrastructure Plan 2011-2031 (2018 CIP) process has now been completed and the 2018 CIP was adopted by Council at its 12 December 2018 Ordinary Council Meeting.

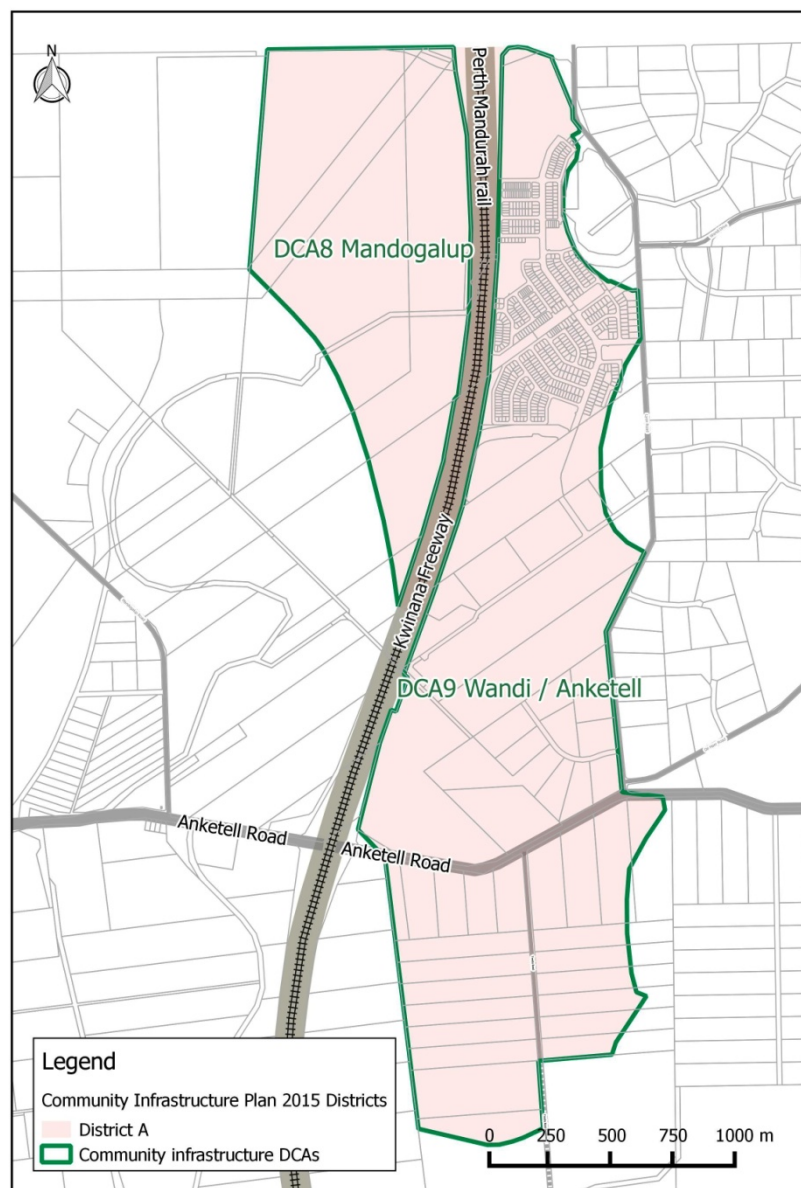
The 2018 CIP incorporates the revised dwelling and projected population discussed above (Refer to Attachment 2 for the updated 2018 CIP map. The adopted 2018 CIP report is available as a separate document). This review has used the same methodology and processes for assessing community need and community provision as it did in 2009 as supported by the WAPC and again in the revised 2015 CIP (as advertised). It also applies to the same twenty year time period, 2011 to 2031 which is established in the City's Local Planning Scheme No.2 and to which this amendment applies (which at this point meets the

build out scenario for the City for community infrastructure). As in 2009 and 2015, the City used Community Perspectives, specialist consultants in this field to assist in this review.

This section of the report highlights the changes between the current 2009 CIP, the revised 2015 CIP and the adopted 2018 CIP for each of the three districts and sub-region.

District A

District A comprises of two development contribution areas – DCA8 – Mandogalup and DCA9 – Wandi / Anketell North (see map below). Development is well advanced in DCA9, particularly in the Wandi areas (eg. Honeywood estate). Development is expected to commence in Mandogalup over the next 6-12 months subject to subdivision approvals.



The changes in the projected population between the 2009 CIP, the revised 2015 CIP and the adopted 2018 CIP are shown in the following table:

Area	2009 CIP - projected population	2015 Draft revised CIP - projected	Adopted 2018 CIP - projected	Change between 2009 and 2018
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	at 2031	population at 2031	population at 2031	
District A	20,723	12,129	13,792	↓ 6,931 (-66.55%)
DCA8 Mandogalup	13,331	3,780	5,265	↓ 8,066 (-39.49%)
DCA9 Wandī / Anketell North	7,392	8,349	8,527	↑ 1,135 (15.35%)

The resultant modifications to the community infrastructure items recommended in the 2009 CIP, revised 2015 CIP (as advertised) and adopted 2018 CIP are discussed as follows:

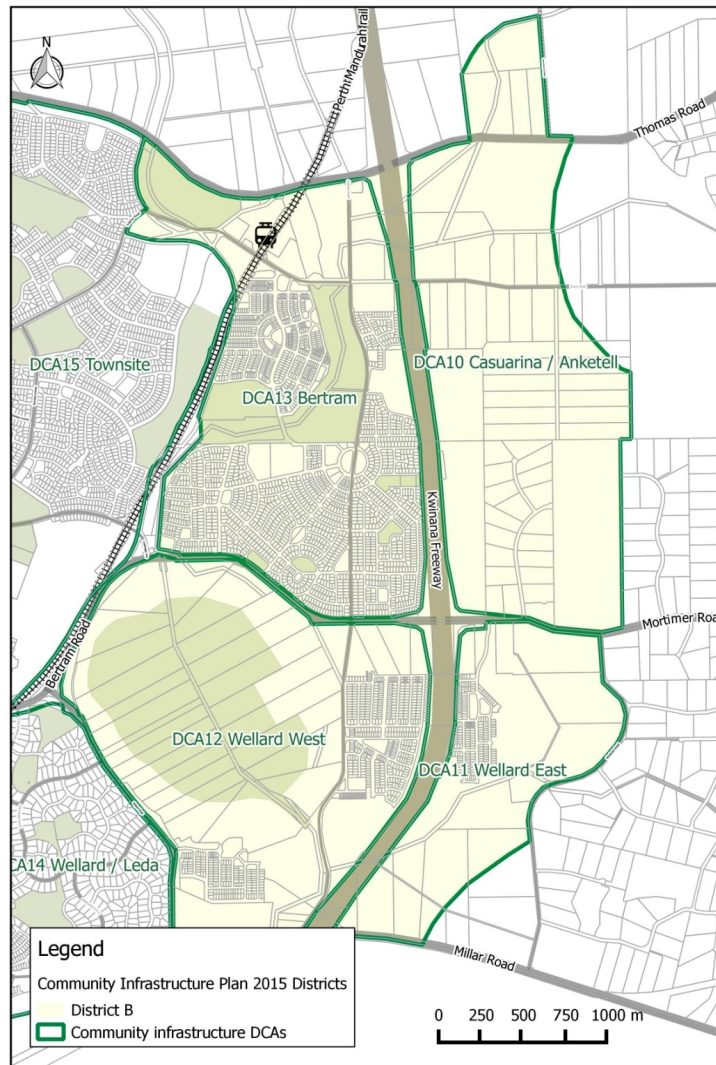
District A: Consists of DCA8 – Mandogalup and DCA9 – Wandī / Anketell			
CIP (2009) item	Revised CIP (2015) item	Adopted CIP (2018) Item	Comment
1 District Sports Ground located within District A – Mandogalup	1 District Sporting Ground that serves Districts A and B	1 District Sporting Ground (serves Districts A and B)	A district level sports ground is required for a population of 25,000 people. Due to the reduction in the projected developable area for the Mandogalup cell, the population projection for District A has reduced to approximately 13,000 people, thereby removing the need for a stand alone facility within District A. However there is still a need for residents within District A to have access to district level sporting facilities, particularly hard courts for tennis, netball and basketball, and a pavilion. It is recommended that a District Sporting Ground that serves both Districts A and B be provided, and that the facility be located within District B. The District Sporting Ground will provide 10-12 multi purpose hard courts for tennis, basketball and netball, as well as a pavilion, parking and landscaping. The likely location of the District Sporting Ground in District B means that residents in District A will be within the 6km catchment of the facility. This facility would be developed in conjunction with an accompanying strategy of shared use of sporting grounds and facilities, particularly grassed playing fields, with the Department of Education within the District. The City already has shared use arrangements for sporting fields in District C (Gilmore College) and similar agreements would be applied to local sporting grounds within Districts A and B.
1 District Community Centre	No District Community Centre	No District Community Centre	A district level community centre is required for a population of 25,000 people. The reduced population projected for District A no longer warrants a stand alone facility and therefore a larger scale local

			community centre is recommended. This is proposed at the Wandii District Centre.
DCA8 Mandogalup - local items:			
2 Local Community Centres	1 Local Community Centre	1 Local Community Centre	Due to the reduced population projected for the Mandogalup cell, there is now only demand for one Local Community Centre to be located within Mandogalup.
1 Local Sports Ground without Pavilion	1 Local Sports Ground with Community Sporting Facility Building A (shared use)	1 Local Sporting Ground with Facility Building (shared use)	It is proposed that a Local Sporting Ground with Facility Building (the same as proposed in the draft 2015 CIP, but a change in name only) be provided for the Local Sports Ground in Mandogalup. This facility will likely be shared with the planned Primary School in Mandogalup. The Local Sporting Ground with Facility Building will provide toilets.
DCA9 Wandii / Anketell – local items:			
1 Local Community Centre (located within close proximity to DCA8 Mandogalup)	1 Local Community Centre Large Scale. A change in the size of the centre.	1 Local Community Centre Large Scale. A change in the size of the centre.	A large scale facility is justified in this location as the facility will serve approximately 8,351 people, which is greater than the recommended ratio of 1:5000 people for a Local Community Centre.
1 Local Sporting Pavilion (Wandii/Anketell)	1 Local Sporting Ground with Pavilion	1 Local Sporting Ground with Clubroom	It is proposed that a Local Sporting Ground with Clubroom (the same as proposed in the draft 2015 CIP, but a change in name only) be provided for the local sports ground in the Wandii North Local Structure Plan area, adjacent to the Honeywood Primary School.
	1 Local Sporting Ground with Community Sports Facility Building B (shared use)	1 Local Sporting Ground with Small Facility Building (shared use)	It is proposed that the City seek to utilise the senior oval to be provided with the future High School within DCA9 as a second senior oval within DCA9 through a formalised arrangement with the Department of Education. The City will also seek to share the use of other facilities associated with the High School however sees the need to provide a stand alone Local Sporting Facility Building (the same as proposed in the draft 2015 CIP, but a change in name only) that consists of toilets, small kiosk and storeroom.
1 Local Sports Ground without Pavilion	1 Local Sporting Ground with a Community	1 Local Sporting Ground with Small Facility Building	It is proposed that a Community Sports Facility Building (the same as proposed in the draft 2015 CIP, but a change in name only) be provided for the local sports ground in the Anketell North Local

	ity Sports Facility Building A		Structure Plan area.
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District B

District B comprises of four development contribution areas – DCA10 Casuarina, DCA11 Wellard East, DCA12 Wellard West and DCA13 Bertram (see map below).



The changes in the projected population between the 2009 CIP, the revised 2015 CIP and the adopted 2018 CIP are shown in the following table:

Area	CIP (2009) projected population at 2031	Draft CIP (2015) projected population at 2031	2018 adopted CIP - projected population at 2031	Change
District B	22,783	24,459	25,709	↑ 2,926 (12.84%)
DCA10 Casuarina / Anketell South	6,799	6,534	7,530	↑ 731 (10.75%)
DCA11 Wellard East	4,110	3,381	3,372	↓ 738 (18%)

DCA12 Wellard West	3,080	8,043	8,354	↑ 5,274 (271.2%)
DCA13 Bertram	8,036	6,564	6,453	↓ 1,583 (-19.7%)

The resultant modifications to the community infrastructure items recommended in the 2009 CIP, revised 2015 CIP (as advertised) and adopted 2018 CIP are discussed as follows:

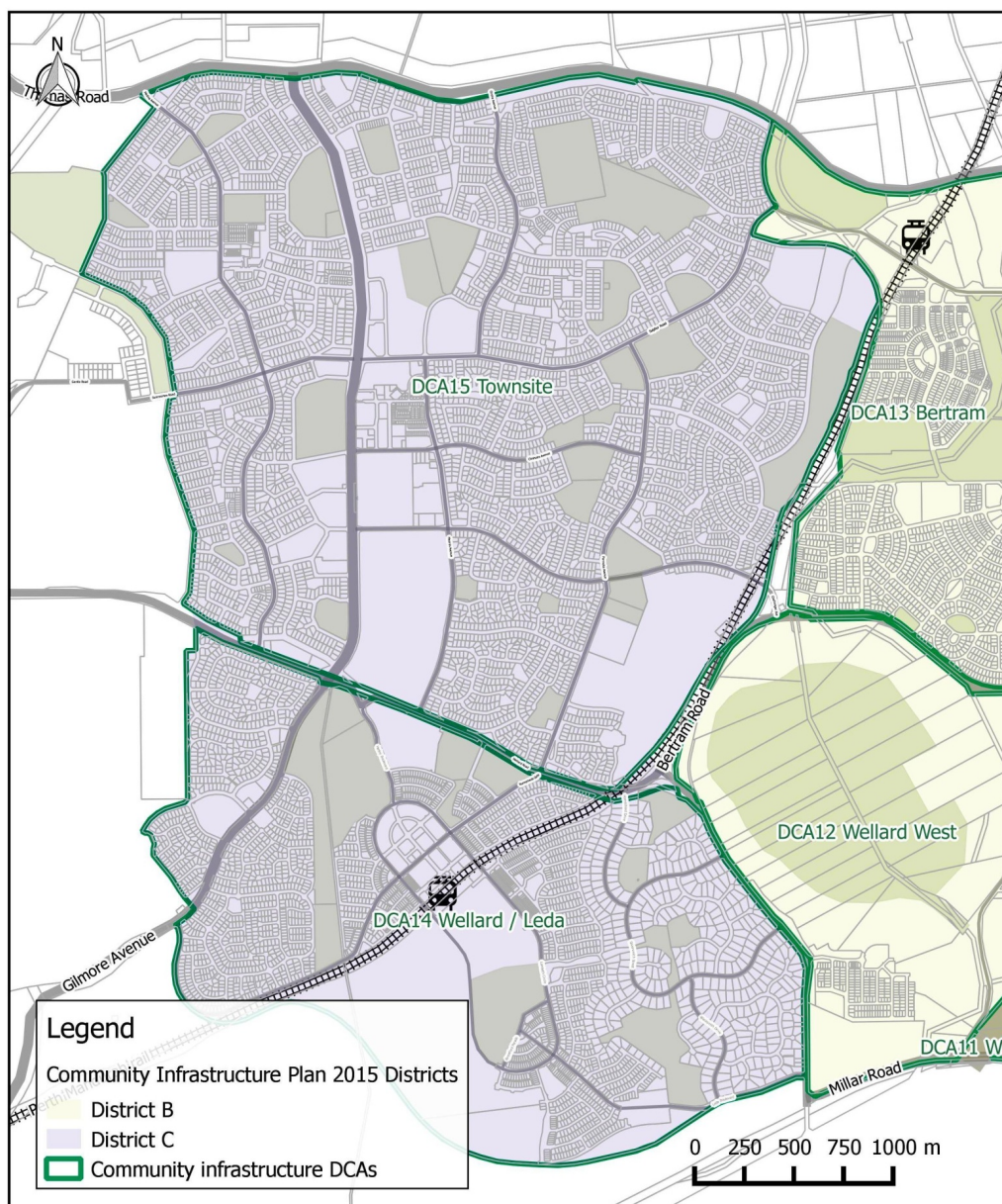
District B: Consists of DCA10 Casuarina/Anketell South, DCA11 Wellard East, DCA12 Wellard West and DCA13 Bertram			
CIP (2009) item	Revised CIP (2015) item	Adopted CIP (2018) item	Comment
1 District Sports Ground	1 District Sporting Ground (serves Districts A and B)	1 District Sporting Ground (serves Districts A and B)	The 2009 CIP requires a District Sports Ground to be provided within District B, specifically within the Casuarina cell of District B. Due to the reduced population of District A, but still recognising the need for residents of District A to have access to a District Sporting Ground, this facility will now serve Districts A and B. The facility will comprise of hard courts for tennis, basketball and netball as well as a pavilion building, associated parking and landscaping.
DCA10 Casuarina - local items:			
CIP (2009) item	Revised CIP (2015) item	Adopted CIP (2018) item	Comment
1 Local Sports Ground without Pavilion	1 Local Sporting Ground with Community Sports Facility Building B Plus, the City would seek to utilise shared use arrangements with other school sites in the District, where possible.	1 Local Sporting Ground with Small Facility Building	It was proposed in the draft revised 2015 CIP that the City seek to utilise the Local Sporting Grounds to be provided with the future High School and future Primary School sites through a formalised shared use arrangement with the Department of Education. This is further referenced in the City's Local Planning Policy for the Casuarina Cell. Through preliminary local structure planning in the Cell and in recognition of the significantly reduced land area of the District Sports Ground (which now no longer includes sports fields), a local sporting ground with facility building is proposed to be located with the future Primary School site in the central precinct of the Casuarina Cell.
DCA11 Wellard East - local items:			
CIP (2009) item	Revised CIP (2015) item	Adopted CIP (2018) item	Comment
1 Local Sports Ground with	No Local Sports Ground	No Local Sports Ground	A Local Sporting Ground should be provided for every 5,000 persons, and therefore, whilst a Local Sporting Ground within Wellard East better reflected the

Pavilion			<p>originally projected population (3,964 persons). The likely reduced population (2,970) means such a facility is not warranted particularly if a comparable facility is located close by. Further, the Local Sporting Ground identified in the 2009 CIP conceptually anticipated that sufficient space would be available for a senior sporting ground. More detailed analysis of the site and its land form constraints as part of recent planning work indicates that the size of playing fields originally envisaged is unable to be achieved at the site.</p> <p>Related to this, both the draft revised 2015 CIP and adopted 2018 recommend that a Local Sports Ground be located in the adjoining Casuarina cell (DCA10) to the north, with the Local Sports Ground likely to be provided in the southern portion of the cell in conjunction with the future High School. This detail is being progressed by the City during the preparation of local structure planning for the Cell.</p> <p>It is the City's Community Planning Consultant and the Planning and Community Development teams' view that, given the constraints and uncertainty with the Livestock Holding facility and reduced lot yield within DCA12, the land form constraints on the size of the local sports ground and the likelihood that a senior sports ground will be located close by in the Casuarina cell, the need for this Local Sporting Ground in DCA11 is diminished and is no longer required.</p>
DCA12 Wellard West – local items:			
1 Local Sports Ground with Pavilion	1 Local Sporting ground with combined Local Community Centre / Pavilion	1 Local Sporting ground with combined Local Community Centre / Pavilion	<p>Due to a projected increase in population within this cell resulting from the recent rezoning of Rural land to Urban/Urban Deferred, there is the need for an additional Local Community Centre. However as there is limited land available within the Wellard West local structure plan area (comprising Emerald Park Estate), it is necessary for the Local Community Centre to be combined and co-located with the Local Sporting Ground with Pavilion.</p>
DCA13 Bertram – local items:			
	1 Local Sporting Ground with Community Sports Facility	1 Local Sporting Ground with Small Facility Building	<p>It must be noted that the only change to this item from that proposed in the draft revised 2015 CIP is the terminology used. The City has a current shared use arrangement with Bertram Primary School to use the senior playing field as a Local</p>

	Building A		Sporting Ground, however there are no public toilet facilities. The population of Bertram is still growing and there is a need to provide public toilets at this ground and therefore a Local Sporting Ground with Facility Building is proposed.
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District C

District C comprises of two development contribution areas – DCA14 Wellard / Leda, and DCA15 Townsite (Medina, Calista, Orelia, Parmelia).



The changes in the projected population between the 2009 CIP, the revised 2015 CIP and the adopted 2018 CIP are shown in the following table:

Area	CIP (2009) projected population at	Draft (2015) projected	CIP	Adopted (2018) projected	CIP	Change
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	2031	population at 2031	population at 2031	
District C	36,207	32,000	35,000	↓ 1,207 (-3.33%)
DCA14 Wellard / Leda	13,398	11,436	12,558	↓ 840 (-6.27%)
DCA15 Medina / Orelia / Parmelia / Calista	22,809	20,564	22,442	↓ 367 (-1.61%)

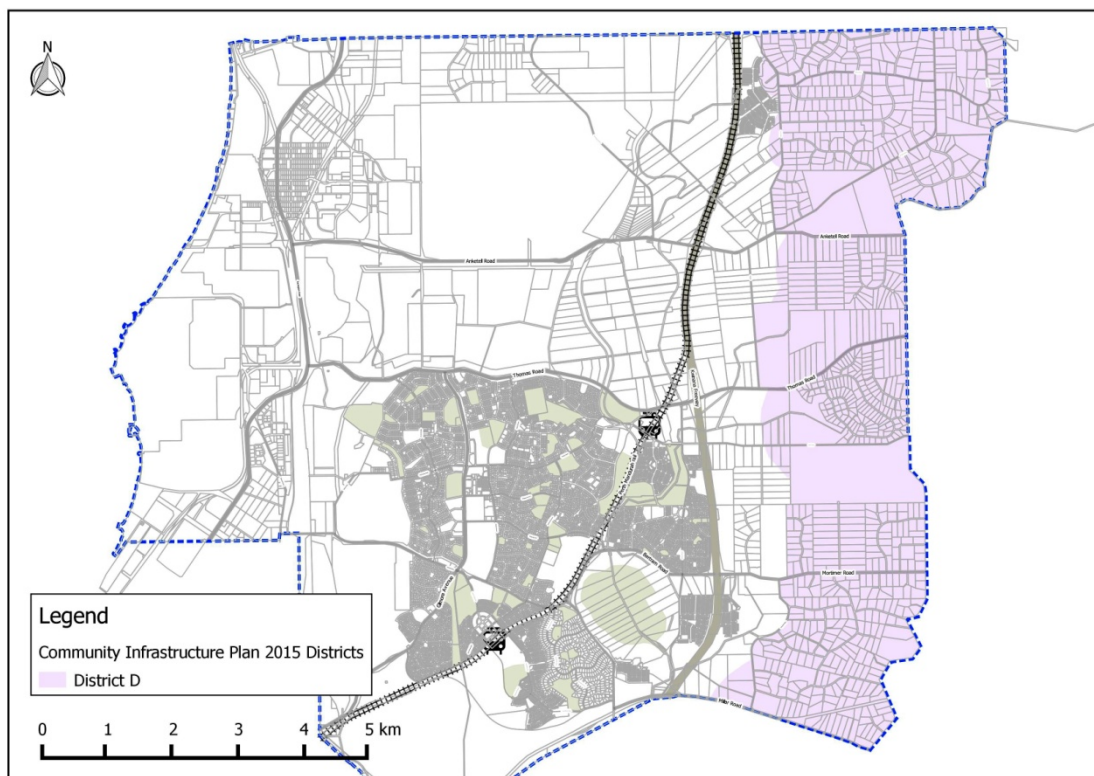
The resultant modifications to the community infrastructure items recommended in the 2009 CIP, revised 2015 CIP (as advertised) and adopted 2018 CIP are discussed as follows:

District C: Consists of DCA14 – Wellard / Leda and DCA15 – Medina / Orelia / Parmelia / Calista			
CIP (2009) item	Revised CIP (2015) item	Adopted CIP (2018) item	Comment
	1 District Sporting Ground (Medina Oval extension/ upgrade)	1 District Sporting Ground (Medina Oval extension/upgrade)	District C is currently serviced by the recently upgraded Orelia Oval for district sporting playing fields. However other district level facilities such as tennis courts, netball/basketball courts, lawn bowl greens and necessary club infrastructure are provided at various locations within District C and all these facilities are nearing the end of their economic life. It is proposed that these facilities be combined in an upgraded multi-purpose shared facility at Medina Oval to cater for the existing and projected infill population within District C.
DCA14 – Wellard / Leda - local items:			
	1 Local Sporting Ground with Pavilion extension	1 Local Sporting Ground with Pavilion extension	There exists a Local Sporting Ground with a Pavilion in Wellard however due to the demand on the Pavilion and the projected increase in population, an extension to the existing Pavilion is necessary. The extension will provide additional storage space for sporting groups to cater for the volume of equipment required at this facility.
1 Local Sports Ground	1 Local Sports Ground with Community Sporting Facility Building A	1 Local Sporting Ground with Small Facility Building	A shared use Local Sporting Ground is planned for the future High School site in Wellard. There is a need for public toilets to be provided at

			this site for the projected population of DCA14 and therefore a Facility Building (change in name only from that proposed in the 2015 CIP) is proposed in association with the Local Sporting Ground.
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District D

The draft revised CIP 2015 introduced a new district for the primarily rural areas east of the Kwinana Freeway (see map below). Whilst not part of the contribution plan and with no new items for community infrastructure proposed by the revised CIP for District D, the purpose of this new district, District D, is to incorporate the projected population for this district in the CIP and to then assess and plan for community infrastructure accordingly, particularly during future reviews of the CIP. The recommendations of the CIP will also inform future long term financial planning by the City. As no community facilities are required for this area, no new development contribution area is proposed by the accompanying Scheme Amendment. This has been retained and confirmed in the adopted 2018 CIP.



Sub-Regional Infrastructure

There is one proposed change to the Sub-Regional Community Infrastructure items in both the draft revised CIP 2015 and updated CIP 2018 from the CIP 2009. Thomas Oval / Kelly Park provides sub-regional sporting facilities to the broader population of the City and a new multi-purpose pavilion at Thomas Oval / Kelly Park was recently constructed. However, further works are necessary to create a fully functional sub-regional sports facility. These works include the redevelopment of the hard court area, construction of a set of change rooms on the eastern side of the ground and upgrade of the original pavilion.

It is therefore proposed that a new Sub-Regional Infrastructure item be included for Thomas Oval / Kelly Park extension/upgrade.

Timing of infrastructure items

Currently under LPS2, each community infrastructure item will *'generally be provided when 50% of the population catchment for the facility is achieved.'* However, whilst reviewing the CIP, and in particular, the Capital Expenditure Plan (which is discussed again later in this report), it became apparent that, primarily due to the different growth rates of population being experienced than that anticipated in 2009, providing the facilities at the 50% point of the population growth would place considerable strain on the City finances as the City would need to pre-fund half of each infrastructure item through borrowing. Further, it means that the bulk of the infrastructure would need to be 'delivered' over a short period of time.

Hence, the 2015 CIP revised the trigger point for provision from 50% of the predicted 2031 population, to 75% to enable the City to collect a greater proportion of the funds from developers, and to reduce borrowing costs and liabilities. While this would result in facilities being delivered to the community at a later stage of development, this change was considered necessary given the City's desire to deliver the community infrastructure facilities in a realistic and fiscally responsible and sustainable manner.

The change has been effective to some extent, however, an unqualified trigger point of this nature is still problematic given that, for example, all local level infrastructure items in a DCA would be required in the same year, as would all district level infrastructure items. While the 75% trigger point allows the City to collect a greater proportion of funds from developers, the staff resources required to simultaneously plan, construct and achieve the operation of a large number of facilities at the same time could prove to be beyond the City's staff resources.

To address this, the adopted CIP 2018 has involved the development of a more complex set of criteria to determine the timing for planning and providing community infrastructure items. The criteria take into account a number of factors beyond a population point, such as the proximity and capacity of any existing facilities. This has resulted in a revised timing schedule for the planning and provision of infrastructure, and which is now more evenly distributed across the years. This schedule is also integrated with the City's Long Term Financial Plan.

4.0 PROPOSED AMENDMENT 145 TO LOCAL PLANNING SCHEME NO. 2

The eight Development Contribution Plans – being Development Contribution Plans 8-15 - included in Local Planning Scheme No. 2 provide the local government with the statutory authority to collect contributions from developers for the items of community infrastructure required by the CIP. Due to the review of the CIP, it is necessary to amend the Local Planning Scheme to align with the community infrastructure items required by the revised CIP.

To reiterate the discussion of community infrastructure items above and for clarification, the changes proposed by Amendment 145 (that is, between the original 2009 CIP and the 2015 CIP / 2018 CIP) are:

1. Replacement of a stand-alone District Sporting Ground in District A (DCA8 Mandogalup and DCA9 Wandii/Anketell) with a District Sporting Ground that serves Districts A and B. This is in association with a strategy of shared use of sporting facilities with the Department of Education at Primary and High School sites;
2. Removal of a District Community Centre in District A (DCA8 Mandogalup and DCA9 Wandii/Anketell);

3. Removal of a Local Community House/Centre in DCA8 Mandogalup;
4. Addition of a Facility Building to the Local Sporting Ground in DCA8 Mandogalup;
5. Increase in the size of the Local Community Centre in DCA9 Wandii/Anketell to Local Community Centre Large Scale;
6. Shared use of the senior oval with the future High School in Wandii and to provide the oval with Facility Building – located within DCA9 Wandii / Anketell;
7. Addition of a Facility Building to the Local Sporting Ground in DCA9 Wandii/Anketell (located in Anketell North Local Structure Plan area);
8. Shared use of the senior oval with the future High School in Casuarina and to provide the oval with a Clubroom – located within DCA10 Casuarina;
9. Removal of a Local Sports Pavilion in DCA11 Wellard East;
10. Addition of a Local Community Centre to DCA12 Wellard West to provide a Local Sporting Ground with combined Community Centre / Pavilion.
11. Addition of a Facility Building to the existing Local Sporting Ground in DCA13 Bertram (shared use with Bertram Primary School).
12. Addition of a District Sporting Ground (Medina Oval extension/upgrade) as a district contribution item for District C.
13. Addition of an extension to the existing Pavilion at the Local Sporting Ground in Wellard as a local contribution item for DCA14 Wellard / Leda.
14. Addition of a Facility Building to the future Local Sporting Ground in DCA14 Wellard / Leda (shared use with the High School).
15. Addition of a Sub-Regional Infrastructure item for the extension/upgrade to Thomas Oval / Kelly Park to be a contribution item for DCAs 8-15 inclusive.
16. Change of the 'trigger points' for the delivery of community infrastructure items from 50% to a more comprehensive set of criteria, aligned with the City's Long Term Financial Plan.

In the interests of transparency and accountability, it must be noted that the only changes to infrastructure items proposed in the CIP between the advertised 2015 CIP and the updated 2018 CIP are as follows:

1. Shared use of the oval with the future Primary School in Casuarina and to provide the oval with a Facility Building – located within DCA10 Casuarina. The need for this 'dispersion' of local sporting grounds across the District is to account for the significantly reduced District Sporting Ground (serving Districts A and B) and the subsequent community need for active playing fields associated with Department of Education Primary and High School sites. This was well-documented within the draft revised 2015 CIP and has been the subject of consultation with landowners/developers within DCA10 through the preliminary local structure planning process;
2. The removal of the Local Community Centre in DCA11, due to the reduced population between the 2009 and 2018 CIPs as a result of land use planning constraints and the close proximity of the District Community Centre for District B, to be provided in DCA 10 Casuarina/Anketell South; and
3. Definition changes to Local Sporting Ground facility building infrastructure, such that 'Facility Building A' is now referenced as 'Small Facility Building', and 'Facility Building B/Pavilion' is now referenced as 'Clubroom'.

In addition, at its 23 January 2019 Ordinary Council Meeting, whereby Amendment 145 was recommended for final adoption, part of Council's resolution included the request to the Western Australian Planning Commission (WAPC) that an additional amendment to Amendment 145 be considered prior to final consent of the Amendment by the Minister for Planning. This additional amendment sought to apportion the cost of the provision of Local Sporting Grounds with Small Facility Buildings, identified through the 2018 CIP in Development Contribution Areas 9 and 10 (DCAs 9 and 10), across Districts A and B. Districts A and B comprise DCAs 8 – 13.

In this regard, the current draft CAS for DCAs 8-15 (D19/43272) identifies the three respective Small Facility Buildings in the context of Local Sporting Grounds as follows:

- DCA9 – Local Sporting Ground with Small Facility Building (Treeby Road)
- DCA9 – Local Sporting Ground with Small Facility Building (Wandi High School)
- DCA10 – Local Sporting Ground with Small Facility Building (Casuarina Primary School)

In the initial preparation of the 2015 CIP, the need was identified for a District Sporting Ground serving Districts A and B comprising 15 hectares. In finalising the 2015 CIP however, it became apparent that it would not be possible to secure the 15-hectare site due to cost and the feasibility of land assembly. In this regard, the Amendment reflects the 3-hectare (District Hard Courts) site identified in the 2018 CIP.

In order to compensate for the loss of a large District Sporting Ground - which, in addition to the current proposed District Hard Courts, would have comprised a substantial area of playing fields – a strategy was adopted in the 2015 CIP to better address this. In this regard, the strategy sought to address the district sporting needs by acquiring additional Local Sporting Grounds via joint provision and use with the Department of Education (via shared use agreements for the oval component), and retention of the aforementioned 3-hectare District Sporting Ground comprising of hard courts and pavilion. This strategy further involved the provision of additional infrastructure (specifically three Small Facility Buildings associated with Local Sporting Grounds) in DCAs 9 and 10 to meet the needs of Districts A and B.

In this regard, it was considered equitable that the cost of the provision of this district level infrastructure be apportioned across Districts A and B, rather than contributions paid by the individual DCAs within which they are located.

This particular approach sought to address concerns expressed in some submissions to the City during the advertising period that the costs of providing the additional Local Sporting Grounds with Small Facility Buildings should not be met by the individual DCA, but instead borne across the wider district areas.

The current Amendment 145 documentation did not reflect the above requirement and Council's resolution to adopt Amendment 145 for final approval further included that the abovementioned changes be considered and supported by the WAPC following consultation with affected landowners and developers, prior to a determination of Amendment 145 by the Minister.

As part of this process, the City committed to liaise with affected landowners within the aforementioned Districts A and B in order to explain the rationale for the request (including costings as part of a draft Cost Apportionment Schedule) and subsequently inform the WAPC following the consultation.

The opportunity has also been taken to rectify minor discrepancies in the DCPs, including aligning the content and format of the proposed Scheme text with other DCP Amendments recently gazetted or nearing gazettal. These changes do not alter the intent of the DCPs and are proposed to ensure the Scheme text remains clear and up to date. For example, references to plans or clauses of the Scheme that are no longer relevant or are now named differently have been updated or removed and the operational timeframe of the DCPs has been amended to reflect other DCPs within the Scheme with reference to the timeframe being 15 years from the date of gazettal rather than 20 years: 2011-2031. These changes are included in the revised LPS2 text for DCPs 8-15.

5.0 COMPLIANCE WITH STATE PLANNING POLICY 3.6: DEVELOPMENT CONTRIBUTIONS FOR INFRASTRUCTURE

State Planning Policy 3.6: Development Contributions for Infrastructure (SPP3.6) is the policy document that sets out the principles and considerations that apply to development contributions for the provision of infrastructure in new and established urban areas.

DCPs 8-15 were prepared in accordance with SPP3.6; as are the changes proposed by Amendment 145. The following discussion is provided to reiterate compliance with the eight principles contained in SPP3.6.

5.1 Need and the nexus

The need for the community infrastructure is demonstrated in the City of Kwinana Community Infrastructure Plan 2011-2031 (2018 Revision). The adopted CIP is based upon the City's Community Infrastructure Standards (appended to the CIP) and applied to the projected development within the City. Only new development that contributes to the need for community infrastructure items is liable for development contributions.

5.2 Transparency

The following comments explain the City's approach to providing transparency for the community infrastructure DCP.

- The adopted 2018 CIP details the projected population for the period in which the DCP operates (until 2031). The projected population is derived using data from id Consulting, Community Perspectives and current local structure planning within the City.
- The adopted 2018 CIP describes the required community infrastructure for which DCA contribution and/or District infrastructure is required.
- The Long Term Financial Plan (LTFP) details the projected expenditure and timing of the development contributions to deliver the community infrastructure.
- The cost apportionment schedule (CAS), the draft of which was advertised in late 2015 and will be the subject of a consultation discussion with affected landowners/developers prior to any future adoption of the CAS following gazettal of Amendment 145, details the infrastructure and apportionment attributed to that.

5.3 Equity

The development contribution is calculated on the current and projected population growth and lot yield of the development areas within the City, based on the most current information. This information is reviewed regularly to ensure that each landowner's contribution is calculated on an equitable basis. The cost apportionment schedule is reviewed annually to ensure that the projected dwelling/lot yields remain up to date and that the estimated costs of the community infrastructure are valid.

The cost of the infrastructure items is calculated in the following manner:

1. $\text{\$Capital Cost of Facility} - (\text{minus}) \text{\$Capital Grants/External Funding/City Contribution} - (\text{minus}) \text{\$Components outside the scope of SPP3.6 (eg. leasable commercial floor space)} = \text{\$Total Cost to be Recovered.}$
2. $\text{\$Total Cost to be Recovered} / (\text{divided by}) \text{the projected Total Dwellings for the relevant Catchment} = \text{\$Cost per dwelling.}$
3. $\text{Cost per dwelling} \times (\text{multiplied by}) \text{either (a) Number of Lots to be created OR (b) Additional number of strata dwellings (above existing lot)}$

= \$Land Owner (Developer) Contribution.

5.4 Certainty

The DCPs, adopted 2018 CIP and Long Term Financial Plan clearly set out the items to which subdivision/development contributes towards. Contributions received will be held in a reserve account set up in accordance with the *Local Government Act 1995*. Funds from this account will only be expended on items relevant to the DCP.

The Capital Expenditure Schedule appended to the adopted 2018 CIP indicates the delivery times for each of the items, thereby providing certainty that the items will be provided.

5.5 Efficiency

Development contributions reflect the whole of life capital cost, but exclude running costs. Amendment 145 has been prepared to provide greater efficiency around the contributions required, without the need for agreement and contingencies, as is presently required.

5.6 Consistency

Development contributions for each DCA will be applied uniformly across the whole DCA on a per dwelling basis, using the methodology outlined in point 5.3.

5.7 Right of consultation and arbitration

Amendment 145 to LPS2 and the revised 2015 CIP were advertised concurrently in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* thus ensuring that landowners and developers have the opportunity to comment.

The existing DCP provisions under LPS2 afford landowners the right to review a Cost Contribution and provide for resolution through arbitration.

The 2018 CIP and Amendment 145 as presented have responded accordingly to all matters raised through the consultation process.

5.8 Accountability

The costs for each infrastructure item are to be reviewed annually by an independent QS and the Cost Apportionment Schedule updated accordingly. All documents will be publically available on the City's website.

As per LPS2, a Statement of Accounts showing all revenue and expenditure for the DCP is to be prepared for each financial year and audited by the City's auditors. The audited statements will be publically available.

6.0 COMMUNITY CONSULTATION AND MODIFICATIONS TO AMENDMENT 145

Community consultation

Public advertising of the 2015 CIP and Amendment 145 occurred between 16 October 2015 and 30 November 2015 (45 days), though the City accepted submissions until 24 December 2015.

Advertising consisted of the following:

- Public notice published in the local newspaper, Weekend Courier, on 16 October 2015 and 23 October 2015;

- Public notice displayed on the City's website;
- Publication of a dedicated 'Development Contributions' webpage with relevant information downloadable. The website attracted 358 independent visits during the advertising period – an average of 12 visits per business day;
- Letters to service providers, government agencies and authorities;
- Letters to community groups;
- Letters to landowners and occupiers affected by the Amendment;
- Promotion of the 2015 CIP on the City's Facebook site.

A total of 28 written submissions were received. The general nature of the submissions is summarised in the table below:

Submission	Support with comments	Neutral / not stated	Object	Total
Landowner (or on behalf of landowner)	5	1	10	16
Government agency or service provider		11		11
Industry representative group		1		1
Total	5	13	10	28

The Schedule of Submissions presented to Council is included in the package of documents supporting this amendment. The Schedule summarises each of the issues raised by the submitters and provides a recommended response to these issues. There are a number of common issues, or more complicated matters, that are discussed in the body of this report. These issues are:

1. Timing of infrastructure delivery;
2. District C Sporting Ground (Medina Oval extension / upgrade);
3. Wellard East Local Community Centre;
4. Inclusion of additional community infrastructure items in the DCPs;
5. Local Sporting Pavilion – Wandí;
6. Renaming of Community Sports Facility Buildings A and B to Small Facility Building and Clubroom;
7. Redistribution of funds collected to modified items or refund of deleted items;
8. Combining of facilities into a consolidated building;
9. On-going review of population projections and growth rates; and
10. Wells Beach Park Foreshore Upgrade.

DISCUSSION:

This section considers the points raised by submitters on the key issues identified above and provides a recommended response as to whether the amendment should be modified or not.

1. Timing of Infrastructure Delivery

Submissions

Four submissions (Nos. 2, 3, 7 and 25) expressed concern about the proposed change to the trigger point whereby the City would deliver the community infrastructure – from 50% of the projected catchment population to 75%. The comments received included:

- Concern that residents who contribute to the infrastructure won't receive any benefit.
- Council has an obligation to provide the infrastructure in a reasonable period of time to benefit those residents who pay for it.

- A mechanism should be introduced to allow Council to bring certain items forward.
- It is inequitable that the community may not benefit from community infrastructure until potentially 100% of the population is achieved.
- SPP3.6 is based on providing funds for the early provision of infrastructure.

Discussion

The proposed change in the delivery timeframe from 50% of the projected population being reached to 75% is due primarily to a number of infrastructure items being 'triggered' within a relatively short period of time and the impact that this would place on the City's borrowing capacity and ability to deliver the infrastructure. The delivery of community infrastructure needs to be planned in consideration of the City's other long term financial objectives and whilst it is certainly desirable to deliver the infrastructure earlier rather than later, such expenditure needs a responsible and considered approach.

Residents of the communities will still benefit from the infrastructure however it will be at a time that is financially responsible for the City to deliver it.

Under the current LPS2 provisions, Council has the ability to bring forward community infrastructure expenditure where necessary. In fact, the City is recommending that the combined Local Community Centre / Local Sporting Pavilion at Wellard West be brought forward for site specific reasons. This is discussed later in this report.

Recommendation

While the 75% 'trigger' point for the delivery of infrastructure was considered to be appropriate by City Officers following advertising of the Amendment in 2015, subsequent reviews of this trigger in the context of submissions received have resulted in a more comprehensive and rigorous approach being applied to the provision of community infrastructure, as follows:

- The planning and design of local, district and sub-regional level community facilities will generally occur two years prior to the estimated population catchment reaching 5,000, 20,000 – 40,000 and 75,000 people, respectively, with provision occurring when the population has reached 5,000, 20,000 – 40,000 or 75,000.
- The anticipated level of Developer Contributions funds collected (this is tied to the rate of development in an area).
- The proximity and capacity of any existing local community facilities within and outside the relevant DCA.
- Maximising opportunities for the co-location and joint provision of local community facilities.
- The location and timing of new district and sub-regional level community facilities.
- The City of Kwinana's organisational capacity to plan, manage and operate existing and new community facilities. While the organisational capacity to operate community facilities is not something that falls within the scope of development contributions, the broader consideration of the City to act in a financially responsible manner vis a vis expenditure of funds on community facilities is a matter that requires balanced consideration.

The provision of each community facility is further identified within the City's Long Term Financial Plan (LTFP).

2. District C Sporting Ground (Medina Oval Extension / Upgrade)

Submissions

Two submitters (Nos. 7 and 25) objected to the inclusion of the District C Sporting Ground (Medina Oval Extension / Upgrade) stating that:

- The need and nexus for the infrastructure has not been demonstrated;
- Replacement works are inconsistent with the principles of State Planning Policy 3.6: Development Contributions for Infrastructure (SPP3.6);
- Other funding opportunities should be explored; and
- The need for the infrastructure was not identified in the 2009 CIP.

Discussion

This infrastructure item is considered necessary to service the existing and future needs of the City's residents and is to be retained in the revised 2018 CIP.

SPP3.6 and the DCP provisions of LPS2 allow for, and in fact require, a review of the DCP. The review of the provision of community infrastructure undertaken during 2015 identified the need for additional infrastructure that was not previously identified or not considered necessary. The demand generated by the existing population and projected population has necessitated a need for an extension and upgrade of the District C Local Sporting Ground (Medina Oval extension/upgrade).

Clause 5.1 of SPP3.6 states '*Development contributions can be sought for ... an upgrade in the standard of provision of an existing item of infrastructure; (and) an extension to existing infrastructure.*' It was on this basis that infrastructure items needing an upgrade or extension were included in the proposed DCPs.

The City has reviewed this position in light of the submissions received and will revise the apportionment of costs for the item of infrastructure so that the City will be responsible for the extension/upgrade of infrastructure that services the current population (being 25,102 in 2016), and that the DCPs will collect for the extension/upgrade of infrastructure required for the projected population (35,000 in 2031). Thus the DCPs would proportionately contribute just over 28% (representing a population increase of 9,898). The City considers this approach to be consistent with the principles of SPP3.6.

Despite what was stated in the 2009 CIP, the revised 2015 CIP and 2018 CIP have identified and justified the need for this proposed infrastructure.

Recommendation

That the District C Sporting Ground (Medina Oval Extension / Upgrade) be retained in DCPs 14 and 15.

3. Wellard East Local Community Centre

Submissions

Two submitters (Nos. 2 and 16) requested that the local community centre for DCA11 be removed from the DCP. The following comments were made:

- The projected population for DCA11 does not meet the threshold requirement for a local community centre (projected population of 3,318 / threshold requirement 5,000).
- Both submitters suggested that the proposed District Community Centre to be located in District B (DCA10) near Mortimer Road could serve the function of local community centre for DCA11's population.
- Removal of the local community centre was 'flagged' in the initiation report for Amendment 100A in December 2014 where the reduced population projection was one of the reasons to remove the local sporting ground from the standard infrastructure DCP (DCP2). A comment in the report implied the reduced population projection for DCA11 also reduced the need for a local community centre.
- Suggestion that there are many opportunities for linear pathways through DCA11 for dual use paths to link to the District Community Centre.

Discussion

The projected population for Wellard East (DCA11) is 3,372 which is less than the 5,000 person threshold for a local community centre. This is due to the reduction in developable Urban land in Wellard East due to the odour buffer associated with the livestock holding facility on Telephone Lane in the City of Rockingham to the south.

The City agrees with the points raised by the submitters that the infrastructure item is no longer needed for the projected population. It is also noted that the District Community Centre for District B (which includes DCA11) is planned to be located near Mortimer Road in Casuarina and thus within relatively close proximity to the residents of DCA11.

The reviewed 2018 CIP concurs with the above sentiments and does not identify a local community centre within DCA11.

Recommendation

That the Wellard East Local Community Centre be removed from DCP11.

4. Inclusion of additional community infrastructure items in the DCPs

Submissions

Three submissions (Nos. 6, 7 and 25) objected to the inclusion of additional community infrastructure items that were not identified in the 2009 CIP, notably:

- Sub Regional Sporting Ground (Thomas Oval / Kelly Park Extension / Upgrade);
- District C Sporting Ground (Medina Oval Extension / Upgrade);
- Local Sporting Ground with Pavilion Extension – Wellard / Leda; and
- Local Sporting Ground with Facility Building – Wellard / Leda.

Comments made by the submitters were:

- Population projections to 2031 have reduced;
- Items were not identified in the 2009 CIP; and
- Current demand on a facility does not justify an extension or upgrade.

Discussion

SPP3.6 and the DCP provisions of LPS2 allow for, and in fact require, a review of the DCP. The review of the provision of community infrastructure undertaken during 2015 had

identified the need for additional infrastructure that was not previously identified or not considered necessary at that time. It has also identified infrastructure no longer considered necessary. The demand generated by the existing population and projected population has necessitated a need for additional infrastructure at the Sub-regional Sporting Ground, with the costs being apportioned accordingly.

Clause 5.1 of SPP3.6 states *'Development contributions can be sought for ... the total replacement of infrastructure once it has reached the end of its economic life.'* It was on this basis that infrastructure items needing replacement were included in the proposed DCPs. However the City would be responsible for the replacement costs proportionate to the existing population, with developers responsible for costs proportionate to the projected population.

The City has reviewed this position in light of the submissions received and has revised the apportionment of costs for replacement infrastructure so that the City will be responsible for the replacement of infrastructure that services the current population, and that the DCPs will collect for new and additional infrastructure required for the projected population. The City considers this approach to be consistent with the principles of SPP3.6.

The projected population for the Sub-regional facility was projected to be approximately 71,500 persons by 2031 in the revised 2015 CIP and approximately 75,270 by 2031 in the updated 2018 CIP. This is considered to be commensurate with the 75,000 population threshold for such a facility.

Despite what was stated in the 2009 CIP, the revised 2015 CIP and updated 2018 CIP are considered to appropriately identify and justify the need for this proposed infrastructure.

Recommendation

That:

1. District C Sporting Ground (Medina Oval Extension / Upgrade) is retained in DCPs 14 and 15);
2. The costs for Sub-Regional Sporting Ground (Thomas Oval / Kelly Park Extension / Upgrade) for only new infrastructure be apportioned to DCPs 8-15 (inclusive);
3. No change to the Local Sporting Ground with Pavilion Extension – Wellard / Leda; and
4. No change to the Local Sporting Ground with Community Sports Facility Building – Wellard / Leda (the change is represented in name only, as per the updated 2018 CIP).

5. Local Sporting Ground with Pavilion – Wandí

Submission

Five submissions (Nos. 19 – 23) objected to the inclusion of this infrastructure item, whilst two submissions (Nos. 27 and 28) raised no objection to the item. The objecting comments received included:

- Duplication and excessive provision of recreation facilities for DCA9 – 3 local sporting grounds are to be provided within DCA9 (1 in Anketell North and 2 in Wandí) for a projected population of 8,349;
- Wandí Playing Fields are equivalent to a district level facility and suggests that DCA8 landowners should also contribute;
- Inequitable costs across the DCAs – DCA9 has considerably higher costs for local sporting facilities than DCAs within District B.

Discussion

The Wandí Playing Fields have been approved by the WAPC through the local structure planning process for the Wandí cell and are also being used by the Honeywood Primary School that opened in early 2018. As the land for the Wandí Playing Fields sits outside of the Urban zoned area, it was not provided as part of the public open space for Wandí and therefore is to be acquired through the development contribution plan for standard infrastructure (Amendment 100A – DCA5). This facility will be the primary local sporting ground for the Wandí area and therefore is justified in being provided with a Pavilion. It must be noted that the 2018 CIP has consolidated the naming of three of its Local Sporting Grounds (formerly Local Sporting Ground with Facility Building, Local Sporting Ground with Facility Building and Kiosk and Local Sporting Ground with Pavilion) to 'Local Sporting Ground with Facility Building' and 'Local Sporting Ground with Clubroom'. This simplifies the designation of the type of building associated with a local sporting ground to small scale (Facility Building – comprising approximately 180m²) and large scale (Clubroom – comprising approximately 650m²).

The community infrastructure proposed for the two other local sporting grounds within DCA9 (one co-located with the future High School and one on a stand-alone local sporting ground in Anketell North) are considered basic amenity requirements for community use. In the context of the 2018 CIP, the Wandí Playing Fields would be identified as a 'Local Sporting Ground with Clubroom' and both the future Wandí High School and Anketell North sites would be identified as 'Local Sporting Ground with Facility Building'. Further, as identified in the 2018 CIP, given the District Sporting Ground for Districts A and B (which DCA9 falls within) is proposed to comprise of hard courts and a large-scale clubroom with no playing fields (which were originally envisaged through the 2009 CIP and community needs assessment), additional Local Sporting Grounds within Districts A and B are required to account for this community facility requirement.

The Wandí Playing Fields is a local sporting ground, not a district sporting ground. Whilst the land area for the facility is larger than other local sporting grounds, this is due to the site's topography and natural features more so than the facility being of district scale.

DCA8 Mandogalup is provided with a local sporting ground as part of the approved local structure plan. Developers within DCA8 will contribute to a Facility Building to be located at this local sporting ground.

The overall per dwelling contribution for DCA9 is comparable to other DCAs.

Recommendation

No change to the Local Sporting Ground with Clubroom – Wandí (change in name only).

6. Renaming of Community Sports Facility Buildings A and B and Pavilion to Facility Building and Clubroom

Whilst not explicitly raised in the written submissions, a number of verbal discussions with landowners and their representatives commented that the naming of the Community Sports Facility Buildings A and B, and Pavilion was confusing and lengthy. The City agrees with these comments and also notes that the names give the perception that the infrastructure is more significant than basic amenities, storage and kiosk. The 2018 CIP adopted by Council reflects the following changes:

1. Community Sports Facility Building A to Facility Building. The size of the Facility Building remains the same, at 180m² and includes change areas, kiosk/kitchenette, storage space, small meeting space, public toilets and a verandah/spectator shaded area; and

2. Community Sports Facility Building B / Pavilion to Clubroom. The size of the Clubroom remains the same at 650m² and includes changerooms/showers, large multipurpose/function space, bar and meeting room, commercial level kitchen with kiosk, umpire changerooms, first aid room, general storage space and sports equipment storage, internal toilets and public toilets, and verandah/spectator shaded area.

Recommendation

That the Amendment 145 documentation be modified to change the names of:

1. Community Sports Facility Building A to Facility Building; and
2. Community Sports Facility Building B / Pavilion to Clubroom

7. Redistribution of funds collected to modified items or refund of deleted items

A number of community infrastructure items have been modified between the 2009 CIP and 2015 CIP / 2018 CIP, and in fact three items are to be removed entirely. This raises the question of what occurs to the contributions that have been collected for items that either change or are removed. The City has sought legal advice regarding this and proposes to adopt the following approach:

- a) For items that are removed as a direct result of the community needs assessment undertaken as part of the CIP and there is no equivalent replacement item, contributions will be refunded. This will apply for the Local Sporting Pavilion and Local Community Centre in DCA11.
- b) For items that have been removed, but an equivalent replacement item is proposed, cost apportionment will be recalculated and reallocated to the replacement item and catchment. There may be a refund of contributions. This situation will apply to the District Sporting Ground with Pavilion serving District A – funds will be recalculated and reallocated to the District Sporting Ground (serving Districts A and B).
- c) For items that have changed in their description or scope, but still serve the same function, the contributions received will be allocated to the modified item. For example, contributions collected for the Local Community Centre in DCA9 will be allocated to the Local Community Centre – Large Scale in DCA9 as it serves the same function.

All of the above contribution adjustments will occur after the gazettal of Amendment 145 and the subsequent adoption of the Cost Apportionment Schedule.

8. Co-location of facilities into a consolidated building

Submissions

Four submissions (Nos. 16, 17, 27 and 28) raised the opportunity for combined facility buildings to be designed and built where multiple community infrastructure facilities are proposed, specifically:

1. (Future) Wandii District Centre – Branch Library (serves Districts A and B), District Youth Centre and Local Community Centre (large scale); and
2. (Future) Casuarina Neighbourhood Centre – District Community Centre and District Youth Centre.

The submissions noted the potential for a reduced land area requirement and the opportunity to provide a community focal point for the centres.

Discussion

The City agrees that there is merit, both financial and social, in co-locating the facilities into a single community purpose building, with design features such as separate entrances and areas where necessary. DCPs 2-7 are required to contribute towards the land acquisition for a combined facility in the Wandi Anketell District Centre, for example.

The 2018 CIP refers to these facilities as likely to be provided within a combined or co-located facility. The City is currently in the process of engaging an architectural firm to conceptually design and cost the co-located facility buildings so that up to date plans and costings are included in future reviews of the cost apportionment schedule, as well as providing the accurate land area configuration for local structure planning of the Wandi Anketell District Centre and Casuarina Neighbourhood Centre along Mortimer Road.

Recommendation

That the draft Cost Apportionment Schedule and DCP Reports for DCAs 9 and 10 reference combined facilities or co-located sites for the:

1. (Future) Wandi Anketell District Centre – Branch Library (serves Districts A and B), District Youth Centre and Local Community Centre (large scale); and
2. (Future) Casuarina Neighbourhood Centre – District Community Centre and District Youth Centre.

9. On-going review of population projections and growth rates

A number of submitters commented on the methodology for population projections and requested further detail about population and growth rates. The 2015 CIP was prepared to address significant changes in the population projections notably in Mandogalup, Wellard East and Wellard West, as well as to address emerging issues in the provision of community infrastructure in the established urban areas due to new growth. As noted earlier in this report, in early 2017, City Officers determined that the 2015 CIP should undergo an additional review to reflect 2016 Census data and to ensure, once updated demographic data had been analysed in the context of community need, that the subsequent recommended community infrastructure provision was appropriate. This review included revised population projections and growth rates.

The City will continue to review and monitor the projected population and growth rates for the purpose of the CIP, but more importantly, for the purpose of reviewing and adopting the cost apportionment schedule annually as such numbers have an impact on the per lot development contribution.

On-going review and monitoring of projected population and growth rates will ensure that sufficient and equitable development contributions are collected for the implementation of the 2018 CIP.

Recommendation

The review and monitoring process has been included in the proposed Amendment 145 Scheme text, in line with SPP 3.6.

10. Wells Beach Park Foreshore Upgrade

In the period following public advertising of Amendment 145 in late 2015, the WAPC published a revised draft SPP 3.6 and Guidelines to accompany SPP 3.6. Schedule 1 of the Guidelines sets out the categorisation of infrastructure items and identifies those items which can and cannot be included as DCP items. Item No.24 'Boating facilities (such as jetties, boat ramps etc)' states that this item is not suitable for inclusion within a DCP.

Given that the 'boating facilities' component of the Wells Beach Park Foreshore Upgrade has been included since the DCPs' inception and prior to this Policy change, the City sought legal advice on whether development contribution funds received to date can be expended on the 'boating facilities' component of this item (in addition to the broader item). The advice received was that funds may be expended on the 'boating facilities' component of this item up until Amendment 145 became a seriously entertained planning document, but that the 'boating facilities' component of this item should be removed from inclusion in the revised DCPs moving forward.

Recommendation

That the 'boating facilities' component of the Wells Beach Park Foreshore Upgrade be removed from the community infrastructure item, in line with the Council adopted Community Infrastructure Plan 2018. Existing funds collected in line with gazette Amendment 115 up until Amendment 145 became a seriously entertained planning document may be expended on the 'boating facilities' component of this item.

With regard to the proposed dispersed model of infrastructure cost apportionment, detailed in section 4 of this report, two separate consultation sessions were held with landowners, consultants and developers who would be affected by the proposed 'dispersed model' of apportionment within DCAs 8-13. For District A (DCAs 8 and 9), the first consultation session was held on Monday 9 March 2020, while for District B (DCAs 10-13) the second consultation session was held on Wednesday 11 March 2020.

The City advised during both these consultation sessions that feedback on the proposed 'dispersed model' would be sought by Monday 23 March 2020, which was then further extended to 3 April 2020.

During this time, 6 submissions were received. Of the 6 received, while only one articulated support for the 2015 advertised apportionment of costs in favour of the proposed dispersed model, all submissions raised a number of issues for consideration.

Attachment A to the Council report is the Schedule of Submissions. The Schedule summarises each of the issues raised by the submitters and provides the City's response to these issues.

A number of submissions requested the City to provide further details and specifications on individual costings where the cost of the item of community infrastructure has increased from that which was advertised in 2015. In this regard, submitters also requested no change in costing from the 2015 advertised costings.

Aside from the above, the key matters arising from the consultation focused more on the process (such as the eventual reconciliation of legal agreements), inclusions in the costings (such as contingencies) and historical process/inclusions (such as lot counts and standards).

The key theme running through most of the submissions however was that the draft costings were too high (particularly when compared to the draft costings advertised in 2015) and that several DCA costings were significantly in excess of the draft nominated 'cap' figure of \$3,500 per dwelling/lot for community infrastructure items.

City's Response

The two key areas for further consideration by the City following the consultation and submission period are the proposed dispersed model and the costings associated with the respective community facilities.

Following the consultation and submission process, City Officers considered the submissions and discussed the most equitable approach to this matter that also took into account the principles of need and nexus, as cornerstones of SPP 3.6. On this basis, City Officers determined to proceed with a reduced (or hybrid) model of dispersed cost apportionment, whereby factors such as:

- geographic location in the context of major barriers (such as the Kwinana Freeway);
- whether the respective DCA is already proposed to have its own Local Sporting Ground with either Clubroom or Small Facility Building; and
- the broader context of requesting DCAs contribute towards other DCA facilities that are local in nature and do not cater for District-wide use or benefit, given the above two points.

In light of the above considerations, City Officers recommended that two additional options be considered, as follows:

1. That the partial dispersed model of cost apportionment for three small facility buildings with local sporting grounds across those portions of Districts A and B on the eastern side of the Kwinana Freeway (DCAs 9, 10 and 11 only) be adopted; or
2. That the localised dispersed model of cost apportionment for three small facility buildings with local sporting grounds across those portions of Districts A and B on the eastern side of the Kwinana Freeway – whereby DCA9 contributes only to DCA9 located small facility buildings, DCA10 only contributes towards the DCA10 located small facility building and DCA11 (which has no local facilities) also proportionately contributes towards the DCA10 small facility building – be adopted.

City Officers recommended that Council proceed with the localised dispersed model as noted above, as this is considered to better reflect the fundamental principles of need, nexus and equity associated with the DCP apportionment of costs.

With regard to the second key area, several infrastructure items were highlighted as being significantly greater than in 2015 including, among others, the District Hard Courts (Districts A and B). The matter of higher specifications as the basis for the 2020 facility costings, and resultant contingencies, was regarded as an issue requiring the City's further justification.

The City has commenced a further review of all community infrastructure items and is seeking to refine the specifications underpinning the costings of a number of these in the context of DCP cost apportionment, whilst generally adhering to the community infrastructure standards adopted by Council as part of the Community Infrastructure Plan 2018. This review will occur in the period prior to the Council's future adoption of the Cost Apportionment Schedule, such that the reviewed and refined costs can be reflected in the CAS.

DISCUSSION:

An assessment of two additional options was undertaken having regard to the factors outlined above. In exploring these additional options, City Officers determined that the additional three Local Sporting Grounds with Small Facility Buildings do not provide for an additional function that is distinct from the existing LSGs (included in the 2015 plan) and as such would not draw a catchment of users from beyond the DCA boundaries , particularly if there are key physical boundaries that would reduce movement between DCAs such as the

Kwinana Freeway. Given that the proposed LSGs are located in DCAs 9 and 10 and LSGs are already provided in DCAs 8, 12 and 13, there is no clear need or nexus for the residents within these areas to be using the facilities provided in DCAs 9 or 10. This is further reinforced by the significant physical boundary that the Kwinana Freeway presents.

The same argument could equally apply between DCAs 9, 10 and 11, whereby BushForever creates a physical barrier to movement between DCAs 9 and 10.

A review of the DCA rates based on the localised apportionment was undertaken and shown to provide the most equitable approach and a better reflection of need and nexus.

CONCLUSION

Amendment 145 to LPS2 has been prepared to align the City's adopted 2018 Community Infrastructure Plan with the development contribution mechanisms of LPS2.

Various documents have been prepared and were advertised as part of Amendment 145 to allow the public and development industry to be fully informed of this proposal. These documents included:

- Draft Cost Apportionment Schedule detailing indicative costs for each Development Contribution Area;
- Architectural designs of the community infrastructure items;
- Construction costs of infrastructure items that have been independently verified by a Quantity Surveyor;
- Draft Capital Expenditure Plan;
- Draft Development Contribution Plan Reports for each Development Contribution Area.

The existing Development Contribution Plans 8-15 in LPS2 have been successful in enabling the City to plan and provide for community infrastructure for its growing population. The revision of the Community Infrastructure Plan ensures that this level of provision and planning is maintained in light of recent changes in the planning context and to take account of the 2016 Census data. Amendment 145 is required to ensure that the revisions to the CIP are reflected in the statutory Development Contribution Plans in LPS2.

Planning and Development Act 2005

City of Kwinana

Town Planning Scheme No. 2

Amendment No. 145

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

1. Replacing Development Contribution Plans 8 – 15 inclusive from Schedule 5 of Town Planning Scheme No. 2 with the following:

AMO 115GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 8
Area Name:	Mandogalup-Community Infrastructure
Map reference on scheme map	DCA8
Relationship to other planning instruments:	The Development Contribution Plan (DCP) generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 8 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none">- Community Knowledge and Resource Centre (excluding leasable office space and cafe' component)- Multipurpose Sub-regional Park (Calista)- Wells Beach Foreshore Upgrade- Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District A Facilities—</p> <ul style="list-style-type: none">- District Sporting Ground (serves Districts A and B) - to be located within District B- District Youth Centre (serves District A) – to be located within DCA9- Dry Recreation Centre (serves Districts A and B) - to be located within District A- Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none">- Local Community Centre- Local Sporting Ground with Small Facility Building <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none">• Legal and accounting fees;• Community infrastructure design costs allocated to specific items under the DCP;• Other directly related technical and professional costs;

	<ul style="list-style-type: none"> • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 8 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 9
Area Name:	Wandi / Anketell – Community Infrastructure
Map reference on scheme map	DCA9
Relationship to other planning instruments:	The Development Contribution Plan (DCP) generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 9 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District A Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) - to be located within District B - District Youth Centre (serves District A) – to be located within DCA9 - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre (Large Scale) - Two Local Sporting Grounds with Small Facility Buildings (Wandi High School and Treeby Road) - Local Sporting Ground with Clubroom (Honeywood Oval)) <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).

Method for calculating contributions:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 9 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 10
Area Name:	Casuarina / Anketell Community Infrastructure
Map reference on scheme map	DCA10
Relationship to other planning instruments:	The Development Contribution Plan (DCP) generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 10 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Small Facility Building (Casuarina Primary School) - Local Sporting Ground with Clubroom (Casuarina High School) <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6)

Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 10 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 11
Area Name:	Wellard (East) Community Infrastructure
Map reference on scheme map	DCA11
Relationship to other planning instruments:	The Development Contribution Plan (DCP) generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 11 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Sporting Ground with Small Facility Building (Casuarina Primary School) <p>3. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).

Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 11 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 12
Area Name:	Wellard (West) Community Infrastructure
Map reference on scheme map:	DCA12
Relationship to other planning	The Development Contribution Plan (DCP) generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administration Items to be funded:	<p>Land developers within DCA 12 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Sporting Ground with Clubroom/Community Centre <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).

Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 12 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 13
Area Name:	Bertram – Community Infrastructure
Map reference on scheme map:	DCA13
Relationship to other planning instruments:	The Development Contribution Plan (DCP) generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 13 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Small Facility Building <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).

Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.
Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 13 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 14
Area Name:	Wellard / Leda Community Infrastructure
Map reference to scheme map:	DCA14
Relationship to other planning instruments:	The Development Contribution Plan (DCP) generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 14 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District C Facilities—</p> <ul style="list-style-type: none"> - District Youth Centre - District C Sporting Ground (Medina Oval Upgrade/Extension) <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Pavilion extension - Local Sporting Ground with Small Facility Building <p>4. Administrative costs</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The Development Contribution Plan shall operate for a period of 15 years from the date of gazettal of Amendment 145.

Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 14 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 15
Area Name:	Town Centre (Medina, Calista, Orelia, Parmelia) – Community Infrastructure
Map reference in scheme map:	DCA15
Relationship to other planning instruments:	The Development Contribution Plan (DCP) generally conforms to the City of Kwinana's Strategic Community Plan, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Land developers within DCA 15 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Multipurpose Sub-regional Park (Calista) - Wells Beach Foreshore Upgrade - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District C Facilities—</p> <ul style="list-style-type: none"> - District Youth Centre - District C Sporting Ground (Medina Oval Upgrade/Extension) <p>3. Administrative costs including—</p> <p>All expended and estimated future costs associated with administration, planning and development of the DCP and any technical documents necessary for the implementation of the above, including:</p> <ul style="list-style-type: none"> • Legal and accounting fees; • Community infrastructure design costs allocated to specific items under the DCP; • Other directly related technical and professional costs; • Borrowing costs on all outstanding contribution credits; and • DCP management costs (including Report preparation and review, ongoing administration and management of the DCP by City staff in accordance with SPP 3.6).
Cost Contribution Methodology:	<p>The contributions outlined in this DCP have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	The DCP shall operate for a period of 15 years from the date of gazettal of Amendment 145.

Priority and timing:	<p>In accordance with the City of Kwinana Community Infrastructure Plan and Long Term Financial Plan (as amended from time to time).</p> <p>The Development Contribution Plan 15 report, to be prepared as per clause 6.16.5.10.1, will outline the priority and timing of the infrastructure items nominated in the DCP.</p>
Review Process:	<p>The DCP will be reviewed when considered appropriate, though not exceeding a period of five years duration, having regard to the rate of subsequent development in the catchment areas since the last review and the degree of development potential still existing.</p> <p>The estimated capital infrastructure costs contained in the Cost Apportionment Schedule will be reviewed at least annually to reflect changes in funding and revenue sources and indexed based on the Building Cost Index or other appropriate index as approved by an appropriately qualified independent person.</p>

EVIDENCE OF ADOPTION

Adopted by resolution of the City of Kwinana at the Ordinary Meeting of the Council held on the ____ day of _____ 2015.

MAYOR

CHIEF EXECUTIVE OFFICER

EVIDENCE OF ADOPTION OF
FINAL APPROVAL

Adopted for final approval by resolution of the City of Kwinana at the Ordinary Meeting of the Council held on the ____ day of _____ 2019 and the Common Seal of the City of Kwinana was hereunto affixed by the authority of a resolution of the Council in the presence of:

MAYOR

SEAL

CHIEF EXECUTIVE OFFICER

RECOMMENDED/SUBMITTED
FOR FINAL APPROVAL

DELEGATED UNDER S.16 OF PD ACT 2005

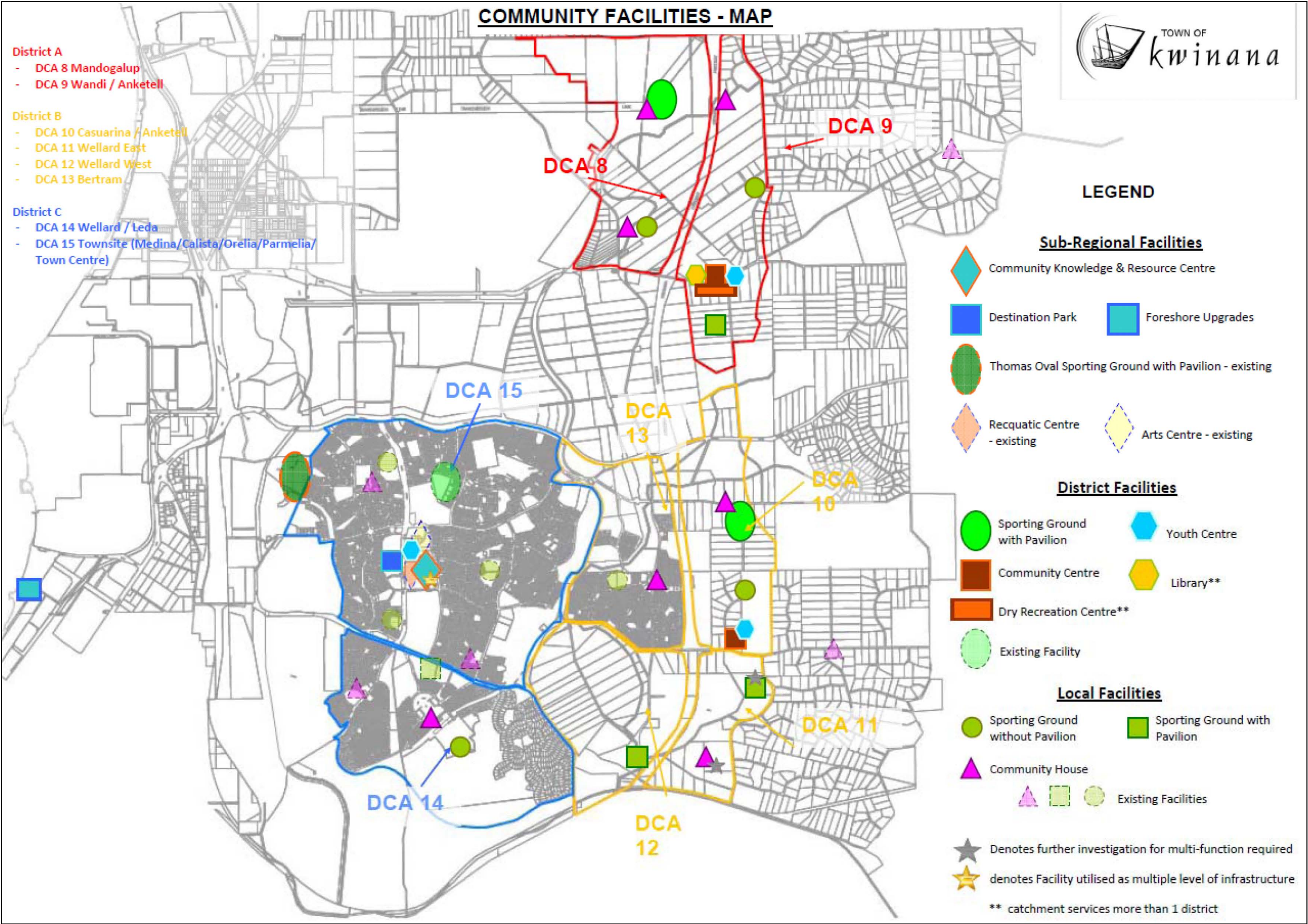
Date _____

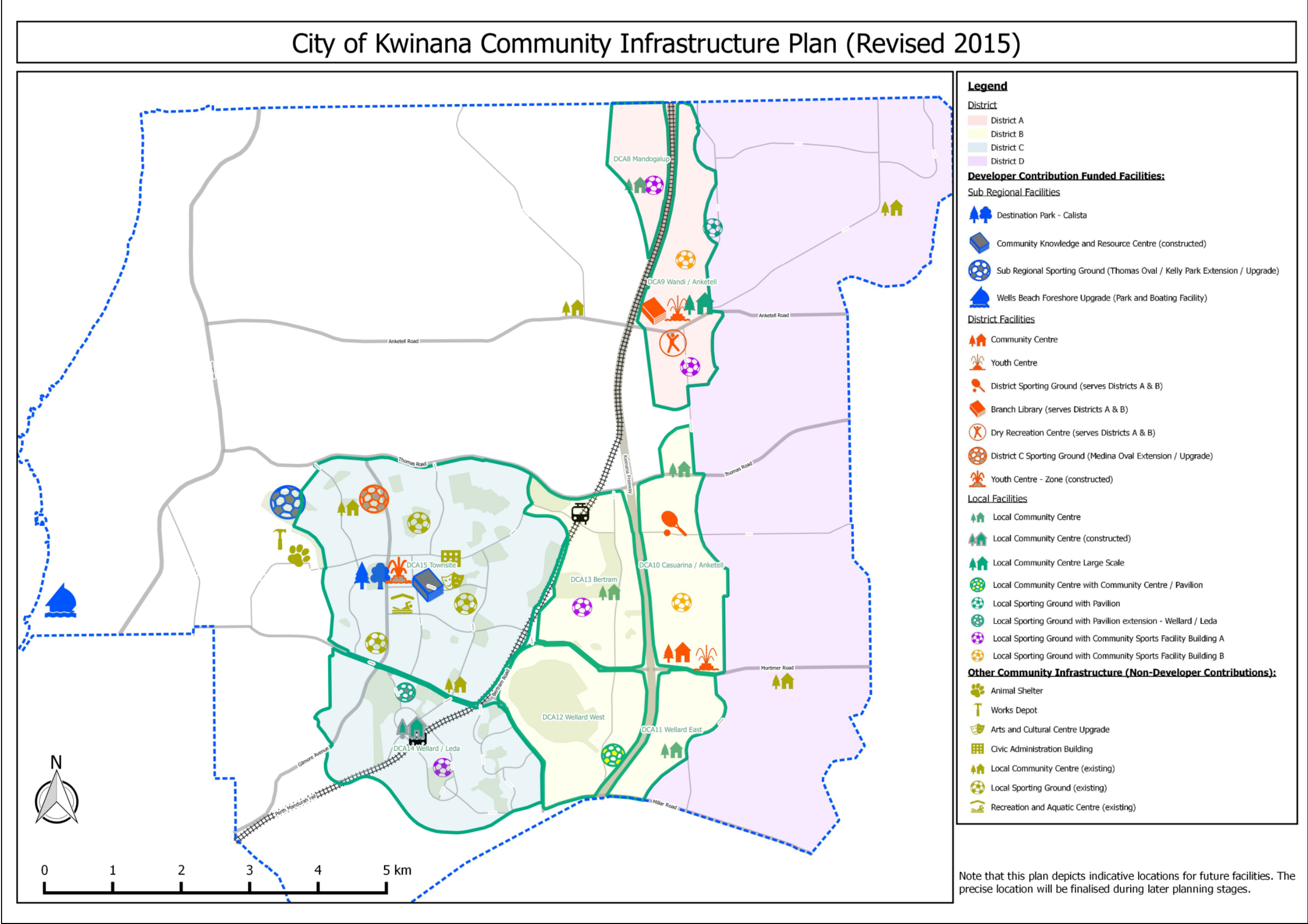
FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

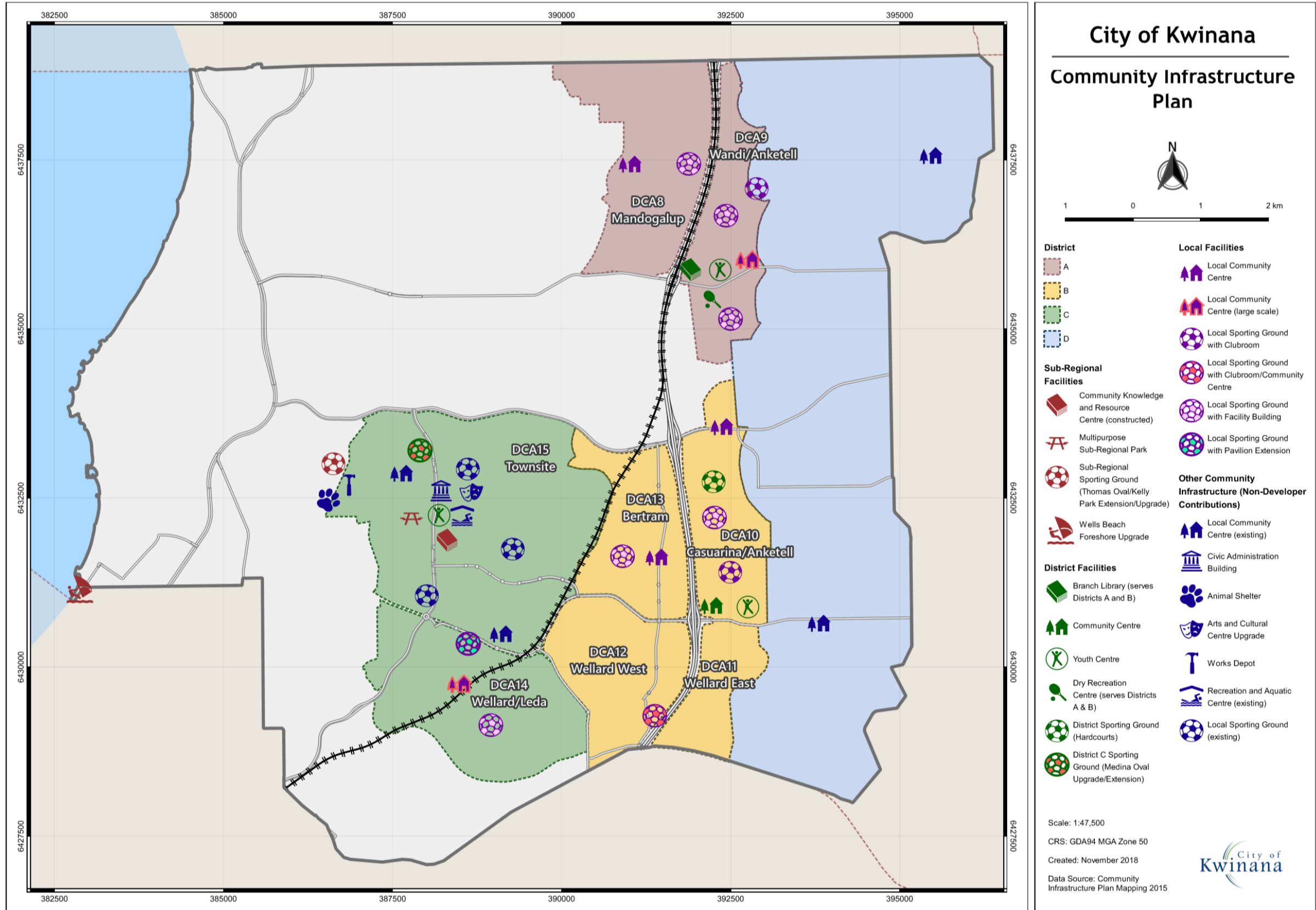
Date _____

ATTACHMENT 1 – Community Infrastructure Plan map (2009)





ATTACHMENT 3 – Adopted Community Infrastructure Plan map (2018)



ATTACHMENT 4 – Advertised version of Schedule V of TPS2 – DCPs 8-15 - 2015

AMO 115GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 8
Area Name:	Mandogalup-Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan .
Infrastructure and Administrative Items to be funded:	<p>Purpose-</p> <p>Land developers within DCA 8 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District A Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) - to be located within District B - District Youth Centre - Dry Recreation Centre (serves Districts A and B) - to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Community Sports Facility Building A <p>4. Administrative costs including—</p> <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculating contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 9
Area Name:	Wandi / Anketell – Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan .
Infrastructure and Administrative Items to be funded:	<p>Purpose –</p> <p>Land developers within DCA 9 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District A Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) - to be located within District B - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre Large Scale - Local Sporting Ground with Pavilion - Local Sporting Ground with Community Sports Facility Building A - Local Sporting Ground with Community Sports Facility Building B <p>4. Administrative costs including—</p> <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculating contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 10
Area Name:	Casuarina / Anketell Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Purpose –</p> <p>Land developers within DCA 10 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Community Sports Facility Building B <p>4. Administrative costs including—</p> <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculation contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 11
Area Name:	Wellard (East) Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Purpose –</p> <p>Land developers within DCA 11 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre <p>4. Administrative costs including—</p> <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculating contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 12
Area Name:	Wellard (West) Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administration Items to be funded:	<p>Purpose –</p> <p>Land developers within DCA 12 shall make contributions towards the following infrastructure items—</p> <ol style="list-style-type: none"> 1. Sub-Regional Facilities— <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) 2. District B Facilities— <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A 3. Local Facilities— <ul style="list-style-type: none"> - Local Sporting Ground with Community Centre / Pavilion 4. Administrative costs including— <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculating contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 13
Area Name:	Bertram – Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Purpose –</p> <p>Land developers within DCA 13 shall make contributions towards the following infrastructure items—</p> <p>1. Sub-Regional Facilities—</p> <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) <p>2. District B Facilities—</p> <ul style="list-style-type: none"> - District Sporting Ground (serves Districts A and B) – to be located within District B - District Community Centre - District Youth Centre - Dry Recreation Centre (serves Districts A and B) – to be located within District A - Branch Library (serves Districts A and B) – to be located within District A <p>3. Local Facilities—</p> <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Community Sports Facility Building A <p>4. Administrative costs including—</p> <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculating contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 14
Area Name:	Wellard / Leda Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Purpose –</p> <p>Land developers within DCA 14 shall make contributions towards the following infrastructure items—</p> <ol style="list-style-type: none"> 1. Sub-Regional Facilities— <ul style="list-style-type: none"> - Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) - Destination Park—Calista - Wells Beach Foreshore Upgrade (Park and Boating facility) - Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) 2. District C Facilities— <ul style="list-style-type: none"> - Community Centre (proportionate to Regional Centre) - District Youth Centre - District Sporting Ground (Medina Oval extension/upgrade) 3. Local Facilities— <ul style="list-style-type: none"> - Local Community Centre - Local Sporting Ground with Pavilion extension - Local Sporting Ground with Community Sports Facility Building A 4. Administrative costs including— <ul style="list-style-type: none"> - costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) - costs to prepare and review estimates - costs to prepare the 'Cost Apportionment Schedule' - valuation costs
Method for calculating contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> - demand for a facility that is generated by the current population; - demand created by external usage—the proportion of use drawn from outside of the main catchment area; and - future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	<p>The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City.</p> <p>The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.</p>

AMD 115 GG 19/06/12	DEVELOPMENT CONTRIBUTION PLAN 15
Area Name:	Town Centre (Medina, Calista, Orelia, Parmelia) – Community Infrastructure
Relationship to other planning instruments:	The DCP generally conforms to the City of Kwinana's Strategic Plan for the Future, Long Term Financial Plan and Community Infrastructure Plan.
Infrastructure and Administrative Items to be funded:	<p>Purpose —</p> <p>Land developers within DCA 15 shall make contributions towards the following infrastructure items—</p> <ol style="list-style-type: none"> Sub-Regional Facilities— <ul style="list-style-type: none"> Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) Destination Park—Calista Wells Beach Foreshore Upgrade (Park and Boating facility) Sub Regional Sporting Ground (Thomas Oval / Kelly Park extension/upgrade) District C Facilities— <ul style="list-style-type: none"> Community Knowledge and Resource Centre (excluding leasable office space and cafe' component) District Youth Centre District Sporting Ground (Medina Oval extension/upgrade) Administrative costs including— <ul style="list-style-type: none"> costs to prepare and (for standard items only) administer the DCP during the period of operation (including but not limited to legal expenses, valuation fees, proportion of Staff salaries, computer software or hardware for purpose of administering DCP) costs to prepare and review estimates costs to prepare the 'Cost Apportionment Schedule' valuation costs
Method for calculation contributions:	<p>The contributions outlined in this plan have been derived based on the need for facilities generated by additional development in the DCA. Costs have been calculated on the 'per dwelling' demand identified for each infrastructure item within the DCA. This calculation includes any residential component of a commercial or mixed use development and excludes the—</p> <ul style="list-style-type: none"> demand for a facility that is generated by the current population; demand created by external usage—the proportion of use drawn from outside of the main catchment area; and future usage—the proportion of usage that will be generated by future development outside of the DCP timeframe.
Period of Operation:	20 years: 2011-2031
Priority and timing:	In accordance with the City of Kwinana Community Infrastructure Plan and Capital Expenditure Plan (as amended). Each facility will generally be provided when at least 75% of the population catchment for the facility is achieved.
Review Process:	The DCP will be reviewed at a minimum of once every five (5) years however, may be reviewed more frequently if considered necessary by the City. The cost apportionment schedule and subsequent capital infrastructure costs will be reviewed at least annually.

ATTACHMENT 5 – Capital Expenditure Schedule – December 2019 as adopted

Detailed Capital Expenditure

Note: Figures are 000's and costs are escalated

Project	Description of Works	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
Buildings		4,785	503	3,359	3,416	1,215	7,662	8,148	4,078	16,557	14,849	1,216	8,444	15,486	9,639	2,199	1,970	1,773	1,559	1,263	1,288
Administration Building & Civic Centre Refurbishment		2,268																			
Arts & Cultural Centre Upgrade - Stage 1 of 3	Per Community Infrastructure Plan							121													
Arts & Cultural Centre Upgrade - Stage 2 of 3	Per Community Infrastructure Plan								1,186												
Arts & Cultural Centre Upgrade - Stage 3 of 3	Per Community Infrastructure Plan									1,227											
Building Contingency		102	104	107	109	113	117	121	125	129	134	138	143	148	153	159	164	170	176	182	189
Building Renewals - Per Building Asset Management Plan		263	268	275	282	290	301	311	322	333	345	357	1,365	1,429	1,585	1,921	1,682	1,475	1,251	944	958
Building Upgrades - Calista Oval Tennis Clubrooms	Installation of Modular Universal Accessible Toilet and Renovation of Existing Toilet	137																			
Building Upgrades & Renewal - Smirk Cottage	As per conservation management plan recommendations		52	27																	
DCA 10 - Local Community Centre Casuarina/Anketell	100% DCA Funded					168	1,657	1,715													
DCA 10 - Local Sporting Ground with Clubroom - Casuarina/Anketell												145	1,425	1,475							
DCA 10 - Local Sporting Ground with Facility Building - Casuarina/Anketell									50	492	509										
DCA 10,11,12,13 - District B Community Centre	19% City 81% DCA Funded (25% each DCA)												343	3,368	3,486						
DCA 10,11,12,13 - District B Youth Centre	19% City 81% DCA Funded (25% each DCA)												422	4,154	4,299						
DCA 12 - Local Sporting Ground with Community Centre / Clubroom - Wellard West	3% City 97% DCA Funded			2,871	2,943																
DCA 14 - Local Sporting Ground with Facility Building - Wellard Village Primary School	Per Community Infrastructure Plan							48	475	492											
DCA 8 - Local Community Centre - Mandogalup	100% DCA Funded								187	1,837	1,901										
DCA 8 - Local Sporting Ground with Facility Building - Mandogalup	100% DCA Funded					45	443	459													
DCA 8,9 - District A Youth Centre	1% City 99% DCA Funded (50/50 DCA 8/9)								368	3,620	3,747										
DCA 8,9,10,11,12,13 - Branch Library (serves Districts A & B)	13% City 87% Funded (17% each DCA)					334	3,279	3,394													
DCA 8,9,10,11,12,13 - Dry Recreation Centre (serves Districts A & B)	13% City 87% Funded (17% each DCA)								747	7,348	7,605										
DCA 8,9,10,11,12,13 - Hard Court Clubrooms (District A & B)	12% City 88% Funded (17% each DCA)											472	4,638	4,801							
DCA 9 - Local Community Centre (large Scale) - Wandi	1% City 99% DCA Funded					181	1,778	1,841													
DCA 9 - Local Sporting Ground with Facility Building (Treeby Rd)	28% City 72% DCA Funded							48	475	492											
DCA 9 - Local Sporting Ground with Facility Building (Wandi Highschool)	28% City 72% DCA Funded								50	492	509										
DCA 9 - Local Sports Ground Clubroom - Honeywood	Honeywood Primary School Oval Pavilion 1% City 99% DCA Funded	1,013																			
Family Daycare Building Replacement of Playroom, Kitchenette and Toy Library		661																			
Family Daycare Playground Renewal		143																			
Operations Centre Upgrade	Subject to a feasibility study, works will be required to be undertaken within 5 years, further information will be known and included in the next review of the LTFP	0	0	0																	
Unallocated Projects		76	78	80	82	84	87	90	94	97	100	104	107	111	115	119	123	128	132	137	141
Animal Care Facility	Repair and refurbishment to ensure continued safety of City Officers, Members of Public and animals impounded.	85																			
Sloans Cottage	Works to make property safe, accessible and ready for lease by third party entity.	27																			
Darius Wells - Room Conversion	Darius Wells - conversion of small room to office for tenancy	10																			
Bus Shelters		37	38	51	53	55	57	60	62	65	68	71	74	116	124	132	140	145	150	155	161
Bus Shelters - New		0	12	13	13	14	15	16	17	18	20	21	22	24	25	27	28	29	30	31	32
Bus Shelters - Upgrade		37	26	38	39	41	42	43	45	47	48	50	52	92	98	105	112	116	120	124	128
Bus Shelters Renewal		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Car Parks		305	208	0	219	0	233	0	250	0	267	0	286	297	307	318	329	340	352	364	377
Car Park - New	Wandi Community Centre Car park	305																			
Car Park Renewal per Asset Management Plan		0	208	0	219	0	233	0	250	0	267	0	286	297	307	318	329	340	352	364	377

ATTACHMENT 6 – draft Cost Apportionment Schedule (advertised version – not modified)

[illegible]

ATTACHMENT E

City of Kwinana

Community Infrastructure Plan



1 0 1 2 km

District

- A
- B
- C
- D

Sub-Regional Facilities

- Community Knowledge and Resource Centre (constructed)
- Multipurpose Sub-Regional Park
- Sub-Regional Sporting Ground (Thomas Oval/Kelly Park Extension/Upgrade)
- Wells Beach Foreshore Upgrade

District Facilities

- Branch Library (serves Districts A and B)
- Community Centre
- Youth Centre
- Dry Recreation Centre (serves Districts A & B)
- District Sporting Ground (Hardcourts)
- District C Sporting Ground (Medina Oval Upgrade/Extension)

Local Facilities

- Local Community Centre
- Local Community Centre (large scale)
- Local Sporting Ground with Clubroom
- Local Sporting Ground with Clubroom/Community Centre
- Local Sporting Ground with Facility Building
- Local Sporting Ground with Pavilion Extension

Other Community Infrastructure (Non-Developer Contributions)

- Local Community Centre (existing)
- Civic Administration Building
- Animal Shelter
- Arts and Cultural Centre Upgrade
- Works Depot
- Recreation and Aquatic Centre (existing)
- Local Sporting Ground (existing)

Scale: 1:47,500

CRS: GDA94 MGA Zone 50

Created: November 2018

Data Source: Community Infrastructure Plan Mapping 2015



18 Reports – Civic Leadership

18.1 Kwinana Local Recovery Co-ordination Group

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

In response to COVID-19 Coronavirus the Government of Western Australia declared a State of Emergency on 16 March 2020 and a Public Health Emergency on 17 March 2020.

Under the Western Australian *Emergency Management Act 2005* it is a responsibility of local government to manage recovery following an emergency affecting the community in its district.

Under the Act recovery is defined as “the support of emergency affected communities in the reconstruction and restoration of physical infrastructure, the environment and community, psychosocial and economic wellbeing”.

In response to the State of Emergency and Public Health Emergency being declared a Kwinana Local Recovery Coordination Group has been formed. The COVID-19 event is not a ‘typical’ emergency and has had a significant economic and social impact on the community. The Recovery Coordination Group therefore has a focus on holistic regeneration and the enhancement of the Kwinana community through the following objectives:

- Supporting cultural and physical well-being of individuals and the community
- Minimising any further escalation of the impacts of COVID-19
- Building resilience in the community
- Developing opportunities to regenerate and enhance the community with a focus on an integrated approach to social inclusion and economic development.

The purpose of this report is to seek Council endorsement with respect to the recovery arrangements for COVID-19 that have been activated in response to the State of Emergency being declared.

OFFICER RECOMMENDATION:

That Council:

1. Endorse the formation of the Kwinana Local Recovery Co-ordination Group and it's sub-committees;
2. Appoint Mayor Carol Adams (as chair of the Local Recovery Committee) as the chairperson of the Kwinana Local Recovery Co-ordination Group, and Cr Matthew Rowse (as chair of the Local Emergency Management Committee) as a member of the Kwinana Local Recovery Co-ordination Group.
3. Note the minutes of the Kwinana Local Recovery Co-ordination Group and it's sub-committees (Attachments A – E).

18.1 KWINANA LOCAL RECOVERY CO-ORDINATION GROUP

DISCUSSION:

In response to COVID-19 Coronavirus the Government of Western Australia declared a State of Emergency on 16 March 2020 and a Public Health Emergency on 17 March 2020.

Under the Western Australian *Emergency Management Act 2005* it is a responsibility of local government to manage recovery following an emergency affecting the community in its district.

Under the Act recovery is defined as “the support of emergency affected communities in the reconstruction and restoration of physical infrastructure, the environment and community, psychosocial and economic wellbeing”.

In response to the State of Emergency and Public Health Emergency being declared the City of Kwinana Local Emergency Management Plan was activated and in consultation with the Chair of the Kwinana Local Recovery Committee, a Kwinana Local Recovery Coordination Group was initiated. The Group is comprised of a range of representatives from State government agencies, Federal and State government elected members and City of Kwinana representatives including:

- Local Recovery Committee (Chair)
- Local Emergency Management Committee (Chair)
- Department of Communities
- Department of Education
- South Metropolitan Health Service
- Offices of Federal and State government elected members
- City of Kwinana Officers

The first meeting of this Group was held on 2 April 2020. At this meeting it was resolved to form two sub-committees being the Local Community Recovery Network and the Local Economic Recovery Sub-Committee. The minutes of this meeting are included with this report at Attachment A, and include the Terms of Reference for the Group.

A second and third meeting of the Kwinana Local Recovery Co-ordination Group was held on 9 April 2020 and 16 April, 2020 respectively. The minutes of the meetings held on 9 April 2020 and 16 April, 2020 are included with this report at Attachment B. At the second meeting the Group endorsed the Terms of Reference for the two sub-committees. It is intended that the membership of these sub-committees remain flexible in order to respond to the evolving nature of the pandemic as the emergency unfolds and the recovery needs of the community change.

The first meeting of the Local Economic Recovery Sub-Committee was held on 7 April 2020. The minutes of this meeting are included in this report at Attachment C, along with the sub-committees Terms of Reference. The key objectives the Sub-committee will be working on are

- Supporting cultural and physical well-being of individuals and the community
- Minimising any further escalation of the impacts of COVID-19
- Build resilience in the community
- Develop opportunities to regenerate and enhance the community with a focus on an integrated approach to social inclusion and economic development.

18.1 KWINANA LOCAL RECOVERY CO-ORDINATION GROUP

Some initial actions the Sub-Committee has commenced work on are:

- Reducing regulation and legislation burdens
- Stimulation of spending in the local economy, for example, through campaigns
- Supporting local business
- Supporting the local community to find employment
- Preparing a schedule of projects and items for advocacy.

The Local Community Recovery Network has now had two meetings held on 7 April 2020 and 14 April 2020. The minutes of both meetings held are included with this report at Attachment D (including Terms of Reference) and E. The Network has focused on identifying areas of need in the community including gaps in services and resources, alternative service delivery models, and innovative solutions to the emerging needs of vulnerable groups. The information gathered will form the basis for the development a Local Community Recovery Plan. To date the following priority areas have been identified:

- Food security
- Access to the internet
- Support for vulnerable groups
- Social isolation and disconnection from community.

An integrated Kwinana Local Recovery Plan will be developed incorporating the work of both sub-committees and focusing on short, medium and long term strategies in the key areas of:

- Reactivation of community facilities and places
- Access to information and communication
- Employment, education and training
- Reducing regulation and legislation burdens
- Stimulating spending in the local economy
- Supporting local business
- Social connection and community engagement
- Support for vulnerable groups
- Inclusion and diversity.

The City of Kwinana received the State Recovery Plan COVID-19 on 25 March 2020, this is included in this report at Attachment F. At a district level, a Metropolitan Operational Area Support Group (OASG) has been formed and will assist the Department of Health with strategic support through:

- The provision of agency-specific information.
- Expert advice.
- Resources and support.
- Facilitating information exchange at a district level.

The first meeting of this Group took place on Friday 3 April 2020, The minutes of this meeting were unavailable at the time of preparation of this report. The Chief Executive Officer and the Local Recovery Coordinator are Council's representatives on the OASG. The State Emergency Welfare Plan has also been enacted.

18.1 KWINANA LOCAL RECOVERY CO-ORDINATION GROUP

In terms of communications, City Officers have been regularly updating all City of Kwinana communication channels with recovery information including the development of a dedicated COVID -19 webpage which includes a Community Support Line telephone number staffed by the City's staff who can assist with:

- General advice and assistance
- Understanding information and correspondence people might be unsure about
- Advice on accessing and applying for benefits
- Advocacy on a range of matters.

Additionally there is information on a range of matters categorised into:

- Things for those in business
- Things for those in need
- Things to do
- Things to stay connected.

This information will be expanded upon and updated as the pandemic evolves and the short, medium and long term recovery requirements of the community become clear, both in economic and community well being terms.

LEGAL/POLICY IMPLICATIONS:

Emergency Management Act 2005

S 36. Functions of local government

It is a function of a local government —

- (a) subject to this Act, to ensure that effective local emergency management arrangements are prepared and maintained for its district; and
- (b) to manage recovery following an emergency affecting the community in its district; and
- (c) to perform other functions given to the local government under this Act.

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications relating to this report or its recommendations. There may be financial implications resulting from the impact of the pandemic on the community and the implementation of a recovery plan, which will be the subject of an additional Council report.

ASSET MANAGEMENT IMPLICATIONS:

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

ENVIRONMENTAL IMPLICATIONS:

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

18.1 KWINANA LOCAL RECOVERY CO-ORDINATION GROUP**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	Optimise City Services	Provide Emergency Services in line with stakeholder expectations to ensure a safer community

COMMUNITY ENGAGEMENT:

Significant community engagement has occurred as a result of the COVID-19 Pandemic. All non-government and community agencies and groups in Kwinana have been contacted and information has been available via a special COVID-19 website to support community in a number of ways with information, resources and home based activities.

PUBLIC HEALTH IMPLICATIONS

The implementation of short, medium and long term strategies through the formation of the Kwinana Local Recovery Co-ordination Group will support community recovery and will positively impact on the community's health and well being, and economic recovery post the pandemic.

RISK IMPLICATIONS:

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

Risk Event	Recovery management processes not activated in a timely manner. Inadequate recovery planning processes in place.
Risk Theme	Business and community disruption Failure to fulfil statutory regulations or compliance requirements Inadequate safety and security practices Inadequate engagement practices
Risk Effect/Impact	Service Delivery People/Health Financial Reputation Compliance
Risk Assessment Context	Strategic

18.1 KWINANA LOCAL RECOVERY CO-ORDINATION GROUP

Consequence	Major
Likelihood	Unlikely
Rating (before treatment)	High
Risk Treatment in place	Reduce – mitigate risk
Response to risk treatment required/in place	Activate structures and processes to commence recovery planning
Rating (after treatment)	Low

COUNCIL DECISION**160****MOVED CR P FEASEY****SECONDED CR W COOPER****That Council:**

- 1. Endorse the formation of the Kwinana Local Recovery Co-ordination Group and it's sub-committees;**
- 2. Appoint Mayor Carol Adams (as chair of the Local Recovery Committee) as the chairperson of the Kwinana Local Recovery Co-ordination Group, and Cr Matthew Rowse (as chair of the Local Emergency Management Committee) as a member of the Kwinana Local Recovery Co-ordination Group.**
- 3. Note the minutes of the Kwinana Local Recovery Co-ordination Group and it's sub-committees (Attachments A – E).**

CARRIED
8/0

Kwinana Local Recovery Co-ordination Group Meeting Minutes

Held on Thursday 2 April 2020 at 10am

1. Attendees

Mayor Carol Adams, City of Kwinana (Chair)
Cr Matthew Rowse, City of Kwinana
Barbara Powell, Director City Engagement, City of Kwinana
Michelle Bell, Director City Legal, Director, City Kwinana
Warwick Carter, Economic Development and Advocacy Manager, City of Kwinana
Natasha Dransfield, Manager Corporate Communications, City of Kwinana
Rod De San Miguel, Emergency Service Coordinator, City of Kwinana
Anna Fryer, Executive Officer, City of Kwinana
Andrew Geddes, Regional Executive Director, Department of Communities
Ken Perris, Regional Director, Department of Education
Paul Forden, South Metropolitan Health Service
Kathrine Gurbiel, Office of Madeleine King MP
Adrian Richards, A/Sen Sgt Kwinana Police
Sanja Office of Roger Cook MLA

2. Apologies

Madeleine King, MP
Roger Cook, MLA
Zoey McMillan, Office of Roger Cook MLA

3. General business

The chairperson welcomed the attendees to the meeting and commenced the meeting at approximately 10am,

3.1 Consideration of State Recovery Plan

Action – Group to consider State Recovery Plan and provide any further feedback at next meeting

3.2 Consideration of local arrangements

General discussion about the need for social inclusion as this emergency is different from natural disaster events and physical infrastructure shut downs, such as floods, bushfire etc.

Discussion occurred on the need to keep the community engaged and exploring new opportunities.

3.3 Purpose and aim of the proposed working group

3.3.1 Purpose of the group:

To develop a plan which ensures:

- up to date information is available through the formation of local networks on the impact of the pandemic on the local community and enables the identification of any emerging gaps in services or supports;
- government/community structures are able to continue to support community health and well being;
- measures are in place to combat social isolation, loneliness and community disconnection;
- local initiatives are being developed to complement Federal and State stimulus and support measures to keep local businesses operating and employing local people;
- co-ordination of local recovery efforts.

The Purpose and aim will be used as the Terms of Reference for the Working Group

3.3.2 Aim of the group:

- To keep people informed
- To keep community connected
- To keep people engaged
- To keep people healthy
- To keep people employed
- To keep business working
- To keep industry turning
- To keep neighbours neighbourly
- To keep people playful and creative

It was agreed that there would be two subcommittees to support the Recovery Co-ordination Group.

These are:

- Local Community Recovery Network – with Barbara Powell as the responsible officer
- Local Economic Recovery Network – with Warwick Carter as the responsible officer, with an elected member chairing the meeting.

The Networks will meet week commencing 6 April and then report to the Co-ordination Group at its next meeting.

See the chart attached



Kwinana Local
Recovery Co-ordination

3.4 Membership of the Recovery Co-ordination Group

It was agreed to extend an invitation to the following, to join the Recovery Co-ordination Group:

Baldivis MLA, Reece Whitby or a representative
City of Kwinana ICT Manager Mathew Smith
Gilmore College Principal Rohan Smith.

3.5 Measures put into place to date

3.5.1 Creation of website pages – information provision, who to contact, what to do, things to do

3.5.2 Creation of local agency/organisation networks

3.6 Kwinana Local Recovery Co-ordination Group governance arrangements

The Chair thanked everyone for their attendance, and closed the meeting at 11am

4 Next meeting

Thursday 9th April 2020 at 10am (Video Conference Call)

Kwinana Local Recovery Co-ordination Group Membership & Terms of Reference

Role of the Kwinana Local Recovery Co-ordination Group

The City of Kwinana has established the Kwinana Local Recovery Co-ordination Group for the purpose of ensuring that the Kwinana community is well placed to return to normal life as quickly as possible post the COVID-19 pandemic.

The purpose of the Kwinana Local Recovery Co-ordination Group is to develop a plan which ensures:

- up to date information is available through the formation of local networks on the impact of the pandemic on the local community and enables the identification of any emerging gaps in services or supports;
- government/community structures are able to continue to support community health and well being;
- measures are in place to combat social isolation, loneliness and community disconnection;
- local initiatives are being developed to complement Federal and State stimulus and support measures to keep local businesses operating and employing local people;
- co-ordination of local recovery efforts.

The aim of the Group is to:

- To keep people informed
- To keep community connected
- To keep people engaged
- To keep people healthy
- To keep people employed
- To keep business working
- To keep industry turning
- To keep neighbours neighbourly
- To keep people playful and creative

Membership of the Group

Name	Organisation	Reason for Membership
Mayor Carol Adams (Chair)	City of Kwinana	Chair and represents Kwinana Local Recovery Committee
Cr Matthew Rowse	City of Kwinana	Chair and represents Local Emergency Management Committee
Andrew Geddes	Department of Communities	Regional Executive Director, Department of Communities
Ken Perris	Department of Education	Regional Director, Department of Education

Paul Forden	South Metropolitan Health Service	Chief Executive, South Metropolitan Health Service
Adrian Richards	WA Police	A/OIC Kwinana Police Station
Rohan Smith	Department of Education	Principal Gilmore College
Madeleine King or representative	Office of Madeleine King MP	Federal Government Elected Member
Roger Cook or representative	Office of Roger Cook MLA	State Government Elected Member
Reece Whitby or representative	Office of Reece Whitby MLA	State Government Elected Member
Michelle Bell	City of Kwinana	Local Recovery Co-ordinator and Director City Legal
Barbara Powell	City of Kwinana	Director City Engagement
Warwick Carter (Coordinator)	City of Kwinana	Economic Development & Advocacy Manager
Mathew Smith	City of Kwinana	Manager Information Technology
Natasha Dransfield	City of Kwinana	Manager Corporate Communications
Rod De San Miguel	City of Kwinana	Emergency Service Coordinator
Anna Fryer	City of Kwinana	Executive Officer

The roles, formation and membership of the subcommittee may vary over time as recovery progresses.

Roles and Responsibility of Members

Chair	Authorise agenda Lead meetings Lead decision-making process Act as spokesperson
Director City Engagement	Prepare draft agenda Coordinate the reporting on action items
Executive Officer	Arrange meeting logistics Minute taking / note agreed actions Circulate minutes and maintain records
All members	Regularly attend and participate in meetings Contribute their skills, knowledge and experience Endeavour to align and coordinate the work of their organisation

Decision Making

Decision making is to be by consensus with the Chair leading the process.

Kwinana Local Recovery Co-ordination Group

Meeting Minutes

Held on Thursday 9 April 2020 at 10am

Purpose of the group:

To develop a plan which ensures:

- up to date information is available through the formation of local networks on the impact of the pandemic on the local community and enables the identification of any emerging gaps in services or supports;
- government/community structures are able to continue to support community health and well being;
- measures are in place to combat social isolation, loneliness and community disconnection;
- local initiatives are being developed to complement Federal and State stimulus and support measures to keep local businesses operating and employing local people;
- co-ordination of local recovery efforts.

1. Attendees

Mayor Carol Adams, City of Kwinana (Chair)
Cr Matthew Rowse, City of Kwinana
Barbara Powell, Director City Engagement, City of Kwinana
Michelle Bell, Director City Legal, Director, City Kwinana
Warwick Carter, Economic Development and Advocacy Manager, City of Kwinana
Natasha Dransfield, Manager Corporate Communications, City of Kwinana
Rod De San Miguel, Emergency Service Coordinator, City of Kwinana
Mathew Smith, Manager Information Technology
Anna Fryer, Executive Officer, City of Kwinana
Paul Forden, South Metropolitan Health Service
Zoey McMillan, Office of Roger Cook MLA
Adrian Richards, A/Sen Sgt Kwinana Police
Renae Fussell Office of Reece Whitby, MLA
Sanja, Office of Roger Cook, MLA

2. Apologies

Andrew Geddes, Regional Executive Director, Department of Communities
Kathrine Gurbiel, Office of Madeleine King MP
Ken Perris - Regional Director, Department of Education

The chairperson welcomed those present to the meeting and commenced the meeting at approximately 10am,

3. Minutes of previous meeting

State Recovery Plan

General discussion occurred on the State Recovery Plan, the Chairperson requested all to note the Plan.

4. General business

4.1 Update from Local Recovery Co-ordinator

- The Local Recovery Co-ordinator spoke about the formation of the Office of Emergency Management Operational Area Support Group.
- 94 participants attended the first meeting, representing Police, Health Dept, Dept of Communities and local government CEOs and Local Recovery Co-ordinators.
- One email channel will be used for information dissemination, consistent messaging on COVID 19 matters will be ensured.
- The State Emergency Welfare Management Plan was also launched.

The Chairperson also advised of an initiative established by Madeleine King to relay information to Canberra – the Grand Community Cabinet, comprised of Mayors of Kwinana and Rockingham, and State local members Roger Cook, Paul Papalia and Reece Whitby.

4.2 Update from Local Community Recovery Network

The convenor of the Local Community Recovery Network spoke about the first meeting of the Network, attended by approx 15 people representing 10 different agencies. Outcomes from the meeting included:

- Draft Terms of reference for the Network (tabled for approval by the Local Recovery Co-ordination Group),
- A comprehensive list of response activities that agencies have already initiated.

- Issues that have been identified include emergency relief for people in need, food distribution for the elderly/people in need, and access to bulk food / supplies.
- Respite services, support for new families, for the elderly, for people with disabilities, etc.
- Loss of social connection and loneliness.
- Access to internet – connection, data and devices.
- The group will make an application for additional resources through Lotterywest.
- The group will meet on a weekly basis, minutes will be circulated.

The A/OIC Kwinana Police Station spoke about a minor increase in homelessness, otherwise there has been no discernible increase in crime. A few more people than usual have been visible in parks, and referrals have been made to agencies to assist.

Action – Minutes of the Network to be circulated to the Group, along with the update from the Department of Education.

Cr Matthew Rowse raised the issue of some groups from CALD backgrounds perhaps not receiving information on the changes that are occurring within the community regarding the COVID-19.

Action – Information in alternative languages to be provided via the website, and through the City's Multicultural Advisory Group networks.

Action – Office of Roger Cook to provide information in alternative languages.

4.3 Update from Local Economic Recovery Sub-Committee

The Economic Development and Advocacy Manager reported on the Economic Recovery Sub-committee. The 5 key areas that the Sub-committee is working on are:

- Reduce regulation and legislation burdens
- Stimulation of spending in the local economy
- Supporting local business
- Supporting the local community to find employment
- Items for advocacy

4.4 Other Business

The ICT Manager advised that the City could look at extending the areas where free wi fi is provided to assist the community with access to data. He also advised that Telstra provide discounted internet connection for people on low incomes and that some of the telco's are currently offering special packages of increased amounts of data, for limited periods.

Action – Information on the data packages to be sent to the Group.

Reece Whitby's office advised that they have been contacting all local restaurants/cafes to determine if they are offering a takeaway menu, and posting the information on facebook. They will also add local trades to the information in an effort to support local businesses in the area.

Roger Cook's office mentioned that Volunteer WA have started a group to assist people with COVID-19.

The Chair thanked everyone for their attendance, and closed the meeting at 11am

5 Next meeting

Thursday 16 April at 10am

Kwinana Local Economic Recovery Subcommittee Meeting

Agenda

The meeting was called to order by Mayor Carol Adams at 2:05 pm on the 8th of April 2020 via video conference call.

1. Attendees

Mayor Carol Adams, City of Kwinana (Chair)
Tony Solin, CEO, Rockingham Kwinana Chamber of Commerce
Chris Oughton, Director, Kwinana Industries Council
Glenn Page, Associate Director, Knight Frank (Kwinana Marketplace)
Kate Gurbiel, Office of Madeleine King MP, Member for Brand
Sanja Spasojevic, Office of Roger Cook MLA,
Warwick Carter, Economic Development & Advocacy Manager, City of Kwinana
Mathew Smith, Manager Information Technology, City of Kwinana
Michelle Sison, Executive Officer, City of Kwinana
Wayne Jack, CEO, City of Kwinana - Observer

2. Apologies

Reece Whitby, Member for Baldivis

3. General business

- 3.1 Overview of Recovery Arrangements and consideration of the State Recovery Plan COVID-19 Government
- Carol provided an overview of the role of recovery and the relationship to the City's Recovery Group (PowerPoint Attached)
- 3.2 Review Terms of Reference and Membership
- The terms of reference were accepted.
 - Suggestions of membership related to education and training to be forwarded to Warwick Carter outside of the meeting.

3.3 Understanding of current situation

- Warwick Carter provided an update on the information provided to the City regarding the economic conditions.
- Glenn Page noted that although it is vital and necessary that online shopping is promoted, this change in the shoppers purchasing habits will have a detrimental and long term effect on the retail industry once shops open.
- Chris Oughton noted that most of the large industrial companies are continuing business as usual except for the oil refinery, due to much less demand on oil. The industries will be heavily focusing on pushing for major economic stimuli.
- Matthew Smith noted the opportunity to make wifi access more accessible to under privileged families in the community moving into the online purchasing practice. Needing data on best locations where to put wifi equipment.

3.4 Progress of Local Economic Recovery Plan

- Warwick presented the 6 Key Concept and 5 Pillars that the Recovery Plan will be based on. A first draft will be discussed at the next meeting of the subcommittee.

3.5 Other Business

- Tony Solin noted that the tender process cannot overtly support local business. Wayne Jack noted that there is an opportunity to consider a wider array of interests beyond focusing on the cheapest and the City will consider further.

4. Reference



Information for
KLERS.pptx



State Recovery Plan
COVID-19 Version 1.p

5. Next Meeting

22 April 2020 at 2:00 pm via video conference call.

The Meeting closed at 2.58pm

Kwinana Local Economic Recovery Subcommittee Membership & Terms of Reference

Role of the Kwinana Local Economic Recovery Subcommittee

The City of Kwinana has established the Kwinana Local Recovery Co-ordination Group (the Co-ordination Group) for the purpose of ensuring that the Kwinana community is well placed to return to normal life as quickly as possible post the COVID-19 pandemic. The Co-ordination Group determined to set up two subcommittees, one to support the local community and a second to support the local economy.

The Kwinana Local Economy Recovery Subcommittee (the Subcommittee) will focus on ensuring:

- It is well informed, through the creation of local networks, on the impact of the pandemic on the local business community;
- Reviewing and identifying recovery actions;
- Any missing supply chain issues impacting business are brought to the attention of the State and Federal Government; and
- Local Initiatives are being developed to compliment Federal and State stimulus and support measures to keep local businesses operation and employing local people.

Subcommittee Membership

Name	Organisation	Reason for Membership
Mayor Carol Adams (Chair)	City of Kwinana	Represents Local Government
Tony Solin	Rockingham Kwinana Chamber of Commerce	Represents Local Business
Chris Oughton	Kwinana Industries Council	Represents Major Industry in the region
Glenn Page	Knight Frank	Represents Kwinana Marketplace, Secondary Centre
TBA	Office of Roger Cook MLA	Represents State Government Elected Member
TBA	Office of Reece Whitby MLA	Represents State Government Elected Member
TBA	Office of Madeleine King MP	Represents Federal Government Elected Member
Warwick Carter (Coordinator)	City of Kwinana	Economic Development & Advocacy Manager
Mathew Smith	City of Kwinana	Manager Information Technology
Michelle Sison (Executive Officer)	City of Kwinana	Coordinate and minute meetings

The roles, formation and membership of the subcommittee may vary over time as recovery progresses.

Roles and Responsibility of Members

Chair	Authorise agenda Lead meetings Lead decision-making process Act as spokesperson
Coordinator	Prepare draft agenda Coordinate and report on action items Report items to the Co-ordination group
Executive Officer	Arrange meeting logistics Minute taking / note agreed actions Circulate minutes and maintain records
All members	Regularly attend and participate in meetings Contribute their skills, knowledge and experience Endeavour to align and coordinate the work of their organisation

Decision Making

Decisions making is to be by consensus with the Chair leading the process.

Kwinana Local Community Recovery Network Meeting

Minutes - 11:00am 7 April, 2020

1. Attendees

Name	Agency
Barbara Powell	City of Kwinana (Chair)
Anna Abblitt	City of Kwinana (Executive Officer)
Paul Gravett	City of Kwinana
Adam Strelein	City of Kwinana
Anna Savill	City of Kwinana
Tanya Sander	City of Kwinana
Denise Matthews	The Smith Family
Claire Hetherington	Relationships Australia – WA Empowerment Program
Denise Matthews	The Smith Family
Jane Miller	CCK
Paula Cronan	Chorus
Claire Marsh	Chorus
Lisa Garlett	Koya
Anne Nilsen	Ngala Calista Child and Parent Centre
Echo Yang	Ngala Calista Child and Parent Centre
Annette Harwood	KEYS
Barry Winmar	Nyoongar Wellbeing and Sports
Nicole O'Dea	Daughters of Destiny

2. Apologies

Name	Name
Allison Kay	Relationships Australia – WA (technical difficulties accessing meeting)
Tracey Nicholson	Department of Communities (technical difficulties accessing meeting)
Andrew Geddes	Department of Communities
Michelle Stevenson	Department of Communities
Fiona Grieves	City of Kwinana
Mandy Waters	Chorus
Fionnuala Franey	Chorus
Hilda Wright	Health Department
Carmel Kickett	Moorditj Koort

3. General Business

3.1 Welcome and Context – Formation of the Kwinana Local Recovery Co-ordination Group

Barbara welcomed all to the meeting and outlined that the City of Kwinana has formed a Kwinana Local Recovery Co-ordination Group in order to ensure that the Kwinana community is well placed to return to normal life as quickly as possible post the pandemic. The Group has met once and has agreed that its purpose is to [develop a plan which ensures](#):

- Up to date information is available through the formation of local networks on the impact of the pandemic on the local community, and enables the identification of any emerging gaps in services or supports
- Government/community structures are able to continue to support community health and wellbeing
- Measures are in place to combat social isolation, loneliness and community disconnection
- Local initiatives are being developed to complement Federal and State stimulus and support measures to keep local businesses operating and employing local people, and,
- Co-ordination of local recovery efforts.

The Group also agreed that its aims are to:

- To keep people informed
- To keep community connected
- To keep people engaged
- To keep people healthy
- To keep people employed
- To keep business working
- To keep industry turning
- To keep neighbours neighbourly
- To keep people playful and creative

To assist it with community led work over the coming months, the Group has formed two sub-committees and given the nature of the impact of COVID 19 on the community, these have been identified as needing to be a Community Recovery Network and an Economic Recovery Network.

This meeting today is to discuss the formation of the Community Recovery Network and to begin to develop a plan to assist with the response in the first instance, and then to develop a recovery plan. It is important that everyone understands what agencies are currently doing, how they have adapted their service delivery models, and the challenges they are facing. Identification of new and emerging issues and gaps in services and resource shortages are critical, as is collaboration to come up with new service models to suit the current conditions. Social isolation, loss of community connection and access to information is also a critical issue.

3.2 Update from Agency's on Current Activities

Barbara thanked those agency's that had sent in the summary of their activities to date and advised that the information had been collated for distribution to the broad mailing list. Information that agencies supplied at the meeting would be added to that document and attached to these notes.

Please note: Some of the information agencies supplied at the meeting was lost due to poor connection. Please accept our apologies and refer to the Word document attached for further information.

Jane Miller; Connecting Community for Kids

CCK are currently updating and increasing their connections with community. They have been looking at online mothers groups and engagement opportunities. They are concerned about new mothers becoming isolated without support, and are actively trying to retain the Community Champions. Information access and community support is extremely important.

Paula Cronan; Chorus

Chorus has adapted home support services and ceased outings. Chorus is ensuring staff are wearing appropriate PPE where needed. It is still important for Chorus clients, especially the elderly, to have contact with someone so there is a strong focus on phone calls, contacting clients twice a week, and supplying toilet rolls to those who need them. Chorus have identified that Meals on Wheels has been a key issue. Meals on Wheels services have significantly risen, and loneliness is becoming a key issue. Chorus are constantly adapting to keep providing services and liaising by phone with clients for any additional support required.

Claire Marsh; Chorus

Claire re-iterated that Chorus continue to adapt services by offering FaceTime and screening customers before they visit them. They have formulated feedback responses on how they can provide a different type of service. Claire echoed that Meals on Wheels has particularly ramped up. Chorus has spoken to Woolworth and Coles and other food providers to ensure food delivery to customers. Meals on Wheels eligibility has also changed so they looking into who is now eligible. In-care support, social support modified, volunteering to deliver meals on wheels has also increased.

Anna Savill; City of Kwinana Senior Team Leader: Community Wellbeing

The City is still providing services through alternate modes of communication. The City has created a 9256 4570 helpline for case management, community support and referral to existing agency support services. Currently the Community Liaison Officers are unavailable until next Tuesday.

Paul Gravett; City of Kwinana Manager Community Engagement

Paul advised of a new page "Community Support" on the City's website - Things for Those in Need, Things for Those in Business, Things to Do and Things to Stay Connected – it is updated daily and is a collection of local resources to inform/support the community. The City is also promoting internal services on the City's Covid-19 portal. If any agencies have updates they would like to have added to the City's database please email Anna Abblitt (Administration and Facilities Officer, Zone Youth Space) and she will ensure updates are made daily. Anna.abblitt@kwinana.wa.gov.au. Paul also mentioned the City's initiatives in promoting

neighbor support, collaborating with different agencies, and encouraged support agencies to have a look at the City's new link.

Adam Strelein; City of Kwinana Youth and Community Wellbeing Manager

Adam reinforced that the City's support services continue. As previously mentioned, the essential help line 9256 4570 is there to provide support and referral to City Officers for support. Current demand includes the need to assist clients with reading and understanding forms and correspondence, sourcing ID, documentation, and applications for Centrelink etc. Staff are giving general advice on where and how to access support. Youth programming continues and Adam encouraged any parent to access the City's and the Zone's Facebook pages to find online content for youth, such as music programs, competitions, a range of social media activities and support.

Denise Matthews; The Smith Family

The Smith Family coordinators are constantly in touch with families and referring services to families in need. They are collating information on families who do not have access to devices and the internet. They are looking to connect with corporate partners in the future if possible. With respect to Communities for Children, Denise advised they are working out where the gaps are and focusing on not duplicating what is currently happening. They are providing funds to all community partners to help pay staff wages and supporting business stay open.

Lisa Garlett;

Koya has been working on reassuring anxious parents and have found that overcrowding in homes is quite an issue. They are making sure that parents who do not have access to computers or school portals have hard copy access to student's set work. They are printing smaller increments of weekly work and dropping these work packs off to homes ensuring minimal contact. They have made care packs for the elderly. Mentors are working from home keeping kids interacting and communicating online.

Anne Nilsen; Ngala

Ngala is looking to streamline the collation of information through Kwinana Early Years Network due to the volume of it being too overwhelming for some people to make sense of. There is concern for new parents in isolation, so they are looking at ways to support new parents on line.

Barry Winmar; Nyoongar Wellbeing and Sports

Nyoongar Wellbeing and Sports are looking at how they can engage with support services on a local level because they are usually highly attended by youth at risk in the 12-16 year age group. Their ability to make contact with their youth is limited so they are looking at how they can do that better, and provide support. Like all other agencies they are continually developing different modes of delivery. They are unable to access their regional network due to closures, but are staying involved in local networks to see where they can help. Their funding is limited but do have some capacity to help.

Nicole O'Dea; Daughters of Destiny

Daughters of Destiny have been focusing on emergency food relief for single mothers and delivering food hampers. This is a free service and their contact number will be put on the City's Things for Those in Need database. Community members can call or text and the agency will respond. They usually do deliveries on Wednesday and Thursday and can also help out with nappies, wipes, general grocery items and strollers/prams. Nicole also advised that there has been an increase in prayer requests for those who practice religion and are feeling alone, isolated, or who are in hospital alone and would like prayer support.

Claire Hetherington; Relationships Australia

Claire and the team at Relationships Australia are providing support for vulnerable people but have put a hold on any new referrals for the moment due to the large volume of people needing help. They are offering phone support and will be set up this week for video call capability. They are providing support for parents who are overwhelmed with home-schooling and helping with parental mental health support.

Tanya Sander; City of Kwinana Volunteer Centre

The Volunteer Centre is working with emergency volunteers, engaging with community groups to see what services they provide and how the volunteers can help. They are looking at how they can keep volunteers engaged throughout the period of the pandemic and through to the recovery phase.

Other issues that were raised by meeting participants

- A question was asked about disability services. Chorus advised that they are still providing adapted services, and explained that the NDIS can provide new support to access priority access to food services.
- The question of respite services and support for carers of children with autism and carers of people with dementia was raised. Chorus advised that support is still there if families want it, they are passing on information, and that their support workers can continue in modified ways. Other initiatives mentioned included delivery of parcels of activities to driveways for parents struggling with their bored children at home, and for the over 65's as well. They are also providing envelopes and stamps for those who would like to write letters to other people in isolation.
- Access to child care places was questioned – concern was raised about the need for child care for respite reasons and the need to keep children more visible as families become more isolated.
- Families not having access to outside spaces was raised as a concern, particularly for singles and families in overcrowded situations. DCP have requested KEYS to check in with families, however, there is concern about a lack of availability of PPE when seeing families.
- Concern was raised over Police resources being stretched too thinly and that response times to incidents of domestic violence and breaches of AVO's are currently problematic, and could become even more stretched.
- The issue of support for grandparents who are carers was raised.
- Any increase in homelessness and rough sleeping needs to be monitored.
- It was queried what is happening with the Parent Next Program – SMYL Community Services to be added to the mailing list.
- KEYS will disseminate information through the Kwinana Early Years Network.

3.3 Identification of Gaps in Services and Resources

In terms of potential emerging target groups, emerging issues, gaps in services and resources, the following issues were identified:

Emergency relief and practical assistance

- Provision of meals and delivery of food – particularly to Aboriginal Elders
- Availability of food in larger quantities
- Shopping services
- Ability to pay internet bills

Access to information

- Provision of information in accessible formats/alternative languages – methods of access to information other than via the internet, ability to absorb/comprehend the volume of information that is available.
- Access to the internet, connection, provision of devices, access to sufficient data
- Cross provision of information between agencies

Homelessness

- Increasing levels of homelessness
- Overcrowding in homes

Support for vulnerable groups

- Vulnerable children and child abuse
- Elder abuse and neglect
- Domestic violence, including timeliness of Police response
- Provision of respite childcare
- Youth at risk
- Parenting support
- Support for new mothers/parents
- Carer support and respite care - people with disabilities
- Support for grandparents as carers

Social Connection

- Loss of connection
- Loneliness amongst the elderly
- Assistance for parents with home schooling

Other

- Use of volunteer resources
- Availability of PPE

3.4 Lotterywest Submission

Annette Harwood from KEYS has agreed to lead the development of the Lotterywest application process, with the support of the City (Anna Savill).

In order to progress we need to identify where the gaps in community support are. Annette advised that Lotterywest do not necessarily see food as a gap as there is not actually a limited supply of it, however, transport of food items in the community is seen as a gap.

Annette also advised that Lotterywest is not going to grant funds for services that another agency is already doing.

3.5 Development of Plan Going Forward

In terms of next steps for the Community Network:

Action - Lotterywest Application

- Annette Harwood and Anna Savill agreed to work together to progress the Lotterywest application. In order to do this they need a good understanding of the gaps in services and resources being experienced by agencies, and to discuss the best approach with Lotterywest.
- All
Elaborate on any gaps in services/shortages of resources you are experiencing, both captured above, or in addition to, and email to Barbara.Powell@kwinana.wa.gov.au. Barbara will capture the information and forward for the Lotterywest application.

Action - Local Community Recovery Network Terms of Reference

- Barbara Powell to draft Terms of Reference

Action - Development of Recovery Plan

- Barbara Powell to commence population of emerging issues, gaps in services and resource, etc. into a table to identify potential community resources/solutions
- All
Elaborate on any gaps in services/shortages of resources you are experiencing, both captured above or in addition to, and email to Barbara.Powell@kwinana.wa.gov.au. Barbara will capture the information and forward for the Lotterywest application.

Action – Expansion of Network mailing list

- Advise anna.abblitt@kwinana.wa.gov.au of any additions to the mailing list (attached)

4. Next Meeting

Meeting to be held: Tuesday 14 April 11am – 12.30pm. The meeting will be held via Microsoft Teams, and invitation will be sent to you.

Thank you all for your time and contribution today in helping our community.

Kwinana Local Community Recovery Network Membership & Terms of Reference

Role of the Kwinana Local Community Recovery Network

The City of Kwinana has established the Kwinana Local Recovery Co-ordination Group (the Co-ordination Group) for the purpose of ensuring that the Kwinana community is well placed to return to normal life as quickly as possible post the COVID-19 pandemic. The Co-ordination Group determined to establish two subcommittees, one to support the local community and a second to support the local economy.

The Kwinana Local Community Recovery Network (the Community Network) will focus on ensuring:

- Up to date information is available on the impact of the pandemic on the local community
- Any emerging social issues and any gaps in services, supports or resources are identified in a timely manner
- Government, non-government and community agencies are able to adapt to continue to support community health and wellbeing aspirations
- Local initiatives are being developed to ameliorate the impact of virus on the community including the implementation of measures to combat social isolation, loneliness and community disconnection
- A range of information dissemination initiatives are implemented to ensure information is accessible to the diverse community demographic of Kwinana.
- Co-ordination of local response and recovery efforts.

Network Membership

The roles, formation and membership of the network may vary over time as response measures roll out and recovery progresses, and will include a range of non-government, community and government agencies, with representatives drawn from a range of agencies including, but not limited to:

- City of Kwinana (Chair and Executive Officer)
- City of Kwinana services including youth, community wellbeing, community engagement, recreation, library, community programming, volunteer support, etc
- Department of Communities
- Department of Health
- Education Department
- Kwinana Early Years Service
- Connecting Community for Kids
- The Smith Family
- Relationships Australia
- Communicare
- Red Cross
- Bridging the Gap
- Ngala
- Moorditj Koort
- Nyoongar Sports
- Forrest Personnel

- SMYL Community Services
- Chorus
- Koya
- Frank Konecny Community Centre
- Margaret Court Community Outreach
- Salvation Army
- Daughters of Destiny
- Multicultural Futures

Roles and Responsibility of Members

Chair	Prepare agenda Lead meetings Lead decision-making process Report on Community Network actions/deliberations
Executive Officer	Arrange meeting logistics Minute taking / note agreed actions Circulate minutes and maintain records
All members	Regularly attend and participate in meetings Contribute their skills, knowledge and experience Collaborate with and coordinate the work of their organisation with others

Decision Making

Decisions making is to be by consensus with the Chair leading the process.

Kwinana Local Community Recovery Network Meeting

Minutes - 11:00am 14 April, 2020

1. Attendees

Name	Agency
Barbara Powell	City of Kwinana (Chair)
Anna Abblitt	City of Kwinana (Executive Officer)
Paul Gravett	City of Kwinana
Adam Strelein	City of Kwinana
Anna Savill	City of Kwinana
Denise Matthews	The Smith Family
Claire Hetherington	Relationships Australia – WA Empowerment Program
Jane Miller	CCK
Paula Cronan	Chorus
Claire Marsh	Chorus
Allison Kay	Relationships Australia - WA
Anne Nilsen	Ngala Calista Child and Parent Centre
Echo Yang	Ngala Calista Child and Parent Centre
Julie-Ann Gray	The Smith Family
Mandy Waters	Chorus
Michelle Hope	KEYS

2. Apologies

Name	Name
Nicole O'Dea	Daughters of Destiny
Andrew Geddes	Department of Communities
Michelle Stevenson	Department of Communities
Fiona Grieves	City of Kwinana
Tanya Sander	City of Kwinana
Marina Korica	Multicultural Futures
Barry Winmar	Nyoongar Wellbeing and Sports
Gabrielle Giles	Moorditj Koort (technical difficulties accessing meeting)
Fionnuala Franey	Chorus
Hilda Wright	Health Department
Carmel Kickett	Moorditj Koort

3. General Business

3.1 Welcome

Barbara welcomed all to the second Kwinana Community Recovery Network meeting. The purpose of this Network is to ensure that the Kwinana community is well placed to return to normal life as quickly as possible post the pandemic.

The meeting today is to discuss the updates from local agencies and their support programs, to identify any gaps in service, and to develop a community recovery plan.

3.2 Update from Agency's on Current Activities

Jane Miller; Connecting Community for Kids

Jane advised that Connecting Community for Kids has enhanced their Community Mothers Program by offering contact via phone and ZOOM as often as mums need the support, instead of monthly face to face support. They are encouraging people to refer new mums in particular to this program to give them extra support during isolation. They will be having a weekly ZOOM meeting open to all mums in the community, with changing topics, as an opportunity to connect with other mums. Details on Connecting Community for Kids website.

The Fathering Project has launched the Dad's Channel, offering a range of resources and information for dads.

Jane also advised that the Celebrating Culture Group is holding a curry cooking demonstration online on Monday afternoon, with the recipe available to anyone who wants to cook along with the group.

Craft packs have also been provided to the Aboriginal Women's Group to distribute, and these include a journal so that stories can be documented in preparation for NAIDOC week.

Connecting Community for Kids are also offering, via their website, Monday Mindfulness Yoga sessions and Knit & Natter Sessions on Thursday afternoons. They have created a Facebook page with craft ideas for families who usually connect through Kids in Nature.

Paula Cronan; Meals on Wheels

Meals on Wheels have connected with local groups including the Medina Resident's Group and KEYS, to advertise that additional meals are available for those in need. Activity packs are also being distributed.

Mandy Waters; Meals on Wheels

Chorus was the recipient of a benevolent donation which has given them the capacity to supply meals to people outside of specific funding streams. They are now providing over 20,000 metro wide meals free of charge, working on an Initial plan to provide 7 meals a week per family for 4 weeks, and then assess to determine if the family still needs support. All agencies were requested to advise of referrals. 150 new requests to volunteer have also been received. In terms of provision of meals for homeless people, there would need to be partnering with another agency to heat the meals.

Claire Marsh; Chorus

Chorus continues to expand shopping for customers, and is looking to partner with others to provide food.

Anna Savill; City of Kwinana Senior Team Leader: Community Wellbeing

The Community Wellbeing Team are currently working to meet the needs of the community through the Community Liaison Team, Community Outreach Team and Youth Engagement Team. Anna reminds us that the Community Support Helpline for individuals is still available on 92364570. For services and organisations, please call Anna on 0402770760 or email anna.savill@kwinana.wa.gov.au

Discussions on the Lotterywest Grant have begun between Michelle from KEYS and Anna on current service gaps and any possible or emerging gaps within the community that need addressing on a collective level. Previous gaps identified have been tabled, however, feedback will be required from service providers on what they are seeing on the ground.

The COVID Response Table is a collation on what is being done on the ground and the identified gaps within current service areas. Anna encourages agencies to update the table where they see fit in regards to their response, capacity to assist and any further identified areas of concern that haven't yet been captured.

Paul Gravett; City of Kwinana Manager Community Engagement

Paul advised that the City has been liaising with Progress / Resident's Associations and other community groups such as the Senior Citizen's Centre, RSL, Befriend etc., checking on how the groups are going, what they are seeing in the community, if they have identified any areas requiring support or if they need any support, whether they need help with adjusting to online and virtual technology areas, and how they are going fostering relationships in this new environment.

Paul added that the City is also continuing to support other neighbourhood connection initiatives including how to combat isolation (Neighbour card) <https://www.kwinana.wa.gov.au/our-services/health-services/COVID-19/COVID-Community-Support/Documents/cards%20for%20social%20isolation%20help%20-%20public.pdf>); and gear up for re-emergence down the track.

He reminded the group of the link on the City's website for Things to Do; Things for those in Need; Things to stay Connected; Things for Business. <https://www.kwinana.wa.gov.au/our-services/health-services/COVID-19/COVID-Community-Support/Pages/default.aspx>

Adam Strelein; City of Kwinana Youth and Community Wellbeing Manager

Adam advised that the City continues to provide online programming for young people via its Zone social media pages, recently launching some online activities including career support webinars and a photo competition, with lots more to come.

Support services continue for young people and the broader community via the City's Youth Engagement Officers and Community Outreach Officers, with both services able to be reached via the Community Support line number 9236 4570. Officers can assist with advice, general document interpretation, applications, referral and advocacy.

The City is also maintaining a database of COVID-19 relevant stakeholders and services.

The Community Liaison Service also continues to provide outreach interventions and information for anyone still frequenting public spaces and shopping precincts.

Denise Matthews; The Smith Family

Smith Family are still calling families to check in and see how they are going. They are also looking at which families have access to devices and the internet. They are liaising with schools to understand who needs assistance and to determine the best ways to support families in need.

The Smith Family are continuing with the I-track program, as well as the student-to-student program, between older and younger students for school support and mentorship.

Anne Nilsen; Ngala

Anne advised that the Child and Parent Centre is currently closed due to asbestos work at the school. The team is working on a term planner and activity packs. If anyone would like to get in touch please do so.

Claire Hetherington; Relationships Australia

The Empower Families Program is continuing to support vulnerable families in Kwinana. There is a hold on new referrals due to the high volume of applicants and Claire reports that she currently has a few families waiting.

The counselling part of the service is open for new referrals, and they are currently offering telephone support for adults, parents and children. Referrals can be phoned through on 6164 0600. Normal office hours apply, and there is a late night option for adult counselling on Wednesdays until 9pm.

Michelle Hope; Keys

KEYS counselling is still being offered over the phone and face to face at a distance. Michelle is looking forward to working with other agencies to prepare a Lotterywest grant application.

Gabrielle Giles; Moorditj Koort

Gabrielle had technical difficulties dialing in, and advised via email that Moorditj Koort are no longer working out of the office, but continuing to connect with clients via email and phone. Staff are still performing regular duties for ITC, school program and outreach services. All clients are aware that they can still access normal Moorditj Koort services and staff when needed.

Moorditj Koort have delivered a number of hampers to their most vulnerable clients and Elders throughout the Rockingham and Kwinana community. They are still transporting clients to their appointments, Dialysis, Oncology and special appointments provided they have not been cancelled due to COVID – 19, and are also picking up and delivering medication to Elders and clients as needed. Management will be reviewing this on a fortnightly basis to determine whether staff will continue to work from home or return to the office.

Other issues that were raised by meeting participants

- Information on the incidence of domestic violence was sought. Barbara advised that Police have not reported an increase in DV and that crime in the community generally was down.

- Concern about increasing homelessness was raised. Anna Savill advised that she had spoken with the City of Perth on their response to homelessness and will liaise accordingly. Anna also advised that the Community Outreach Officers are back on the ground today, and will update further next meeting.
- Internet issues and solutions were raised and it was advised that the Education Department are looking at possible ways to distribute computers to vulnerable families, or other ways to secure access to the internet for families. Optus have a "Donate Data" campaign to donate data to other people who don't have access or can't afford data. Telstra have reduced connection fees for people on low incomes and other companies have additional data promo packages available.
- Adam Strelein suggested that WA may follow Queensland's lead and send data sim cards to students who do not have access to data.
- Denise advised that a \$1m donation had been made to The Smith Family for digital connection. She advised this may be leveraged through other organizations. Currently, schools have information on who has and who hasn't got access to the internet. She advised that 40% of younger clients, particularly in primary school, do not have access to the internet at home, and that they rely on hot-spot Wi-Fi in public spaces. This is highly problematic when told to stay at home as young people cannot currently draw on the public access. How can we extend the free public Wi-Fi network to increase free access?
- It was raised during a Dad's Virtual Pub meeting that there is concern surrounding at home support for the parents of children who are schooling from home. Dads have been expressing concern over how to support their children through this time. It was agreed that this is an area where the messaging has been unclear with schools not sure what the expectations are going forward. There is disparity in how much tutoring work will be available going forward, and with different schools having different expectations with roll calls etc.

It was clarified that Department of Education do not expect parents to teach their children; that all students should have a face to face with their teachers at least once a week and be available on messenger during weekdays.

- Anne Nilsen confirmed the above, parents are not expected to home school. The DoE is looking at new delivery modes. In term 2 Facebook groups and webinars to support families will be available, with new routines for their children.
- Adam clarified that there is capability for individual agencies to apply for Lotterywest funding, and that there is no need to wait for a collective application before proceeding. If agencies have a strong need for additional resources he encouraged them to apply at any time.

3.3 Lotterywest Application and Draft Community Support Plan

The City is working to collate the information supplied by agencies to identify gaps in services and resources available to the community, including identification of lead and support agencies and innovative approaches to service provision.

The draft document will be circulated to agencies for input, and those agencies who have not been able to attend a meeting yet will also be contacted for input – all input to be collated by COB Friday 17 April for discussion at the next meeting.

The document will form the basis of the collective application to Lotterywest and the community support plan.

4 Date of Next Meeting

Meeting to be held at 11.00am 21 April, 2020.



STATE RECOVERY PLAN

COVID-19

Version 1

Current at 19 March 2020

State Recovery Coordinator: Graham Swift
graham.swift@dfes.wa.gov.au

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An Initial State Recovery Plan COVID-19

Introduction

Recovery is defined as ‘the support of emergency affected communities in the reconstruction and restoration of physical infrastructure, the environment and community, psychosocial and economic wellbeing’ (s.3 EM Act).

COVID-19 worldwide is resulting in serious and widespread illness and leading to a large number of deaths and will lead to the disruption of the normal functioning of society for a prolonged period within Western Australia. Recovery from a Pandemic of this nature is unprecedented in modern times. The nature of the hazard has serious global, national, state and local implications. There will be challenges in recovering from this hazard that have not been observed previously and difficult to foresee. The State Recovery Coordination Group (SRCG) will utilise the best information available at the time to guide its recovery plans through this event. Within the context of COVID-19, this Plan will establish the overarching principles to be employed to ensure the State is best placed to support and return the community to an acceptable norm post COVID-19. It will ensure that all recovery efforts within the state of Western Australia are coordinated at the highest level whilst being managed and delivered within the context of existing state emergency management legislation and frameworks.

Purpose

This is an initial Plan which establishes the framework and principles of the State’s approach to recovery from the COVID-19 event. The *Recovery Plan* will necessarily evolve when the understanding of the impacts become clearer and the recovery needs evolve.

This Plan is to direct the recovery phase of COVID-19. The purpose of recovery activities is to:

- assist recovery at a social, built, economic and natural environment level;
- ensure that recovery activities are community-led;
- ensure that available government and non-government support to affected communities is targeted;
- assist communities to rebuild in a way that enhances social, economic and environmental values where possible, and improve resilience of the relevant communities;

COVID-19 is most likely to impact the social and economic environments. Therefore, this Plan will place most of its focus on those two critical dimensions.

Objectives

The three main objectives of recovery planning for this event are to:

1. Establish and maintain comprehensive State level situational awareness of the impacts of COVID-19 within the State focusing on the social and economic dimensions.
2. Ensure that all recovery activities across the state are coordinated and wherever possible delivered in accordance with existing emergency management frameworks and local arrangements.
3. Transition communities to a post recovery state.

Principles

This Plan will follow the underpinning principles of emergency management:

- risk management approach;
- shared responsibility for resilience;
- graduated approach;
- all agencies coordinated and integrated approach;
- community engagement;
- integrated information management; and
- continuous improvement

Scope

This Plan covers the recovery arrangements within the geographical boundaries of Western Australia, it describes the required coordination of activities from a procedural and operational perspective to implement recovery within Western Australia.

The following is within the scope of this Initial State Recovery Plan:

- develop and maintain strategic and operational situational awareness of the recovery impacts of COVID-19;
- advice to state government on strategic recovery issues;
- coordination of State Recovery activities across local governments and districts;
- introduce new processes to support existing frameworks;
- powers and authorities of *Emergency Management Act* as they relate to recovery;
- engagement with the Federal Government;
- engagement with peak bodies and representatives ;
- recommendations to the State Emergency Coordinator (SEC) and State Emergency Coordination Group (SECG); and
- support of Commonwealth initiated repatriation programs of WA citizens overseas if required.

Out of Scope

- All response activities.
- Indirect impacts for example public disobedience.
- Assessment of the quantum of economic impacts of the event.
- Lessons management.
- Financial management.

Assumptions

- Recovery from a Pandemic will require a whole of government approach and will be coordinated under a State recovery framework.
- Commonwealth roles and responsibilities established in Response may require ongoing support during recovery.
- Federal, State and Local Governments (LGs) are likely to be equally impacted by COVID-19 including the levels of service they are able to provide.
- International recovery support will also be impacted by COVID-19.
- Where existing LG plans rely on neighbouring LGs for support those arrangements are unlikely to be effective.
- This Plan will primarily focus on the social and economic impacts, not on the natural and built impacts.
- LGs have risk based plans that are up to date and relevant to support them in the context of COVID-19.
- Transition from response to recovery will not be clear cut and may be occurring at different phases across the State at the same time and over an extended timeframe.
- LGs have good situational awareness of COVID-19.
- Western Australia Local Government Association is recognised as the peak body for local governments within WA and will form a key role for communication between State LGs.
- All members of the SRCG will be responsible for informing both this Plan and future recovery planning and their specific stakeholder groups.
- The Australian government may introduce a national recovery framework which may influence future State Recovery plans and arrangements.
- The Plan is based on the current worse case credible scenarios.
- At a State level, issues associated with individuals will be referred to LGs for inclusion in their recovery response.
- Traditional levels of escalation and support from other jurisdictions or Commonwealth agencies should be considered unavailable in planning.

Risks/threats/issues

The SRCG will be undertaking comprehensive risk analysis, which will be utilised in developing future State Recovery Plans as impacts evolve.

Situational Awareness

Current considered worse case credible scenario is 25% infected with 0.2-2.0% mortality rate (Department of Health). Consideration also needs to be given to the number of people that will be absent from the workforce to provide caring responsibilities.

Recovery Phases (State Human Epidemic)

Alert

This stage is activated when the state of WA experiences advice that community or sector wide effects of COVID-19 are likely and will require a significant and coordinated recovery response.

During this stage, the State Recovery Coordinator monitors the situation to determine if the emergency can be dealt with at the local or district level, or if further action needs to be taken, as outlined in this Plan, this includes recommending to the State Emergency Coordinator (SEC) the nomination of a State Recovery Controller.

The State Recovery Coordinator will ensure:

- High level coordination
- Stakeholder engagement
- Increased presence at strategic meetings
- Identify requirement for additional resources

This Initial State Recovery Plan reflects the State being in the Alert phase.

Standby

This stage is activated when the Alert stage warrants preparatory activities in readiness for a recovery response. Depending on the situation the State Recovery Coordinator may undertake the following actions:

- Instil public confidence
- Increased situational awareness
- Commence communication lines
- State Recovery planning procedures
- Recruitment of additional resources
- Increased engagement with LGs
- Advice to the SECG

It is anticipated that the next State Recovery Plan will reflect this phase, as many of the above actions have commenced.

Response

This stage is activated when an emergency response to a human epidemic is considered necessary by the State Human Epidemic Coordinator (SEHC). During this time the State Recovery Coordinator may undertake the following actions:

- Activate the SRCG
- Maintain situational awareness
- Advice to state government on strategic recovery issues
- Coordination of State Recovery activities across local governments and districts

A more comprehensive Recovery Plan informed by better knowledge about the impacts of the event will guide recovery actions.

Stand down

This will ensure that all elements of the recovery phase have been completed, documented and debriefed.

State Recovery Controller

If extraordinary arrangements are required for a specific emergency, the State Recovery Coordinator may, in consultation with the SEC, recommend that the Premier appoint a State Recovery Controller and identify any legislative support and resources required.

The State Recovery Coordinator (or State Recovery Controller if appointed) reports directly to the Premier/Minister as determined by the Government, and will keep the SEC and Controlling Agency/HMA informed.

The appointment of a State Recovery Controller will usually occur when an emergency affects several communities, is ongoing, requires State level assistance to resolve issues and needs a regional coordination approach.

It is recommended and preferred that the appointment of the State Recovery Controller is a dedicated full time appointment to ensure the appropriate level of service delivery is achieved.

State Recovery Controller – Essential Skills and Knowledge¹

The State Recovery Controller is responsible for ensuring the provision of coordinated recovery support to emergency affected communities through the coordination of resources made available by public authorities and other persons.

For the State Recovery Controller position the following skills, knowledge and attributes are desirable:

- bring high level experience in collaboration and have experience of managing within an emergency context, with a focus on recovery;

¹ State Recovery Controller Guide- Endorsed by SEMC April 2019

- bring highly developed interpersonal skills and be able to engage across all levels of government, all recovery stakeholders and with all members of the community; and
- high level skills in partnership development and collaborative approaches, recognising, supporting and building on community, individual and organisational capacity.

The State Recovery Coordinator is preparing advice to government to consider the identifications of a suitable person to be appointed as the State Recovery Controller (and deputy) to assist with the engagement of this person and their transition into the role.

Role and Function of the State Recovery Coordination Group (SRCG)

The SRCG is responsible for State level recovery coordination and facilitation in complex or prolonged recovery operations. The SRCG has been activated to address COVID-19 recovery activities and will meet as required. The role of the SRCG will be to:

- lead the development of a State Level Recovery Plan specifically for the emergency and coordinate the most effective use of government and non-government resources to implement that plan;
- identify a public authority with lead responsibility for each of the social, built environment, economic and natural environment aspects of recovery;
- advise the Premier, Minister Controlling Agency/HMA and the SEC on the conduct and progress of recovery;
- identify and recommend, if necessary, specific assistance measures for consideration by the State and Federal government; and
- advise the local government(s) of the State Recovery progress to resolving State level recovery issues.

Structure

The State Emergency Management Framework establishes a Recovery Coordination Structure (diagram 1). It is considered that this structure will need to be adapted to provide for effective coordination of an event with state-wide, community-wide impacts such as COVID-19. The recommended structure for COVID-19 will be modified to include District level recovery within the Recovery Coordination Structure.

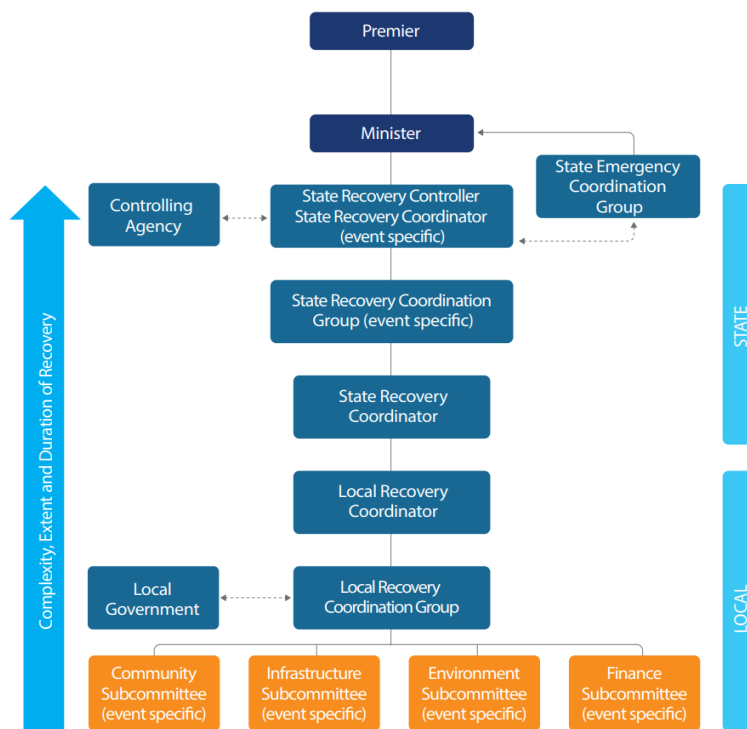


Diagram 1: Recovery Coordination Structure

The formation of a State Recovery Coordinator business unit is necessary to enable the objectives of this Plan to be achieved, and will be directed by the State Recovery Coordinator (appendix 1).

Spontaneous Volunteers

Spontaneous volunteers seeking to respond to the recovery efforts associated with the COVID 19 pandemic will be directed to follow a “local people responding in their local community” approach. This message will encourage people to seek opportunities to help within their immediate LG area and not move throughout the State. People wishing to assist with recovery efforts will be directed to their LG or closest Volunteer Resource Centre or Community Resource Centre to identify volunteering opportunities.

The State will refer to the following documents to assist in guiding a spontaneous volunteering response by the community:

1. https://ww2.health.wa.gov.au/Articles/A_E/Coronavirus
2. [Community Responding to Disasters: Planning for Spontaneous Volunteers \(Handbook 12: Australian Disaster Resilience Handbook Collection\)](#) by the Australian Institute for Disaster Resilience, published by Australian Government – Attorney-General’s Department
3. [Spontaneous Volunteer Management Resource Kit: Helping to manage spontaneous volunteers in emergencies](#) by the Australian Red Cross,

published by the Australian Government – Department of Families, Housing, Community Services and Indigenous Affairs

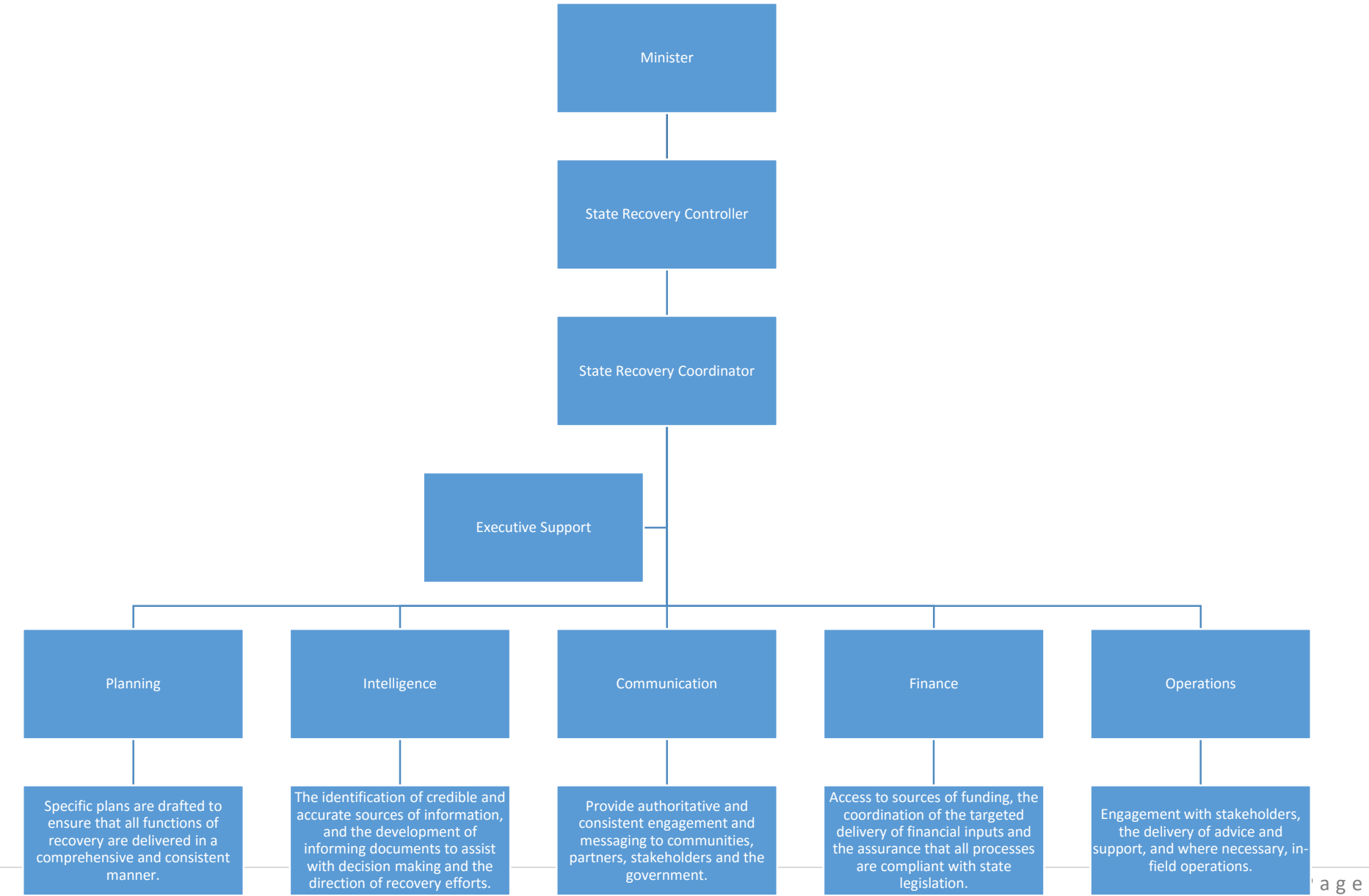
4. [Volunteer Resource Centres and Volunteering WA Hubs](#) on Volunteering WA Website (www.volunteeringwa.org.au)
5. Western Australian Community Resource Network Website (www.crc.net.au)

Supporting Plans

The following Support Plans have been identified as possibly being required and developed to support future State Recovery Plans as needed:

- Communication Plan
- Stakeholder Plan
- Commonwealth Engagement Plan
- Community Sector Engagement Plan
- Financial Management Plan (Federal, State, LGA, Donations)
- Vulnerable Communities Plan
 - Remote Aboriginal Communities
 - Aged/Disabilities/CaLD groups

Appendix 1: State Recovery Coordinator Business Unit



18.2 Disposition by way of Lease, Suites 2 – 5 Parmelia House, Kwinana, Lease Agreement between the City of Kwinana and Nyoongar Wellbeing and Sports Aboriginal Corporation

DECLARATION OF INTEREST:

There were no declarations of interest declared.

SUMMARY:

The City of Kwinana (the City) is the owner of the land situated at Suite 2 – 5 Parmelia House, more particularly described as part of Lot 3 on Deposited Plan 34151 being part of the land comprised in Certificate of Title Volume 2615 Folio 984 (the Premises), being a total of 262.65sqm.

This report seeks Council to resolve that the Chief Executive Officer is authorised on behalf of the City to give disposition by way of lease, to negotiate, finalise and execute the lease of the Premises to the Nyoongar Wellbeing and Sports Aboriginal Corporation (ABN 51 051 399 025) (the Proposed Tenant). A plan of the offices that the Proposed Tenant will occupy, is at Attachment A.

The Proposed Tenant is a not-for-profit organisation, the objects of which are charitable, cultural, educational or of a similar nature. As such, the disposition of the Premises is not required to be advertised in accordance with section 3.58 of the *Local Government Act 1995*, as the lease to the Proposed Tenant is an exempt disposition under section 30 (2)(b)(i) of the *Local Government (Functions and General) Regulations 1996*. However, the City advertised the Premises at:

www.kwinana.wa.gov.au/our-council/Pages/Properties-For-Lease

OFFICER RECOMMENDATION:

That Council:

1. Authorise the valuation undertaken on 1 October 2019 (as identified at Attachment B), carried out more than 6 months before the proposed disposition, to be a true indication of the value at the time of the proposed disposition; and
2. Authorise the Chief Executive Officer and Mayor to execute an individual lease agreement (as identified in Attachment C), and make modifications where the intent of the agreement does not change, in relation to Suites 2 – 5 Parmelia House, more particularly described as part of Lot 3 on Deposited Plan 34151 being part of the land comprised in Certificate of Title Volume 2615 Folio 984, to Nyoongar Wellbeing and Sports Aboriginal Corporation.

NOTE – AN ABSOLUTE MAJORITY OF COUNCIL IS REQUIRED

DISCUSSION:

Section 3.58(4)(c) of the *Local Government Act 1995 (WA)* requires the market value of a disposition to be ascertained by a valuation carried out not more than 6 months before the proposed disposition. However, section 3.58(4)(c)(ii) of the Act allows the City to declare by resolution that it believes a valuation carried out more than six months before the proposed disposition, is a true indication of the value at the time of the proposed disposition.

18.2 DISPOSITION BY WAY OF LEASE, SUITES 2 – 5 PARMELIA HOUSE, KWINANA, LEASE AGREEMENT BETWEEN THE CITY OF KWINANA AND NYOONGAR WELLBEING AND SPORTS ABORIGINAL CORPORATION

McGees Property conducted a valuation of the Premises on 11 October 2019, a copy of the Valuation Report is contained at Confidential Attachment B. Accordingly, the Valuation was carried out more than 6 months before any proposed disposition, assuming Council resolve to dispose of the Premises at its next Ordinary Council Meeting. Whilst the Valuation is dated more than 6 months before the proposed disposition, City Officer's believe that a subsequent valuation would not be materially different from the Valuation obtained on 11 October 2019. Accordingly, City Officers recommend that Council resolve that it believes the Valuation carried out on 11 October 2019 contains a true indication of the current value of the Premises.

The market rental value of the Premises is \$39,000 per annum. The City's Leasing of Community Facilities Policy (the Policy) provides for the circumstances in which an organisation is entitled to a discounted market rent. The assessment of eligibility to the discount of the market rental valuation, was determined in consultation with senior officers of the City Legal team and the Director of City Engagement by evaluating the services provided by the Non-Government Agencies in Kwinana against the criteria outlined within the Policy. Accordingly, the rent for the Premises is proposed to be \$25,350 excluding GST per annum, and has been determined by applying a 35% discount to the valuation amount, as set out in the Policy.

The outgoings for the Premises are estimated to be \$10,461.80 per annum. The proposed term of the lease agreement is for 3 years with the option to extend for a further 3 years, at which time a fixed rent increase of 2.5% will occur. It was determined that a fixed rent increase is more cost effective than the City conducting a market review of the rent at its cost, which would not necessarily guarantee a rent increase.

Recently, the City leased Suites 1 and 6 to the Proposed Tenant for a period of 3 years with an option to extend for a further 3 years. The Lease for the Premises will be from the commencement date (30 days from Council resolution) to 5 January 2023 (the commencement date of the Lease of Suites 1 and 6). The other terms in Schedule 1 of the Lease for the Premises will coincide with the rent review dates and end dates contained in Schedule 1 of the lease of Suites 1 and 6, to ensure cohesiveness.

The Proposed Tenant has reviewed and agreed to the terms of the new leases (at Attachment C).

LEGAL/POLICY IMPLICATIONS:

Section 3.58 (3) and (4) of the Local Government Act 1995 states:

- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
 - (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
 - and*

18.2 DISPOSITION BY WAY OF LEASE, SUITES 2 – 5 PARMELIA HOUSE, KWINANA, LEASE AGREEMENT BETWEEN THE CITY OF KWINANA AND NYOONGAR WELLBEING AND SPORTS ABORIGINAL CORPORATION

- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
 - (a) *the names of all other parties concerned; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

Section 30 of the Local Government (Functions and General) Regulations 1996 states:

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

18.2 DISPOSITION BY WAY OF LEASE, SUITES 2 – 5 PARMELIA HOUSE, KWINANA, LEASE AGREEMENT BETWEEN THE CITY OF KWINANA AND NYOONGAR WELLBEING AND SPORTS ABORIGINAL CORPORATION

- (2a) *A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —*
- (a) *put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government; or*
 - (b) *the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable; or*
 - (c) *the subject of Statewide public notice under section 3.59(4) of the Act, and if the business plan referred to in that notice described the property concerned and gave details of the proposed disposition including —*
 - (i) *the names of all other parties concerned; and*
 - (ii) *the consideration to be received by the local government for the disposition; and*
 - (iii) *the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.*
- (2b) *Details (see section 3.58(4) of the Act) of a disposition of property under subregulation (2a) must be made available for public inspection for at least 12 months from the initial auction or tender, as the case requires.*
- (3) *A disposition of property other than land is an exempt disposition if —*
- (a) *its market value is less than \$20 000; or*
 - (b) *the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.*

FINANCIAL/BUDGET IMPLICATIONS:

This lease will provide an annual income of \$25,350 plus GST. The total income before the discount would be \$39,000 plus GST.

ASSET MANAGEMENT IMPLICATIONS:

The implications for this report are the ongoing management and administration required by all of the City's leases of property.

ENVIRONMENTAL IMPLICATIONS:

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

18.2 DISPOSITION BY WAY OF LEASE, SUITES 2 – 5 PARMELIA HOUSE, KWINANA, LEASE AGREEMENT BETWEEN THE CITY OF KWINANA AND NYOONGAR WELLBEING AND SPORTS ABORIGINAL CORPORATION

STRATEGIC/SOCIAL IMPLICATIONS:

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

Plan	Outcome	Objective
Corporate Business Plan	Business performance	5.6 Maximise the value of the City's property assets

COMMUNITY ENGAGEMENT:

As a result of leasing the Premises to the Proposed Tenant, there will be various and continued positive community engagement implications.

PUBLIC HEALTH IMPLICATIONS

The Proposed Tenant provides sporting, health education and wellbeing services to the community. As a result of leasing the Premises to the Proposed Tenant, there will be various and continued positive public health implications as a result of this report.

RISK IMPLICATIONS:

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

Risk Event	That Council does not support disposition by way of lease of the office spaces in Suites 2 – 5 Parmelia House, more particularly described as part of Lot 3 on Deposited Plan 34151 being part of the land comprised in Certificate of Title Volume 2615 Folio 984, to Nyoongar Wellbeing and Sports Aboriginal Corporation. If Council resolve not to support disposition by way of lease, as per Section 3.58 of the <i>Local Government Act 1995</i> , the disposition cannot proceed.
Risk Theme	Ineffective management of facilities/venues/events and failure to fulfil statutory regulation requirements
Risk Effect/Impact	Financial
Risk Assessment Context	Operational
Consequence	Minor
Likelihood	Unlikely
Rating (before treatment)	Low
Risk Treatment in place	Avoid

18.2 DISPOSITION BY WAY OF LEASE, SUITES 2 – 5 PARMELIA HOUSE, KWINANA, LEASE AGREEMENT BETWEEN THE CITY OF KWINANA AND NYOONGAR WELLBEING AND SPORTS ABORIGINAL CORPORATION

Response to risk treatment required/in place	This report is to authorise the Chief Executive Officer on behalf of the City of Kwinana to give disposition by way of lease, Suites 2 – 5 Parmelia House, more particularly described as part of Lot 3 on Deposited Plan 34151 being part of the land comprised in Certificate of Title Volume 2615 Folio 984, to Nyoongar Wellbeing and Sports Aboriginal Corporation.
Rating (after treatment)	Low

COUNCIL DECISION

161

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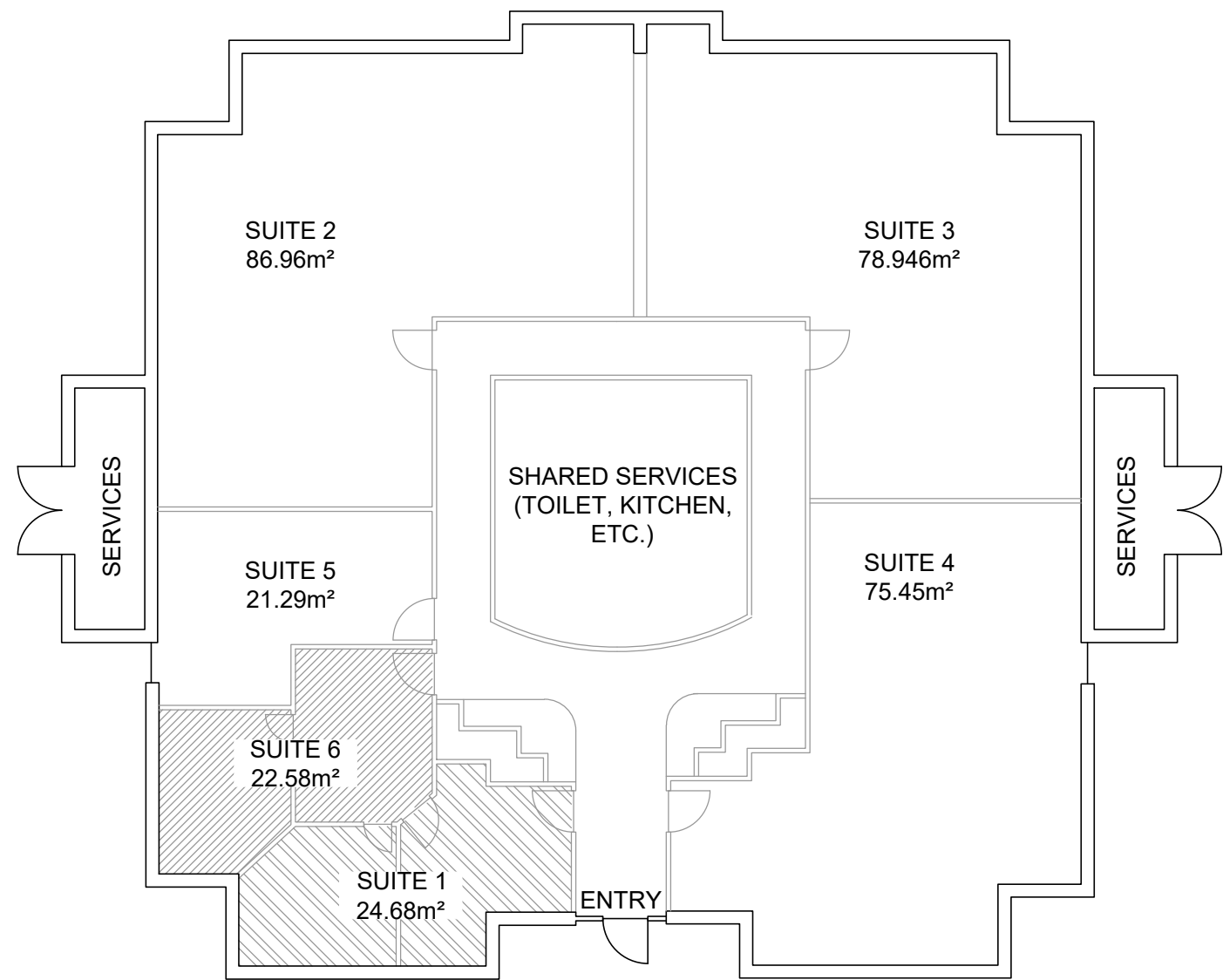
That Council:

- 1. Authorise the valuation undertaken on 1 October 2019 (as identified at Attachment B), carried out more than 6 months before the proposed disposition, to be a true indication of the value at the time of the proposed disposition; and**
- 2. Authorise the Chief Executive Officer and Mayor to execute an individual lease agreement (as identified in Attachment C), and make modifications where the intent of the agreement does not change, in relation to Suites 2 – 5 Parmelia House, more particularly described as part of Lot 3 on Deposited Plan 34151 being part of the land comprised in Certificate of Title Volume 2615 Folio 984, to Nyoongar Wellbeing and Sports Aboriginal Corporation.**

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

8/0

PARMELIA HOUSE



Lease

Part Lot 3, 10 Hutchins Way, Suites 2 – 5, Parmelia House Kwinana

City of Kwinana (ABN 13 890 277 321)

Nyoongar Wellbeing and Sports Aboriginal
Corporation (ABN 51 051 399 025)

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Details

Parties

City of Kwinana

of PO Box 21, Kwinana, Western Australia 6966
(Lessor)

Nyoongar Wellbeing and Sports Aboriginal Corporation

of 23-25 Moore Street, East Perth Western Australia 6004
(Lessee)

Background

- A The Lessor is registered as the proprietor of the Land.
- B The Lessor has agreed to lease and the Lessee has agreed to take a lease of the Premises upon the terms and conditions contained in this Deed.

Agreed terms

1. Definitions

In this Lease, unless otherwise required by the context or subject matter:

Amounts Payable means the Rent and any other money payable by the Lessee under this Lease;

Authorised Person means:

- (a) an agent, employee, licensee or invitee of the Lessor; and
- (b) any person visiting the Premises with the express or implied consent of any person mentioned in paragraph (a);

Authority includes any governmental or public authority of any kind;

Building means the building in which the Premises are situated and includes any modifications, extensions or alterations to the Building and the Lessor's Property;

CEO means the Chief Executive Officer for the time being of the Lessor or any person appointed, authorised or delegated by the Chief Executive Officer to perform any of her or his functions;

Commencement Date means the date of commencement of the Term specified in **Item 4** of the Schedule;

Common Areas means those parts of the Land and Building that are set aside or designated for the use of the occupiers of the Building or members of the public generally in common with each other and the Lessor;

CPI means the Consumer Price Index (All Groups) Perth number published from time to time by the Australian Bureau of Statistics;

Encumbrance means a mortgage, charge, lien, pledge, easement, restrictive covenant, writ, warrant or caveat and the claim stated in the caveat;

Further Term means each further term specified in **Item 3** of the Schedule;

Good Repair means good and substantial Lesseeable repair and in clean, good working order and condition;

Interest Rate means the rate at the time the payment falls due being 2% greater than the Lessor's general overdraft rate on borrowings from its bankers on amounts not exceeding \$100,000.00;

Land means the land described at **Item 1(a)** of the Schedule;

Lease means this deed as supplemented, amended or varied from time to time;

Lessee's Agents includes:

- (i) the sublessees, employees, agents, contractors, invitees and licensees of the Lessee; and
- (ii) any person on the Premises by the authority of a person specified in paragraph (a);

Lessee's Covenants means the covenants, agreements and obligations set out or implied in this Lease or imposed by law to be performed and observed by any person other than the Lessor;

Lessee's Employees means each of the Lessee's employees, contractors and agents and those persons over whom the Lessee exercises control at the Premises and includes the employees and sub-contractors of the Lessee's agents and contractors;

Lessor includes:

- (a) in the case of a person, that person's executors, administrators and assigns; and
- (b) in any other case, the Lessor's successors and assigns;

Lessor's Property means the plant, equipment, fixtures, fittings and any other Lessor's property in the Premises;

Lessor's Covenants means the covenants, agreements and obligations set out or implied in this Lease, or imposed by law to be observed and performed by the Lessor;

Notice means each notice, demand, consent or authority given or made to any person under this Lease;

Outgoings has the meaning set out in **clause 5.2** in this Lease;

Outgoings Contribution means the contribution set out in **Item 7** of the Schedule;

Party means the Lessor or the Lessee according to the context;

Premises means the premises described at **Item 1(b)** of the Schedule;

Rent means the rent specified in **Item 5** of the Schedule;

Schedule means the Schedule to this Lease;

Services means all gas, electricity, telephone, water, sewerage, fire prevention, ventilation, air conditioning, hydraulic, elevator and security services and all other services or systems provided in the Building or available for the Lessee's use whether provided by the Lessor or any Authority;

Term means the term of years specified in **Item 2** of the Schedule and any Further Term;

Termination means expiry by effluxion of time or sooner determination of the Term or any period of holding over;

2. Interpretation

In this Lease, unless expressed to the contrary:

- (a) words importing:
 - (i) the singular includes the plural and vice versa; and
 - (ii) a gender or genders include each other gender;
- (b) if a word or phrase is assigned a particular meaning, other grammatical forms of that word or phrase have a corresponding meaning;

- (c) a reference to:
- (i) a natural person includes a body corporate or local government;
 - (ii) a body corporate or local government includes a natural person;
 - (iii) a professional body includes a successor to or substitute for that body;
 - (iv) a Party includes its legal personal representatives, successors and assigns and if a Party comprises two or more persons, the legal personal representatives, successors and assigns of each of those persons;
 - (v) a statute, includes an ordinance, code, regulation, award, town planning scheme, regulation, local law, by-law, requisition, order or other statutory instruments made under any of them and a reference to any of them, whether or not by name, includes any amendments to, re-enactments of or replacements of any of them from time to time in force;
 - (vi) a right includes a benefit, remedy, discretion, authority or power;
 - (vii) an obligation includes a warranty or representation and a reference to a failure to observe or perform an obligation includes a breach of warranty or representation;
 - (viii) this Lease or provisions of this Lease or any other deed, agreement, instrument or contract includes a reference to:
 - (ix) both express and implied provisions; and
 - (x) that other deed, agreement, instrument or contract as varied, supplemented, replaced or amended;
 - (xi) writing includes any mode of representing or reproducing words in tangible and permanently visible form and includes facsimile transmissions;
 - (xii) any thing (including, without limitation, any amount) is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them; and
 - (xiii) a subparagraph, paragraph, subclause, clause, Item, Schedule or Annexure is a reference to, respectively, a subparagraph, paragraph, subclause, clause, Item, Schedule or Annexure of this Lease;
- (d) the covenants and obligations on the part of the Lessee not to do or omit to do any act or thing include:
- (i) covenants not to permit that act or thing to be done or omitted to be done by a Lessee's Agent; and
 - (ii) a covenant to take all reasonable steps to ensure that that act or thing is not done or omitted to be done;
- (e) the meaning of general words or phrases is not limited by specific examples introduced by 'including', 'for example' or similar expressions; and
- (f) if a Party comprises two or more persons, the covenants and agreements on their part bind them and must be observed and performed by them jointly and each of them severally, and may be enforced against any one or more of them.

3. Grant of lease

The Lessor leases to the Lessee the Premises for the Term subject to:

- (a) all Encumbrances;
- (b) the payment of the Amounts Payable; and
- (c) the performance and observance of the Lessee's Covenants.

4. Quiet enjoyment

Except as provided in the Lease, for so long as the Lessor is registered as the proprietor in fee simple in the Land, and subject to the performance and observance of the Lessee's Covenants the Lessee may quietly hold and enjoy the Premises during the Term without any interruption or disturbance from the Lessor or persons lawfully claiming through or under the Lessor.

5. Rent and other payments

The Lessee covenants with the Lessor:

5.1 Rent

To pay to the Lessor the Rent in the manner set out at **Item 5** of the Schedule on and from the Commencement Date clear of any deductions.

5.2 Outgoings

- (1) To pay to the Lessor or to such person as the Lessor may from time to time direct punctually all the following outgoings or charges, assessed or incurred in respect of the Premises:
 - (a) local government rates, specified area rates, taxes, service and other charges and including charges for rubbish and garbage removal;
 - (b) water, drainage and sewerage rates, charges for disposal of stormwater, meter rent and excess water charges;
 - (c) telephone, electricity, gas and other power and light charges including but not limited to meter rents and the cost of installation of any meter, wiring, internet connections or telephone connection;
 - (d) land tax and metropolitan regional improvement tax on a single ownership basis;
 - (e) premiums, excess and other costs arising from the insurance obtained by the Lessor pursuant to **clause 8.2**. For the avoidance of doubt, the parties agree:
 - (i) that if such premium or cost does not include a separate assessment or identification of the Premises or the Land, the Lessee must pay a proportionate part of such premium or cost determined by the Lessor acting reasonably; and
 - (ii) such insurance will include insurance for the full replacement value of buildings; and
 - (iii) any other consumption charge or cost, statutory impost or other obligation incurred or payable by reason of the Lessee's use and occupation of the Premises.

- (2) If the Premises are not separately charged or assessed the Lessee will pay to the Lessor a proportionate part of any charges or assessments referred to in **clause 5.2(1)** being the proportion that the Premises bears to the total area of the land or premises included in the charge or assessment.

5.3 Interest

Without affecting the rights, power and remedies of the Lessor under this Lease, to pay to the Lessor interest on demand on any Amounts Payable which are unpaid for 7 days computed from the due date for payment until payment is made and any interest payable under this paragraph will be charged at the Interest Rate.

5.4 Costs

- (1) To pay to the Lessor on demand:
- (a) all duty, fines and penalties payable under the *Duties Act* 2008 and other statutory duties or taxes payable on or in connection with this Lease;
 - (b) all registration fees in connection with this Lease; and
 - (c) all legal costs of and incidental to the instructions for the preparation, execution and stamping of this Lease and all copies.
- (2) To pay to the Lessor all costs, legal fees, disbursements and payments incurred by or for which the Lessor is liable in connection with or incidental to:
- (a) the Amounts Payable or obtaining or attempting to obtain payment of the Amounts Payable under this Lease;
 - (b) any breach of covenant by the Lessee or the Lessee's Agents;
 - (c) the preparation and service of a notice under Section 81 of the *Property Law Act 1969* requiring the Lessee to remedy a breach even though forfeiture for the breach may be avoided in a manner other than by relief granted by a Court;
 - (d) any work done at the Lessee's request; and
 - (e) any action or proceedings arising out of or incidental to any matters referred to in this **clause 5.4** or any matter arising out of this Lease.

5.5 Accrual of amounts payable

Amounts Payable accrue on a daily basis.

6. Rent Review

6.1 Rent to be Reviewed

The Rent will be reviewed on and from each Rent Review Date to determine the Rent to be paid by the Lessee until the next Rent Review Date.

6.2 Methods of Review

The review will be either based on CPI or a Fixed Percentage Review. The basis for each rent review is as identified for each Rent Review Date in **Item 6** of the Schedule.

6.3 CPI Review

A rent review based on CPI will increase the amount of Rent payable during the immediately preceding period by the percentage of any increase in CPI having regard to the quarterly CPI published immediately prior to the later of the Commencement Date or the last Rent Review Date as the case may be and the quarterly CPI published immediately prior to the relevant Rent Review Date. If there is a decrease in CPI having regard to the relevant CPI publications the Rent payable from the relevant Rent Review Date will be the same as the Rent payable during the immediately preceding period. Should the CPI be discontinued or suspended at any time or its method of computation substantially altered, the parties shall endeavour to agree upon the substitution of the CPI with an equivalent index, or failing agreement by the parties, the substitution shall be made by a Valuer appointed in accordance with **clause** Error! Reference source not found..

6.4 Rent will not decrease

Notwithstanding the provisions in this clause, the Rent payable from any Rent Review based on CPI Review will not be less than the Rent payable in the period immediately preceding such Rent Review Date.

6.5 Lessor's right to review

The Lessor may institute a rent review notwithstanding the Rent Review Date has passed and the Lessor did not institute a rent review on or prior to that Rent Review Date, and in which case the Rent agreed or determined shall date back to and be payable from the Rent Review Date for which such review is made.

7. Outgoings and Services

7.1 Outgoings

- (a) The Lessee must pay to the Lessor the Outgoings Contribution with the first payment due on the Commencement Date.
- (b) With effect from each Rent Review Date, the Outgoings Contribution shall be reviewed in accordance with the following formula:

$$\text{ROC} = \text{OC} \times \text{EC} / \text{OC}$$

Where:

“ROC” = the annual Outgoings Contribution as reviewed;

“OC” = the annual Outgoings Contribution payable immediately before the relevant Outgoings Review Date; and

“EC” = the estimated cost of the Outgoings for the year commencing on the relevant Outgoings Review Date.

- (c) The Lessor may not earlier than three (3) months before an Outgoings Review Date give the Lessee a notice setting out the amount of the reviewed Outgoings Contribution which shall be payable from the Outgoings Review Date (“Outgoings Review Notice”), except that the failure of the Lessor to give such a notice before the Outgoings Review Date does not preclude the Lessor from giving such a notice in respect of that Outgoings Review Date at any later time.

7.2 Rates and Taxes

- (a) The Lessee must pay to the Lessor, when due, all Rates and Taxes assessed or imposed by any Relevant Authority or other service provider in respect of the Leased Premises.
- (b) Except in the case of manifest error, a statement issued by the Lessor under clause 7.2(a) will be prima facie evidence of the matters stated in that statement.
- (c) If the year or other period in respect of which any particular Rates and Taxes is payable does not coincide with the Lease year, the amount the Lessee is to pay in the first year and last year of the Lease will be adjusted proportionally.

7.3 Services separately assessed

The Lessee must pay to the Lessor or, if demand is made by a service provider, or other Relevant Authority, to that Relevant Authority, all amounts separately charged or assessed in respect of the Leased Premises or the Lessee for or in connection with Services to or for the benefit of the Leased Premises or the Lessee, and the cost of installation of any meter, wiring or other device necessitated by the use of the Services.

7.4 Bulk supplies of Services

- (a) If the Lessor supplies any Services to the Leased Premises the Lessee must on demand pay to the Lessor the amount which the Lessee would have been charged by the original service provider, or other Relevant Authority if the Services had been supplied to the Lessee directly together with an administrative charge of no more than twenty per cent (20%) of the amount charged by the original service provider, or other Relevant Authority.
- (b) The Lessee must observe and comply with any conditions of supply of Services by the Lessor, or where no conditions of supply are imposed by the Lessor, observe and comply with the conditions of supply of Services imposed by the Relevant Authority.
- (c) If any Service is not provided by the Lessor, the Lessee is responsible to make the Lessee's own arrangements at the Lessee's own cost for the supply of the Service to the Leased Premises.

8. Insurance

8.1 Insurance required

The Lessee must effect and maintain with insurers approved by the Lessor (noting the Lessor's and the Lessee's respective rights and interest in the Premises) for the time being:

- (a) adequate public liability insurance for a sum not less than the sum set out at **Item 8** of the Schedule in respect of any one claim or such greater amount as the Lessor may from time to time reasonably require;
- (b) insurance against all risks as the Lessor may require, of all plate glass windows, doors and display show cases forming part of or within the Premises for a sum which is not less than its full insurable value;
- (c) insurance to cover the Lessee's fixtures, fittings, equipment and stock against loss or damage by fire, fusion, smoke, lightning, flood, storm, tempest, earthquake, sprinkler leakage, water damage and other usual risks against which a Lessee can and does ordinarily insure in their full replacement value, and loss from theft or burglary;

- (d) employers' indemnity insurance including workers' compensation insurance in respect of all employees of the Lessee employed in, about or on the Premises; and
- (e) any other policy of insurance which the Lessor may reasonably require or specify from time to time.

8.2 Building Insurance to be effected by Lessor

The Lessor shall effect and keep effected insurance to the full insurable value on a replacement or reinstatement value basis of the Premises against damage arising from fire, tempest, storm, earthquake, explosion, aircraft, or other aerial device including items dropped from any device, riot, commotion, flood, lightning, act of God, fusion, smoke, rainwater, leakage, impact by vehicle, machinery breakdown and malicious acts or omissions and other standard insurable risks and the Lessee will reimburse the Lessor for any premiums, excess or other costs arising therefrom.

8.3 Details and receipts

In respect of the insurances required by **clause 8.1** the Lessee must:

- (a) on the Lessor's request, upon renewal of any insurance policy immediately forward to the Lessor copies of Certificates of Currency and details of the insurances as held by the Lessee;
- (b) on the Lessor's request, promptly pay all premiums and produce to the Lessor each policy or certificate of currency and each receipt for premiums or certificate of currency issued by the insurers; and
- (c) notify the Lessor immediately:
 - (i) when an event occurs which gives rise or might give rise to a claim under or which could prejudice a policy of insurance; or
 - (ii) when a policy of insurance is cancelled.

8.4 Payment of excess on insurance

The Lessee AGREES with the Lessor that it shall be responsible to pay any excess payable in connection with the insurances referred to in **clause 8.1** and **clause 8.2**.

8.5 Not to invalidate

The Lessee must not do or omit to do any act or thing or bring or keep anything on the Premises which might:

- (a) render any insurance effected under **clause 8.1** and **clause 8.2** on the Premises, or any adjoining premises, void or voidable; or
- (b) cause the rate of a premium to be increased for the Premises or any adjoining premises (except insofar as an approved development may lead to an increased premium).

8.6 Report

Each Party must report to the other promptly in writing and in an emergency verbally:

- (a) any damage to the Premises of which they are or might be aware; and
- (b) any circumstances of which they are aware and which are likely to be a danger or cause any damage or danger to the Premises or to any person in or on the Premises.

8.7 Settlement of claim

The Lessor may, but the Lessee may not without prior written consent of the Lessor, settle or compromise any claims under any policy of insurance required by **clause 8.1** and **clause 8.2**.

8.8 Lessor as attorney

The Lessee irrevocably appoints the Lessor as the Lessee's attorney during the Term:

- (a) in respect to all matters and questions which may arise in relation to any insurances required by **clause 8.1** and **clause 8.2**;
- (b) with full power to demand, sue for and recover and receive from any insurance company or society or person liable to pay the insurance money as are payable for the risks covered by the insurances required by **clause 8.1** and **clause 8.2**;
- (c) to give good and effectual receipts and discharges for the insurance; and
- (d) to settle, adjust, arbitrate and compromise all claims and demands and generally to exercise all powers of absolute owner.

9. Indemnity

9.1 Lessee responsibilities

- (1) The Lessee is subject to the same responsibilities relating to persons and property to which the Lessee would be subject if during the Term the Lessee were the owner and occupier of the freehold of the Premises.
- (2) The Lessee is responsible and liable for all acts or omissions of the Lessee's Agents on the Premises and for any breach by them of any covenants or terms in this Lease required to be performed or complied with by the Lessee.

9.2 Indemnity

- (1) The Lessee indemnifies, and shall keep indemnified, the Lessor from and against all actions, claims, costs, proceedings, suits and demands whatsoever which may at any time be incurred or suffered by the Lessor, or brought, maintained or made against the Lessor, in respect of:

- (a) any loss whatsoever (including loss of use);
- (b) injury or damage of, or to, any kind of property or thing; and
- (c) the death of, or injury suffered by, any person,

caused by, contributed to, or arising out of, or in connection with, whether directly or indirectly:

- (d) the use or occupation of the Premises by the Lessee or the Lessee's Agents;
- (e) any work carried out by or on behalf of the Lessee on the Premises;
- (f) the Lessee's activities, operations or business on, or other use of any kind of, the Premises;
- (g) the presence of any Contamination, Pollution or Environmental Harm in on or under the Premises or adjoining land caused or contributed to by the act, neglect or omission of the Lessee or the Lessee's Agents;

- (h) any default by the Lessee in the due and punctual performance, observance and compliance with any of the Lessee's covenants or obligations under this Lease; or
- (i) an act or omission of the Lessee.

9.3 Obligations Continuing

The obligations of the Lessee under this clause:

- (a) are unaffected by the obligation of the Lessee to take out insurance, and the obligations of the Lessee to indemnify are paramount, however if insurance money is received by the Lessor for any of the obligations set out in this clause then the Lessee's obligations under **clause 9.2** will be reduced by the extent of such payment;
- (b) continue after the expiration or earlier determination of this Lease in respect of any act, deed, matter or thing occurring or arising as a result of an event which occurs before the expiration or earlier determination of this Lease.

9.4 No indemnity for Lessor's negligence

The parties agree that nothing in this clause shall require the Lessee to indemnify the Lessor, its officers, servants, or agents against any loss, damage, expense, action or claim arising out of a negligent or wrongful act or omission of the Lessor, or its servants, agents, contractors or invitees.

9.5 Release

- (1) The Lessee:

- (a) agrees to occupy and use the Premises at the risk of the Lessee; and
- (b) releases to the full extent permitted by law, the Lessor from:
 - (i) any liability which may arise in respect of any accident or damage to property, the death of any person, injury to any person, or illness suffered by any person, occurring on the Premises or arising from the Lessee's use or occupation of the Premises by;
 - (ii) loss of or damage to the Premises or personal property of the Lessee; and
 - (iii) all claims, actions, loss, damage, liability, costs and expenses arising from or connected with (directly or indirectly) the presence of any Contamination, Pollution or Environmental Harm in, on or under the Premises or surrounding area,

except to the extent that such loss or damage arises out of a negligent or wrongful act or omission of the Lessor, or its servants, agents, contractors or invitees.

- (2) The release by the Lessee continues after the expiration or earlier determination of this Lease in respect of any act, deed, matter or thing occurring or arising as a result of an event which occurs before the expiration or earlier determination of this Lease.

10. Limit of Lessor's liability

10.1 No liability for loss on Premises

The Lessor will not be liable for loss, damage or injury to any person or property in or about the Premises however occurring.

10.2 Limit on liability for breach of Lessor's covenants

- (1) The Lessor is only liable for breaches of the Lessor's Covenants set out in this Lease which occur while the Lessor is registered as the proprietor in fee simple in the Premises.
- (2) The Lessor will not be liable for any failure to perform and observe any of the Lessor's Covenants due to any cause beyond the Lessor's control.

11. Maintenance, repair and cleaning

11.1 Generally

- (1) The Lessee agrees during the Term and for so long as the Lessee remains in possession or occupation of the Premises to maintain, replace, repair, clean and keep the Premises (which for the avoidance of doubt includes the Lessor's fixtures and fittings and any accessories) in good repair having regard to the age of the Premises at the Commencement Date provided that this subclause shall not impose on the Lessee any obligation:
 - (a) to carry out maintenance, repairs or replacement that are necessary as a result of reasonable fair wear and tear; or
 - (b) to undertake any structural maintenance, replacement or repair,except when such maintenance, repair or replacement is necessary because of any act or omission of or on the part of the Lessee or the Lessee's Agents (including its use of the Premises).
- (2) In discharging the obligations imposed on the Lessee under this subclause, the Lessee shall where maintaining, replacing, repairing or cleaning:
 - (a) any electrical fittings and fixtures;
 - (b) any plumbing;
 - (c) any air-conditioning fittings and fixtures; and
 - (d) any gas fittings and fixtures,in or on the Premises use only licensed trades persons, or such trades persons as may be approved by the Lessor and notified to the Lessee, which approval shall not be unreasonably withheld.
- (3) The Lessee must take such reasonable action as is necessary to:
 - (a) prevent, if it has occurred as a result of the Lessee's use of the Premises; and
 - (b) rectify or otherwise ameliorate,the effects of erosion, drift or movement of sand, soil, dust or water on or from the Premises.

11.2 Cleaning

The Lessee must at all times keep the Premises clean, tidy, unobstructed and free from dirt and rubbish.

11.3 Repair

Unless such damage is the Lessor's responsibility pursuant to the terms of the Lease, the Lessee must promptly repair at its own expense to the satisfaction of the Lessor, any damage to the Premises, regardless of how the damage is caused and replace any of the Lessor's fixtures and fittings which are or which become damaged.

11.4 Responsibility for Securing the Premises

The Lessee must ensure the Premises, including Lessor's and Lessee's fixtures and fittings, are appropriately secured at all times.

11.5 Lessor's Fixtures and Fittings

The Lessee covenants and agrees that the Lessor's Fixtures and Fittings will remain the property of the Lessor and must not be removed from the Premises at any time.

11.6 Pest control

The Lessee must keep the Premises free of any pests and vermin and the cost of extermination will be borne by the Lessee.

11.7 Painting

- (1) The Lessee must on or before each repainting date as stated in **Item 10** of the Schedule paint with at least 2 coats of paint those parts of the Premises usually painted internally, unless otherwise agreed by the Lessor in writing.
- (2) All painting carried out on the Premises must be carried out by a registered painting contractor and the registered painting contractor or other person engaged by the Lessee to paint the Premises must:
 - (a) do so in a proper manner using good quality materials;
 - (b) have the colour and quality of the materials approved in writing by the Lessor before the work commences;
 - (c) comply with all reasonable directions given or requests made by the Lessor; and
 - (d) be finished in a proper and workmanlike manner.

12. Use

12.1 Restrictions on use

(1) Generally

The Lessee must not and must not suffer or permit a person to:

- (a) use the Premises or any part of it for any purpose other than the Permitted Purpose; or
- (b) use the Premises for any purpose which is not permitted under any local or town planning scheme, local laws, acts, statutes or any law relating to health.

(2) No offensive or illegal acts

The Lessee must not and must not suffer or permit a person to do or carry out on the Premises any harmful, offensive or illegal act, matter or thing.

(3) No nuisance

The Lessee must not and must not suffer or permit a person to do or carry out on the Premises any thing which causes a nuisance, damage or disturbance to the Lessor or to owners or occupiers of adjoining properties.

(4) No dangerous substances

The Lessee must not and must not suffer or permit a person to store any dangerous compound or substance on or in the Premises, otherwise than in accordance with the following provisions:

- (a) any such storage must comply with all relevant statutory provisions;
- (b) all applications for the approval or renewal of any licence necessary for such storage must be first referred to the Lessor;
- (c) the Lessor may within its absolute discretion refuse to allow the storage of any particular dangerous compound or substance on the Premises; and
- (d) upon the request of the Lessor, the Lessee will provide a list of all dangerous compounds or substances stored on the Premises.

(5) No harm or stress

The Lessee must not and must not suffer or permit a person to do any act or thing which might result in excessive stress or harm to any part of the Premises.

(6) No signs

The Lessee must not and must not suffer or permit a person to display from or affix any signs, notices or advertisements on the Premises without the prior written consent of the Lessor.

(7) No smoking

The Lessee must not suffer or permit a person to smoke inside any building or other enclosed area on the Premises.

(8) Consumption of alcohol

The Lessee must not suffer or permit a person to use or allow the Premises to be used for the consumption of alcohol without first obtaining the written consent of the Lessor.

(9) Sale of Alcohol

The Lessee will not sell or supply liquor from the Premises or allow liquor to be sold or supplied from the Premises without the prior written consent of the Lessor and then only in accordance with the provisions of the *Liquor Control Act 1988*, *Health (Food and Pet Meat) Repeal Regulations 2009*, *Liquor Licensing Regulations 1989* and any other relevant written laws that may be in force from time to time.

(10) Removal of rubbish

The Lessee must keep the Premises free from dirt and rubbish and to store and keep all trade waste and garbage in proper receptacles.

(11) No pollution

The Lessee must do all things necessary to prevent pollution or contamination of the Premises by garbage, refuse, waste matter, oil and other pollutants.

12.2 No warranty

The Lessor gives no warranty:

- (a) as to the use to which the Premises may be put; or
- (b) that the Lessor will issue any consents, approvals, authorities, permits or licences required by the Lessee under any statute for its use of the Premises.

12.3 Lessee to Observe Copyright

In the event that the Lessee or any person sub-leasing, hiring, or in temporary occupation of the Premises provides, contracts for, or arranges for the performance, exhibition or display of any music or work of art the copyright of which is not vested in the Lessee or that person, the Lessee shall ensure that all obligations in regard to payment of copyright or licensing fees with the owner or licensor of the copyright are met before any such performance, exhibition or display is held.

12.4 Premises Subject to Restriction

The Lessee accepts the Premises for the Term subject to any existing prohibition or restriction on the use of the Premises.

12.5 Indemnity for Costs

The Lessee indemnifies the Lessor against any claims or demands for all costs, on a solicitor client basis, reasonably incurred by the Lessor by reason of any claim in relation to any matters set out in this **clause 12**.

13. Alterations

13.1 Restriction

- (1) The Lessee must not without prior written consent:
 - (i)
 - (a) from the Lessor;
 - (b) from any other person from whom consent is required under this Lease; or
 - (c) as required under statute in force from time to time, including but not limited to the planning approval of the Lessee under a local planning scheme of the Lessee;
 - (ii) make or allow to be made any alteration, addition or improvements to or demolish any part of the Premises; or
 - (iii) subject to the performance of the Lessee's obligations in clause 11, remove any flora or fauna, alter or cut down any flora, or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the Premises.

13.2 Consent

- (1) If the Lessor and any other person whose consent is required under this Lease or at law consents to any matter referred to in **clause 13.1** the Lessor may:
- (a) consent subject to conditions; and
 - (i) require that work be carried out in accordance with plans and specifications approved by the Lessor or any other person giving consent; and
 - (ii) require that any alteration be carried out to the satisfaction of the Lessor under the supervision of an engineer or other consultant; and
 - (b) if the Lessor consents to any matter referred to in **clause 13.1**:
 - (i) the Lessor gives no warranty that the Lessor will issue any consents, approvals, authorities, permits or policies under any statute for such matters; and
 - (ii) the Lessee must apply for and obtain all such consent approvals, authorities, permits or policies as are required at law before undertaking any alterations, additions, improvements or demolitions.

13.3 Cost of Works

All works undertaken under this **clause 13** will be carried out at the Lessee's expense.

13.4 Conditions

If any of the consents given by the Lessor or other persons whose consent is required under this Lease or at law require other works to be done by the Lessee as a condition of giving consent, then the Lessee must at the option of the Lessor either:

- (a) carry out those other works at the Lessee's expense; or
 - (b) permit the Lessor to carry out those other works at the Lessee's expense,
- in accordance with the Lessor's requirements.

14. Lessor's right of entry

14.1 Entry on Reasonable Notice

The Lessee must permit entry by the Lessor or any Authorised Person onto the Premises without notice in the case of an emergency, and otherwise upon reasonable notice:

- (a) at all reasonable times;
- (b) with or without workmen and others; and
- (c) with or without plant, equipment, machinery and materials;

for each of the following purposes:

- (d) to inspect the state of repair of the Premises and to ensure compliance with the terms of this Lease;

- (e) to carry out any survey or works which the Lessor considers necessary, however the Lessor will not be liable to the Lessee for any compensation for such survey or works provided they are carried out in a manner which causes as little inconvenience as is reasonably possible to the Lessee;
- (f) to comply with the Lessor's Covenants or to comply with any notice or order of any authority in respect of the Premises for which the Lessor is liable; and
- (g) to do all matters or things to rectify any breach by the Lessee of any term of this Lease but the Lessor is under no obligation to rectify any breach and any rectification under this clause is without prejudice to the Lessor's other rights, remedies or powers under this Lease.

14.2 Costs of Rectifying Breach

All costs and expenses incurred by the Lessor as a result of any breach referred to at **clause 1.1(g)** together with any interest payable on such sums will be a debt due to the Lessor and payable to the Lessor by the Lessee on demand.

15. Statutory obligations and notices

15.1 Comply with Statutes

The Lessee must:

- (a) comply promptly with all statutes and local laws from time to time in force relating to the Premises;
- (b) apply for, obtain and maintain in force all consents, approvals, authorities, licences and permits required under any statute for the use of the Premises specified at **clause 12**;
- (c) ensure that all obligations in regard to payment for copyright or licensing fees are paid to the appropriate person for all performances, exhibitions or displays held on the Premises; and
- (d) comply promptly with all orders, notices, requisitions or directions of any competent authority relating to the Premises or to the business the Lessee carries on at the Premises.

15.2 Indemnity if Lessee Fails to Comply

The Lessee indemnifies the Lessor against:

- (a) failing to perform, discharge or execute any of the items referred to in **clause 15.1**; and
- (b) any claims, demands, costs or other payments of or incidental to any of the items referred to in **clause 15.1**.

16. Report to Lessor

The Lessee must immediately report to the Lessor:

- (a) any act of vandalism or any incident which occurs on or near the Premises which involves or is likely to involve a breach of the peace or become the subject of a report or complaint to the police and of which the Lessee is aware or should be aware;

- (b) any occurrence or circumstances in or near the Premises of which it becomes aware, which might reasonably be expected to cause, in or on the Premises, pollution of the environment; and
- (c) all notices, orders and summonses received by the Lessee and which affect the Premises and immediately deliver them to the Lessor.

17. Default

17.1 Events of Default

A default occurs if:

- (a) any Amounts Payable remain unpaid for 14 days after a Notice has been given to the Lessee that an amount is outstanding;
- (b) the Lessee is in breach of any of the Lessee's Covenants for 28 days after a Notice has been given to the Lessee to rectify the breach or to pay compensation in money;
- (c) the business conducted at the
- (d) Premises is wound up whether voluntarily or otherwise;
- (e) the Lessee passes a special resolution under the *Associations Incorporation Act 2015* altering its rules of association in a way that makes its objects or purposes inconsistent with the use permitted by this Lease;
- (f) a mortgagee takes possession of the property of the Lessee under this Lease;
- (g) any execution or similar process is made against the Premises on the Lessee's property;
- (h) the Premises are vacated, or otherwise not used, in the Lessor's reasonable opinion, for the Permitted Purpose for six month period; or
- (i) a person other than the Lessee or a permitted sublessee or assignee is in occupation or possession of the Premises or in receipt of a rent and profits.

17.2 Forfeiture

On the occurrence of any of the events of default specified in **clause 17.1** the Lessor may:

- (a) without notice or demand at any time enter the Premises and on re-entry the Term will immediately determine;
- (b) by notice to the Lessee determine this Lease and from the date of giving such notice this Lease will be absolutely determined; and
- (c) by notice to the Lessee elect to convert the unexpired portion of the Term into a tenancy from month to month when this Lease will be determined as from the giving of the notice and until the tenancy is determined the Lessee will hold the Premises from the Lessor as a Lessee from month to month under **clause 18**,

but without affecting the right of action or other remedy which the Lessor has in respect of any other breach by the Lessee of the Lessee's Covenants or releasing the Lessee from liability in respect of the Lessee's Covenants.

17.3 Lessor may remedy breach

If the Lessee:

- (a) fails or neglects to pay the Amounts Payable by the Lessee under this Lease; or
- (b) does or fails to do anything which constitutes a breach of the Lessee's Covenants,

then, after the Lessor has given to the Lessee notice of the breach and the Lessee has failed to rectify the breach within a reasonable time, the Lessor may without affecting any right, remedy or power arising from that default pay the money due or do or cease the doing of the breach as if it were the Lessee and the Lessee must pay to the Lessor on demand the Lessor's cost and expenses of remedying each breach or default.

17.4 Acceptance of Amount Payable By Lessor

Demand for or acceptance of the Amounts Payable by the Lessor after an event of default has occurred will not affect the exercise by the Lessor of the rights and powers conferred on the Lessor by the terms of the Lease or at law and will not operate as an election by the Lessor to exercise or not to exercise any right or power.

17.5 Essential Terms

Each of the Lessee's Covenants in **clauses 5** (Rent and Other Payments), **8** (Insurance), **9** (Indemnity), **11** (Maintenance, Repair and Cleaning), **12** (Use), **24** (Assignment, Subletting and Charging) and **29** (Goods and Services Tax), is an essential term of this Lease but this clause **17.5** does not mean or imply that there are no other essential terms in this Lease.

17.6 Breach of Essential Terms

If the Lessee breaches an essential term of this Lease then, in addition to any other remedy or entitlement of the Lessor:

- (a) the Lessee must compensate the Lessor for the loss or damage suffered by reason of the breach of that essential term;
- (b) the Lessor will be entitled to recover damages against the Lessee in respect of the breach of an essential term; and
- (c) the Lessee covenants with the Lessor that if the Term is determined:
 - (i) for breach of an essential term or the acceptance by the Lessor of a repudiation of this Lease by the Lessee; or
 - (ii) following the failure by the Lessee to comply with any notice given to the Lessee to remedy any default,

the Lessee must pay to the Lessor on demand the total of the Amounts Payable under this Lease which would have been payable by the Lessee for the unexpired balance of the Term as if the Term had expired by effluxion of time together with the losses incurred or reasonably expected to be incurred by the Lessor as a result of the early determination including but not limited to the costs of re-letting or attempting to re-let the Premises;

- (d) the Lessee agrees that the covenant set out in this **clause 17.6** will survive termination or any deemed surrender at law of the estate granted by this Lease;

- (e) the Lessee may deduct from the amounts referred to at **clause 17.6(c)** the Rent and other money which the Lessor reasonably expects to obtain by re-letting the Premises between the date of Termination and the date on which the Term would have expired by effluxion of time; and
- (f) the Lessor must take reasonable steps to mitigate its losses and endeavour to re-let the Premises at a reasonable rent and on reasonable terms but the Lessor is not required to offer or accept rent or terms which are the same or similar to the rent or terms contained or implied in this Lease.

18. Damage or destruction of Premises

18.1 Abatement of Rent

If the Premises are at any time during the Term, without neglect or default of the Lessee, destroyed or damaged by fire or other risk covered by insurance so as to render the same unfit for the occupation and use of the Lessee, then the Rent or a proportionate part thereof (according to the nature and extent of the damage) shall abate until the Premises have been rebuilt or made fit for the occupation and use of the Lessee, and in case of any dispute arising under this provision the same will be referred to arbitration under the provisions of the *Commercial Arbitration Act 2012* and the full Rent must be paid without any deduction or abatement until the date of the arbitrator's award whereupon the Lessor will refund to the Lessee any Rent which according to the aware appears to have been overpaid.

18.2 Total Damage or Destruction

If the premises are at any time during the Term destroyed or damaged to an extent as to be wholly unfit for the occupation and use of the Lessee either party may by notice in writing to the other of them given within sixty (60) days after the event elect to cancel and terminate this lease. The term will terminate upon such notice being given and the Lessee must vacate the premises and surrender the same to the Lessor, but such termination will be without prejudice however to the liability of the Lessee under this Lease up to the date of termination.

19. Option to renew

If the Lessee at least one month, but not earlier than 12 months, prior to the date for commencement of the Further Term gives the Lessor a Notice to grant the Further Term and:

- (a) all consents and approvals required by the terms of this Lease or at law have been obtained; and
- (b) there is no subsisting default by the Lessee at the date of service of the Notice in:
 - (a) the payment of Amounts Payable; or
 - (b) the performance or observance of the Lessee's Covenants,

the Lessor shall grant to the Lessee a lease for the Further Term at the Rent and on terms and conditions similar to this Lease other than this **clause 19** in respect of any Further Term previously taken or the subject of the present exercise and on such other terms and conditions as the Lessor may consider appropriate.

20. Holding over

If the Lessee remains in possession of the Premises after the expiry of the Term with the consent of the Lessor, the Lessee will be a monthly Lessee of the Lessor at a rent equivalent to one hundred

and twenty percent of the Rent for the period immediately preceding expiry of the Term and otherwise on the same terms and conditions of this Lease provided that all consents required under this Lease or at law have been obtained to the Lessee being in possession of the Premises as a monthly Lessee.

21. Restore premises

Prior to Termination, the Lessee at the Lessee's expense must restore the Premises to a condition consistent with the observance and performance by the Lessee of the Lessee's Covenants under this Lease fair wear and tear excepted.

22. Yield up the premises

22.1 Peacefully surrender

On Termination the Lessee must:

- (a) peacefully surrender and yield up to the Lessor the Premises in a condition consistent with the observance and performance of the Lessee's Covenants under this Lease;
- (b) surrender to the Lessor all keys and security access devices and combination for locks providing an access to or within the Premises held by the Lessee whether or not provided by the Lessor.

22.2 Clause 22.1 to survive termination

The Lessee's obligation under **clause 22.1** will survive termination.

23. Removal of property from Premises

23.1 Remove property prior to termination

Prior to Termination, unless otherwise mutually agreed between the parties, the Lessee must remove from the Premises all property of the Lessee which is not a fixture other than air-conditioning plant and fire equipment, security alarms and security systems and other fixtures and fittings which in the opinion of the Lessor form an integral part of the Premises and promptly make good, to the satisfaction of the Lessor, any damage caused by the removal.

23.2 Lessor can remove property on re-entry

On re-entry the Lessor will have the right to remove from the Premises any property of the Lessee and the Lessee indemnifies the Lessor against all damage caused by the removal of and the cost of storing that property.

24. Assignment, Subletting and Charging

24.1 No assignment or sub-letting without consent

The Lessee must not assign the leasehold estate in the Premises nor Sub-let, part with possession, or dispose of the Premises or any part of the Premises without the prior written consent of the Lessor and any other persons whose consent is required under the terms of this Lease or at law.

24.2 Lessor's Consent to Assignment and Sub-letting

Provided all parties whose consent is required, under this Lease or at law, to an assignment or Sub-letting, give their consent and any assignment or sublease is for a purpose consistent with the use of the Premises permitted by this Lease then the Lessor may not unreasonably withhold its consent to the assignment or Sub-letting of the leasehold estate created by this Lease if:

- (a) the proposed assignee or sublessee is a respectable and responsible person of good financial standing capable of continuing the permitted use for non-profit making community purposes;
- (b) all Amounts Payable due and payable have been paid and there is no existing unremedied breach, whether notified to the Lessee or not, of any of the Lessee's Covenants;
- (c) the Lessee procures the execution by:
 - (a) the proposed assignee of a deed of assignment; or
 - (b) the proposed sublessee of a deed of sublease,to which the Lessor is a party and which deed is prepared and completed by the Lessor's solicitors; and
- (d) the assignment contains a covenant by the assignee or sublessee with the Lessor to pay all Amounts Payable and to perform and observe all the Lessee's Covenants.

24.3 Consents of Assignee Supplementary

The covenants and agreements on the part of any assignee will be supplementary to the Lessee's Covenants and will not release the assigning lessee from the Lessee's Covenants.

24.4 Property Law Act 1969

Sections 80 and 82 of the *Property Law Act 1969* are excluded.

24.5 Costs for assignment and sub-letting

If the Lessee wishes to assign or sub-let the leasehold estate created by this Lease the Lessee must pay all reasonable professional and other costs, charges and expenses, incurred by the Lessor or other person whose consent is required under this Lease, of and incidental to:

- (a) the enquiries made by or on behalf of the Lessor as to the respectability, responsibility and financial standing of each proposed assignee or sublessee;
- (b) any consents required under this Lease or at law; and
- (c) all other matters relating to the proposed assignment or sub-letting,

whether or not the assignment or Sub-letting proceeds.

24.6 No mortgage or charge

The Lessee must not mortgage nor charge the Premises.

25. Disputes

25.1 Referral of Dispute: Phase 1

Except as otherwise provided any dispute arising out of this Lease is to be referred in the first instance in writing to the Lessor's Representative as nominated in writing by the Lessor from time to time (**the Lessor's Representative**) who shall convene a meeting within 10 days of receipt of such notice from the Lessee or such other period of time as is agreed to by the parties between the Lessor's Representative and an officer of the Lessee for the purpose of resolving the dispute (**the Original Meeting**).

25.2 Referral of Dispute: Phase 2

In the event the dispute is not resolved in accordance with **clause 25.1** of this Lease then the dispute shall be referred in writing to the CEO of the Lessor who shall convene a meeting within 10 days of the Original Meeting or such other date as is agreed to by the parties between the CEO and the Lessee for the purpose of resolving the dispute.

25.3 Appointment of Arbitrator: Phase 3

In the event the dispute is not resolved in accordance with **clause 25.2** of this Lease then the dispute shall be determined by a single arbitrator under the provisions of the *Commercial Arbitration Act 2012* (as amended from time to time) and the Lessor and the Lessee may each be represented by a legal practitioner.

25.4 Payment of Amounts Payable to Date of Award

The Lessee must pay the Amounts Payable without deduction to the date of the award of the Arbitrator or the date of an agreement between the Parties whichever event is the earlier, and if any money paid by the Lessee is not required to be paid within the terms of the award of the Arbitrator or by agreement between the Lessor and the Lessee then the Lessor will refund to the Lessee the monies paid

26. Prior notice of proposal to change rules

If applicable, the Lessee agrees that it will not change its rules of association under the *Associations Incorporations Act 2015* without notifying the Lessor of its intention to make such a change prior to consideration of the required special resolution.

27. Provision of information

The Lessee agrees to provide to the Lessor:

- (a) a copy of the Lessee's audited annual statement of accounts for each year;
- (b) advice of any changes in its office holders during the Term; and
- (c) any information reasonably required by the Lessor.

28. Caveat

28.1 No absolute caveat

The Lessee nor any person on behalf of the Lessee will, without the prior written consent of the Lessor, lodge any absolute caveat at Landgate against the Certificate of Title for the Land, to protect the interests of the Lessee under this Lease.

28.2 CEO & Lessor as attorney

In consideration of the Lessor having granted this Lease to the Lessee, the Lessee irrevocably appoints the Lessor and the CEO of the Lessor jointly and severally:

- (a) for the Term of this Lease;
- (b) for any holding over under this Lease; and
- (c) for a period of 6 months after Termination,

to be the agent and attorney of the Lessee in its name and on its behalf to sign and lodge at Landgate:

- (d) a withdrawal of any absolute caveat lodged by or on behalf of the Lessee;
- (e) a withdrawal of any caveat lodged by or on behalf of the Lessee and not withdrawn on Termination; and
- (f) a surrender of the estate granted by this Lease,

and the costs of withdrawing any caveat or surrendering this Lease (including the Lessor's solicitor's costs and registration fees) will be borne by the Lessee.

28.3 Ratification

The Lessee undertakes to ratify all the acts performed by or caused to be performed by the Lessor, its agent or attorney under this clause.

28.4 Indemnity

The Lessee indemnifies the Lessor against:

- (a) any loss arising directly from any act done under this clause. and
- (b) all costs and expenses incurred in connection with the performance of any act by the attorney on behalf of the Lessee under this clause.

29. Goods and Services Tax

29.1 Definitions

The following definitions apply for the purpose of this clause:

- (a) **Act** means the Commonwealth's *A New Tax System (Goods and Services Tax) Act 1999* and associated Acts and subsidiary legislation;

- (b) **Consideration** means the Amounts Payable or any other money payable to the Lessor under this Lease, but does not include the amount of the GST which may apply to the Amounts Payable or other money payable under the Act;
- (c) **GST** means a tax under the Act levied on a Supply including but not limited to the Amounts Payable or other money payable to the Lessor for goods or services or property or any other thing under this Lease; and
- (d) **Supply** means a good or service or any other thing supplied by the Lessor under this Lease and includes but is not limited to a grant of a right to possession of the Premises.

29.2 Lessee to pay GST

- (1) The Consideration will be increased by the amount of the GST, if any, which the Lessor is required under the Act to pay on any Supply made under this Lease.
- (2) The Lessee must pay any increase referred to at **clause 29.2(1)** whether it is the Lessee or any other person who takes the benefit of any Supply.
- (3) The Lessee must pay the amount of the GST to the Lessor at the same time and in the same manner as the Lessee is required to pay the Consideration under this Lease.

29.3 Consideration in Kind

If consideration in kind is accepted by the Lessor for any Supply made under this Lease, the GST amount payable to the Lessor under **clause 29.2(2)** in respect of the consideration in kind will be calculated by using the prevailing market value of the consideration in kind as determined by the Lessor.

29.4 No Contribution from Lessor

If the Lessee is required under this Lease to make any payment of money or give other consideration to a third party for outgoings, goods, services and benefits of any kind, the Lessee is not entitled to any contribution from the Lessor for any GST payable by it to any person.

29.5 Statement of GST paid is Conclusive

A written statement given to the Lessee by the Lessor of the amount of the GST that the Lessor pays or is liable to pay or account for is conclusive as between the Parties except in the case of an obvious error.

29.6 Tax Invoices

For each payment by the Lessee under this clause the Lessor agrees to promptly deliver to the Lessee, as required under the Act, tax invoices and adjustment notes in a form which complies with the Act, so as to enable the Lessee to claim input tax credits or decreasing adjustments for Supplies.

29.7 Reciprocity

If the Lessee furnishes any Supplies to the Lessor under this Lease, then the requirements set out in this clause with respect to the Lessee will apply to the Lessor with the necessary changes.

30. No Fetter

Notwithstanding any other provision of this Lease, the Parties acknowledge that the Lessor is a local government established by the *Local Government Act 1995*, and in that capacity, the Lessor

may be obliged to determine applications for consents, approvals, authorities, licences and permits having regard to any Written Law governing such applications including matters required to be taken into consideration and formal processes to be undertaken, and the Lessor shall not be taken to be in default under this Lease by performing its statutory obligations or exercising its statutory discretions, nor shall any provision of this Lease fetter the Lessor in performing its statutory obligations or exercising any discretion.

31. Additional Terms Covenants and Conditions

Each of the terms, covenants and conditions (if any) specified in **Schedule 1Item 12** of the Schedule are part of this Lease and are binding on the Lessor and the Lessee as if incorporated into the body of this Lease.

32. Commercial Tenancy Act

If at any time and for so long as the *Commercial Tenancy (Retail Shops) Agreements Act 1985* applies to this Lease and a provision of that Act conflicts with a provision of this Lease, then each conflicting provision of this Lease is deemed to be amended to the extent necessary to comply with that Act.

33. Acts by agents

All acts and things which the Lessor is required to do under this Lease may be done by the Lessor, the CEO, an officer or the agent, solicitor, contractor or employee of the Lessor.

34. Governing law

This Lease is governed by and is to be interpreted in accordance with the laws of Western Australia and, where applicable, the laws of the Commonwealth of Australia.

35. Statutory powers

The powers conferred on the Lessor by or under any statutes for the time being in force are, except to the extent that they are inconsistent with the terms and provisions expressed in this Lease, in addition to the powers conferred on the Lessor in this Lease.

36. Notice

36.1 Form of delivery

A notice, consent, approval or other communication (each a Notice) under this Lease must be in writing and may be given or made:

- (a) by delivery to the Party personally;
- (b) by addressing it to the Party and leaving it at or posting it by registered post to the address of the Party appearing in this Lease or any other address nominated by a Party by Notice to the other; or
- (c) by electronic mail to the Party's email address as appearing in this Lease or any other address nominated by a Party by Notice to the other.

36.2 Service of notice

A Notice to a Party is deemed to be given or made:

- (a) if by personal delivery, when delivered;
- (b) if by leaving the Notice at an address specified in **Schedule 1 Item 11** at the time of leaving the Notice, provided the Notice is left during normal business hours;
- (c) if by post to an address specified in **Item 11**, on the second business day following the date of posting of the Notice; and
- (d) if sent by electronic mail and the send does not received a message from its internet service provider or the recipient's mail server indicating that is has not be successfully transmitted, on the day of sending if a Business Day, otherwise on the next Business Day.

36.3 Signing of notice

A Notice to a Party may be signed:

- (a) if given by an individual, by the person giving the Notice;
- (b) if given by a corporation, by a director, secretary or manager of that corporation;
- (c) if given by a local government, by the CEO;
- (d) if given by an association incorporated under the *Associations Incorporation Act 2015*, by any person authorised to do so by the board or committee of management of the association; or
- (e) by a solicitor or other agent of the individual, corporation, local government or association giving the Notice.

37. Severance

If any part of this Lease is or becomes void or unenforceable, that part is or will be severed from this Lease to the intent that all parts that are not or do not become void or unenforceable remain in full force and effect and are unaffected by that severance.

38. Variation

This Lease may be varied only by deed executed by the parties subject to such consents as are required by this Lease or at law.

39. Moratorium

The provisions of a statute which would but for this clause extend or postpone the date of payment of money, reduce the rate of interest or abrogate, nullify, postpone or otherwise affect the terms of this Lease do not, to the fullest extent permitted by law, apply to limit the terms of this Lease.

40. Further assurance

The Parties must execute and do all acts and things necessary or desirable to implement and give full effect to the terms of this Lease.

41. Payment of money

Any Amounts Payable to the Lessor under this Lease must be paid to the Lessor at the address of the Lessor referred to in the Lease or as otherwise directed by the Lessor by Notice from time to time.

42. Waiver

42.1 No general waiver

Failure to exercise or delay in exercising any right, power or privilege in this Lease by a Party does not operate as a waiver of that right, power or privilege.

42.2 Partial exercise of right power or privilege

A single or partial exercise of any right, power or privilege does not preclude any other or further exercise of that right, power or privilege or the exercise of any other right, power or privilege.

Schedule

Item 1 Land and Premises

(a) Land

Lot 3 on Deposited Plan 34151 being the whole of the land comprised in Certificate of Title Volume 2615 Folio 984

(b) Premises

The part of the Land and Building comprising:

- (i) Suites 2 – 5, being approximately 262.65 square metres which for identification purposes is depicted in **Annexure 1** including all buildings, structures, alterations, additions and improvements on that part of the Land, or erected on that part of the Land during the Term; and
- (ii) The Common Areas, which for identification purposes is labelled “Shared Services” in **Annexure 1**.

Item 2 Term

2 years and **X months** commencing on **[insert date]** 2020 and expiring on 5 January 2023.

Item 3 Further Term

3 years commencing on 5 January 2023 and expiring on 5 January 2026.

Item 4 Commencement Date

30 days from Council Resolution – subject to change.

Item 5 Rent

\$25,350 per annum plus GST payable in advance by equal monthly instalments of \$2,112.50.

Item 6 Rent Review

Manner in which Rent is to be reviewed:

Rent Review Date	Manner of Review
6 January 2021	CPI Review
6 January 2022	CPI Review

If the Lease is extended for the Further Term

Rent Review Date	Manner of Review
6 January 2023	2.5% Fixed Increase
6 January 2024	CPI Review
6 January 2025	CPI Review

Item 7 Specified Outgoings

From the Commencement Date until the 1st Outgoings Review Date, the Specified Outgoings are \$10,461.80 per annum plus GST payable in advance by equal monthly instalments of \$871.82 with the first payment due on the Commencement Date.

Item 8 Permitted purpose

Program delivery space for aboriginal community engagement and program management and uses reasonably ancillary thereto.

Item 9 Public liability insurance

Twenty million dollars (\$20,000,000.00).

Item 10 Repainting Dates

On or before the end of the Term, unless otherwise advised by the Lessor in writing.

Item 11 Notice Details

Lessor

The City of Kwinana (ABN 13 890 277 321)

Address: PO Box 21, Kwinana WA 6966

Email: city.legal@kwinana.wa.gov.au

Lessee

Nyoongar Wellbeing and Sports Aboriginal Corporation (ABN 51 051 399 025)

Address: PO Box 8123, Perth Business Centre WA 6984

Email: admin@nyoongarsports.com.au

Item 12 Additional terms and covenants

12.1 Liquor licence

The Lessee agrees that if a licence or permit is granted under the *Liquor Control Act 1988* for the Premises it must:

- (i) comply with any requirements attaching to the licence or permit at its cost and where any alteration is required to the Premises clause 13 shall apply;
- (ii) comply with the requirements of the Harm Minimisation Policy (as amended from time to time) of the Department of Racing, Gaming & Liquor, which will require, without limitation the following:
 - (a) the development and implementation of a House Management Policy and Code of Conduct (as defined by the Harm Minimisation Policy) for the Premises, and such policies must be displayed in a prominent position on the Premises at all times; and

- (b) the development and implementation of a Management Plan (as defined by the Harm Minimisation Policy) for the Premises.
- (iii) provide a copy of the licence or permit (as well as a copy of any document referred to in the licence or permit, including without limitation a copy of the House Management Policy, Code of Conduct and Management Plan (as defined by the Harm Minimisation Policy) to the Lessor as soon as practicable after the date of grant; and
- (iv) indemnify and keep indemnified the Lessor from and against any breach of the *Liquor Control Act 1988*, *Liquor Control Regulations 1989* or the licence or permit or any conditions imposed thereupon for which it may be liable as the owner of the Premises.

12.2 Licence to Use Car Parking Bays

The Lessor grants to the Lessee a licence to use 5 car parking bays of the car park on the Land as from time to time are nominated by the Lessor (**Car Parking Space**) together with the right for the Lessee and its duly authorised employees and visitors in common with all others authorised by the Lessor and in exercise of the licence in this clause, to enter and leave the car park by its entrances and exits and subject to the following terms conditions and restrictions:

- (i) this Licence shall commence on the Commencement Date and shall be co-terminus with the Term to the intent that:
 - (a) if the Lessee extends the Term, this Licence automatically shall be extended for the same period; and
 - (b) upon the expiration or sooner determination of the Term, this Licence forthwith shall determine without the need for any notice or other action by the Lessor or the Lessee.
- (ii) The Lessee agrees with the Lessor that:
 - (a) the Lessee shall use the Car Parking Space for the purpose only of parking of motor vehicles owned or used by the Lessee or the Lessee's employees and visitors;
 - (b) the Lessee shall not use or permit to be used the Car Parking Space for any purpose other than for the parking of motor vehicles and shall comply with and cause to be complied with the provisions of all Statutes for the time being in force affecting the same and all by-laws and regulations thereunder;
 - (c) the Lessee shall not store or keep on or permit to be stored or kept on the Car Parking Space or in any motor vehicle thereon any petrol or other inflammable fuel except that which is contained in petrol or other fuel feed tanks or lines forming a permanent part of a motor vehicle and shall not knowingly permit the spillage or leakage of oil grease or petrol onto any part of the Car Parking Space or the Land from any motor vehicle owned or used by the Lessee or any of the Lessee's employees and visitors;
 - (d) the Lessee shall not leave or permit to be left at any time any motor vehicle upon the Car Parking Space with its engine running;

- (e) unless otherwise agreed in writing by the Lessor, the Lessee shall ensure that no motor vehicle parked in the Car Parking Space remains for a continuous period longer than 20 hours and the Lessee shall ensure that any motor vehicle parked on the Car Parking Space for longer than 20 hours shall be removed promptly;
- (f) the Lessee shall keep and maintain the Car Parking Space free of rubbish and debris and in a clean tidy and hygienic condition;
- (g) the licence hereby granted is personal to the Lessee and the Lessee shall not assign or attempt to assign its benefit or any part of it except with the prior written consent of the Lessor if the Lease is assigned or sub-let;
- (h) the Lessee shall indemnify the Lessor from and against all actions claims demands suits losses costs and expenses whatsoever and by whomsoever made or occasioned by or as a result of:
 - (A) any damage from any cause that any motor vehicle owned or used by the Lessee or by any of the Lessee's employees and visitors or any other person lawfully authorised by the Lessee in that behalf may at any time sustain while upon the Car Parking Space or the Land;
 - (B) any loss resulting from the theft of any motor vehicle (or any of its parts, equipment or contents) owned or used by the Lessee or any of the Lessee's employees and visitors or any other person lawfully authorised by the Lessee in that behalf while upon the Car Parking Space or the Land;
 - (C) any injuries which the Lessee or any of the Lessee's employees and visitors or any other person lawfully authorised by the Lessee in that behalf may at any time sustain whilst in about or upon the Car Parking Space or the Land.
- (i) The grant of this Licence shall not in any way create in favour of the Lessee any tenancy or any rights in the nature of a tenancy or any rights to the exclusive occupation of the Car Parking Space or any part of the Land, and the Lessee's rights are limited to a height of 3 metres above the surface of the Car Parking Space.
- (j) Notwithstanding anything to the contrary in this licence, in the event of default by the Lessee in the observance or compliance with any of the obligations imposed on the Lessee in this licence the Lessor may immediately determine this Licence by notice in writing to the Lessee and this licence shall determine upon service of such notice on the Lessee.

12.3 Minimise nuisance to neighbours

- (i) The Lessee must take all reasonable action to minimise and prevent disruption, nuisance and disturbance to surrounding residential premises, particularly during and following social events held at the Premises.
- (ii) The Lessee must comply with all reasonable conditions and directions that may be imposed by the Lessor from time to time in relation to the minimisation and prevention of disruption, nuisance and disturbance to surrounding residential premises.

12.4 Right to terminate upon notice

Notwithstanding any other provision of this Lease, the Parties agree that either party may terminate this Lease for any reason upon six months written notice to the other party. If this Lease is terminated in accordance with this clause, **clause 21** and **22** will apply.

12.5 Use of Premises in Emergency

Notwithstanding any other provision in this Lease, in the event of a circumstance that calls for immediate emergency response, including flooding or a bushfire event, the Landlord may require the use of the whole or part of the Premises for that purpose and the Tenant agrees to surrender use of the whole or part of the Premises for that purpose. If such an emergency occurs and the Landlord enters into possession of the whole or part of the Premises, the Landlord agrees to suspend payment of the Rent and Outgoings Charges (or part thereof dependent on whether the Landlord requires use of the whole or only a part of the Premises) for the duration of the emergency.

12.6 After-hours access to the Leased Premises

- (i) Should the Lessee access the Leased Premises outside the Normal Hours, the Lessee shall be responsible for the security of the Building for the time any Authorised Person is inside the Building.
- (ii) The Lessee must not permit any third party to have access to the keys, access cards or other security devices for the Leased Premises or the Building.
- (iii) The Lessee shall pay to the Lessor on demand on a full indemnity basis any amounts payable by the Lessor arising from the Lessee's improper use of the keys, access cards or other security devices for the Leased Premises or the Building.

12.7 Damage to Lessor's Fixtures

- (i) The Lessee acknowledges and agrees that the Lessor's Fixtures do not include any software. All software must be supplied by the Lessee at the Lessee's cost.
- (ii) The Lessee agrees to (at the Lessee's cost):
 - (a) maintain the Lessor's Fixtures in a good condition and where necessary, repair or replace any of the Lessor's Fixtures to the satisfaction of the Lessor, except in respect of fair wear and tear;
 - (b) return to the Lessor any of the Lessor's Fixtures which have been damaged and cannot be repaired; and
 - (c) provide the Lessor with written notice of any Lessor's Fixtures which are replaced by the Lessee at the Lessee's cost; and
 - (d) leave all Lessor's Fixtures which have not been replaced in the Leased Premises at the expiration of the Term (or the Further Term as the case may be).
- (iii) For the avoidance of doubt, any Lessor's Fixture which has been replaced by the Lessee at the Lessee's cost will vest in the Lessor unless the Lessor or Lessee provides otherwise in writing to the Lessor.

12.8

Termination

- (i) Notwithstanding any other clause in this Lease, the parties agree that the Lessor may (in its absolute discretion) permit the Lessee to terminate the Lease upon the Lessee giving the Lessor ninety (90) days prior written notice.
- (ii) The Lessor will not unreasonably withhold consent if the Lessee satisfies the Lessor that:
 - (a) the funding the Lessee receives from a Relevant Authority has ceased; and
 - (b) it is no longer financially viable for the Lessee to continue operating from the Leased Premises.
- (iii) Notwithstanding any other provision of this Lease, the Parties AGREE that either party may terminate this Lease for any reason upon six months written notice to the other party. If this Lease is terminated in accordance with this clause, **clause 21** and **22** will apply.

Signing page

EXECUTED

2020

THE COMMON SEAL of **CITY OF KWINANA** is
affixed in the presence of:

Mayor

(Print Full Name)

Chief Executive Officer

(Print Full Name)

SIGNED by **NYOONGAR WELLBEING AND
SPORTS ABORIGINAL CORPORATION:**

Office Holder Sign

Office Holder Sign

Name:

Name:

Address:

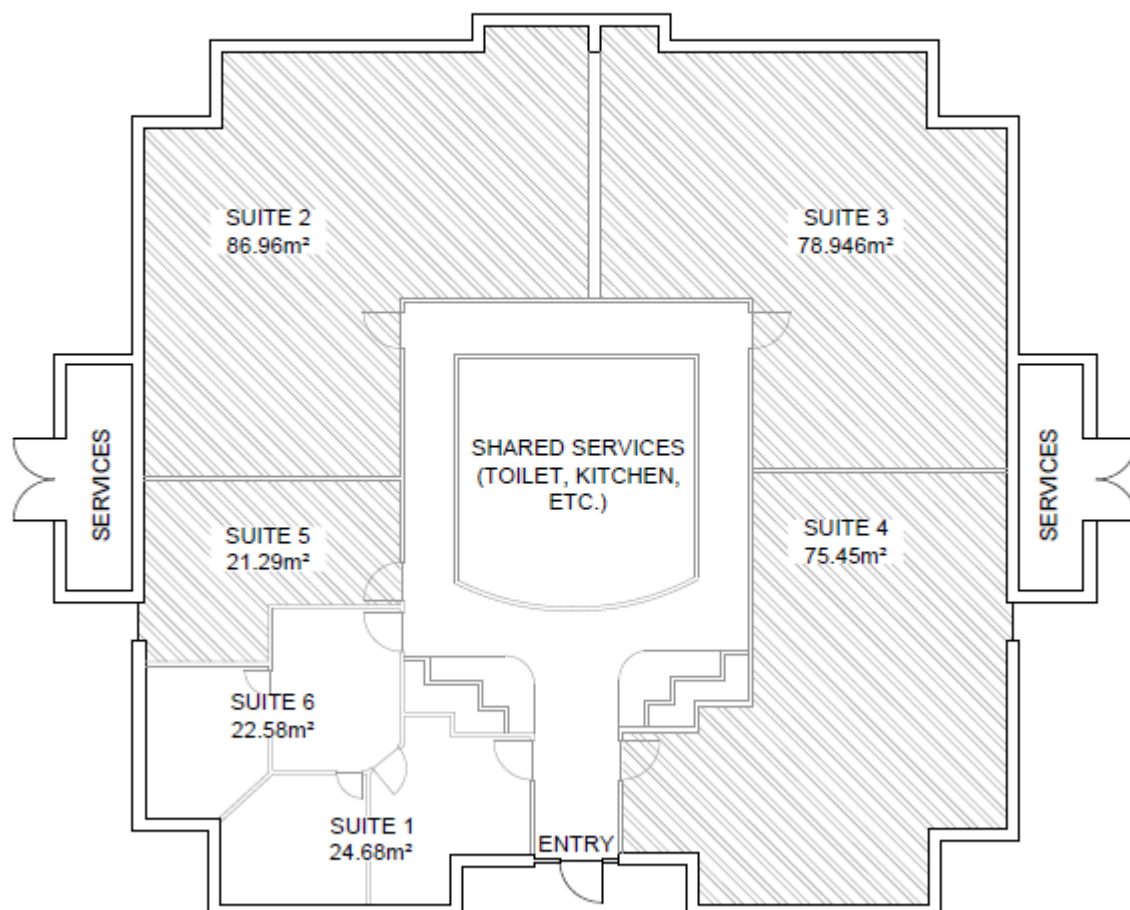
Address:

Office Held:

Office Held:

Annexure 1 – Sketch of Premises

PARMELIA HOUSE



19 Notices of motions of which previous notice has been given

Nil

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

Nil

21 Late and urgent Business

Nil

22 Reports of Elected Members

22.1 Deputy Mayor Peter Feasey

Deputy Mayor Peter Feasey reported that he had been in contact with the Kwinana Senior Citizens and they had advised they will remain closed until the Government relaxes the COVID-19 restrictions further.

22.2 Councillor Matthew Rowse

Councillor Matthew Rowse reported that he had attended the online Kwinana Local Coordination Recovery Group Meetings held on 23 April 2020, 30 April 2020 and 7 May 2020.

Councillor Rowse advised that he had attended the online Kwinana Community Group Recovery Meeting held on 30 April 2020.

Councillor Rowse mentioned that he had attended the online South Metropolitan Zone Meeting held 28 April 2020.

23 Answers to questions which were taken on notice

Nil

24 Mayoral Announcements

Mayor Carol Adams reported that she had Chaired the Local Recovery Coordination Group eMeetings held on 23 April 2020, 30 April 2020 and attended the meeting held on 7 May 2020 that Councillor Matthew Rowse Chaired.

The Mayor advised that she had Chaired the Local Economic Recovery Subcommittee eMeeting held on 22 April 2020.

24 MAYORAL ANNOUNCEMENTS

The Mayor mentioned that she had filmed the Mayors COVID-19 Response Message on 29 April 2020.

The Mayor reported that she had filmed the Mayors Council Wrap on 23 April 2020.

The Mayor advised that in company with the Chief Executive Officer (CEO) that she had participated in the WA Local Government Association (WALGA) COVID-19 Webinars with the Minister for Local Government that were held on 1 May 2020, 8 May 2020 and 24 May 2020.

The Mayor mentioned that she had attended the Medina Returned and Services League (RSL) memorial to lay a wreath on behalf of the City of Kwinana for Australian and New Zealand Army Corps (ANZAC) Day.

The Mayor reported that she had participated in the Kwinana Early Years' Service (KEYS) Board Meeting.

The Mayor advised that she had participated with the CEO in Brand Community Cabinet teleconferences held on 5 May 2020, 13 May 2020 and 28 May 2020 regarding the COVID-19 response in the Brand region.

The Mayor mentioned that she had participated in Elected Member eBriefing Sessions held on 28 April 2020 and 4 May 2020.

The Mayor reported that she had participated in the WALGA Governance and Organisational Service Policy Team eMeeting and further reported that she had been elected as Chairperson for the next 12 months.

The Mayor advised that she had attended the WALGA South Metro Zone eMeeting, along with the City's CEO, Councillor Matthew Rowse and Councillor Sandra Lee.

The Mayor mentioned that she had attended the WALGA State Council Strategic Forum eMeeting held on 6 May 2020.

The Mayor reported that she had attended the WALGA State Council eMeeting held on 6 May 2020 and explained the emerging issues were COVID-19 and the WALGA response as well as the *Local Government Act Emergency Provisions* and the advocacy undertaken by WALGA to ensure the sector's concerns were noted.

The Mayor explained that a matter for decision of note from the State Council Meeting was:

- Amendment to the Third Party Appeal Rights (Preferred Model), saw the attempt to have; third parties appeal on decisions made by the Development Assessment Panels not being supported. Similarly, an amendment that closely associated third parties in addition to a local government could appeal a decision made by the WA Planning commission and the State Administrative Tribunal, in addition to the Development Assessment Panels was not supported.

The Mayor advised that she had attended the WALGA State Council eMeeting re: Rates Campaign held on 8 May 2020.

The Mayor mentioned that along with the Director City Regulation that she had participated in the Department of Water and Environmental Regulation's Food Organic and Garden Organics (FOGO) forum, Session 2: Processing and Markets.

25 Confidential items

25.1 Rent Relief for City of Kwinana Tenants

This report is 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:

- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and

DECLARATION OF INTEREST:

Councillor Merv Kearney declared a financial interest due to Kearns Garden, Hardware and Pets leasing a property from Council. Councillor Merv Kearney left the meeting (logged out) at 5:49pm.

Mayor Carol Adams declared an impartiality interest due to her husband's employer being a tenant of the City of Kwinana.

COUNCIL DECISION

162

MOVED CR P FEASEY

SECONDED CR M ROWSE

That Council:

1. authorise the Assessment Panel (comprising the Director City Legal, Director City Business and Director City Engagement) to determine on a case by case basis:
 - a. whether a City of Kwinana Tenant is eligible for rent relief having regard to the eligibility considerations contained in this Report; and
 - b. the extent of rent relief, provided it is not greater than \$15,000 or not greater than 6 months of rent.
2. authorise a member of the Assessment Panel to waive rent owed by a City of Kwinana Tenant in accordance with the Assessment Panel's determination.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

7/0

Councillor Merv Kearney returned to the meeting (logged in) at 5:52pm.

25.2 619KWN16 Green Waste and Bulk Junk Recovery, Collection, Processing and Disposal Services

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

- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and

COUNCIL DECISION

163

MOVED CR S WOOD

SECONDED CR D WOOD

That Council approve the following amendments to the Contract between the City of Kwinana and Western Maze:

- 1. Approve an extension to the existing contract for a period of 12 months only and due to expire 30 June 2021, in accordance with the original contract conditions; including special and general conditions of contract, specifications and their tender submission, clarifications and Schedule of Rates;**
- 2. The contract extension is subject to annual price increases based on the quarterly Consumer Price Index (CPI) (All Groups) (Perth) published immediately prior to the relevant Review Date and the quarterly CPI (All Groups) (Perth) published immediately prior to the contract start date or anniversary of the previous year.**

**CARRIED
8/0**

26 Close of meeting

The Mayor declared the meeting closed at 5:54pm.